



The Freedom of Thought Report 2019

Key Countries Edition

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



Humanists
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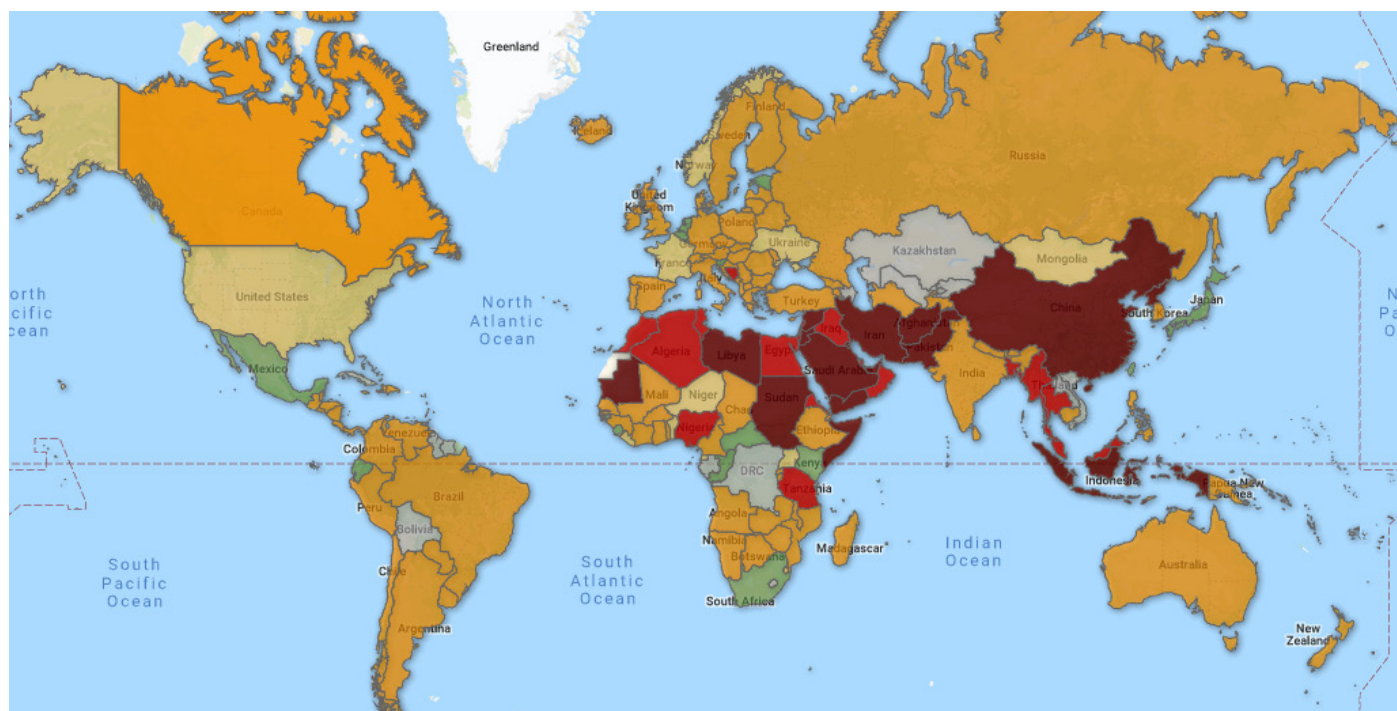
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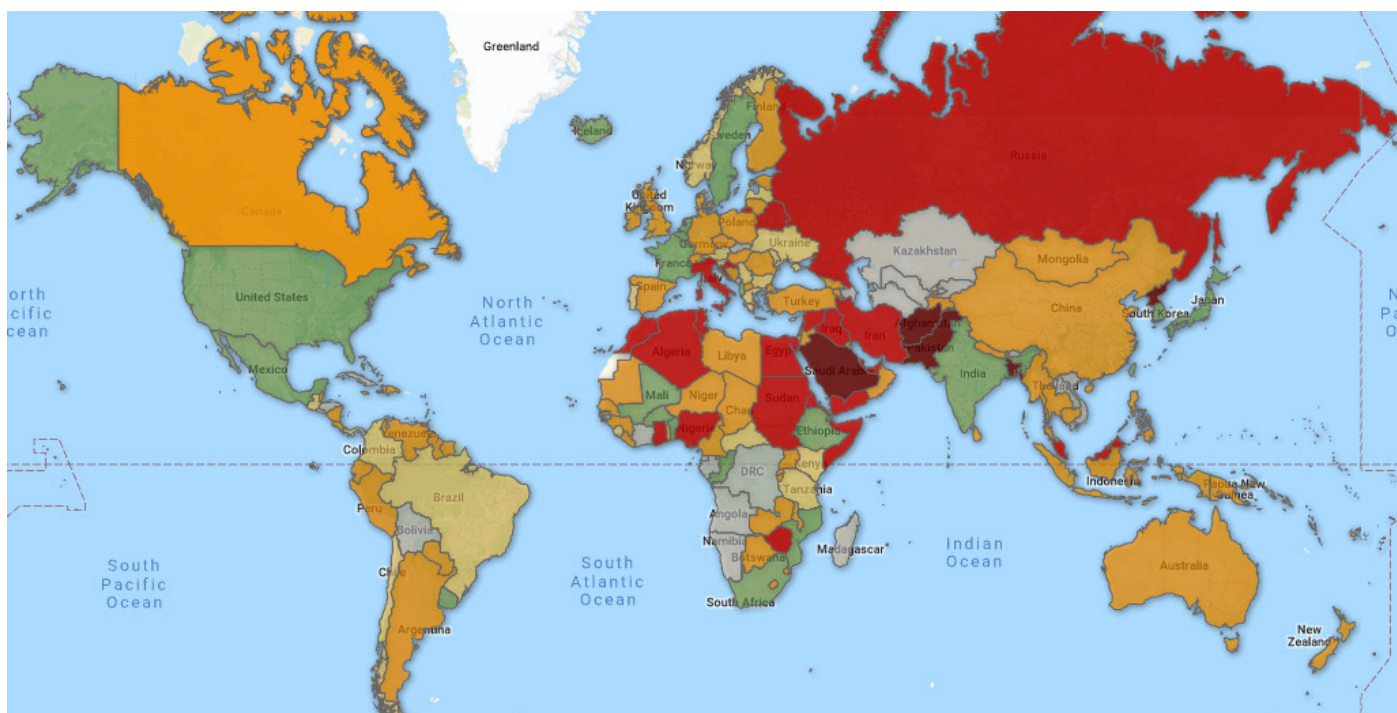
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Constitution & Government



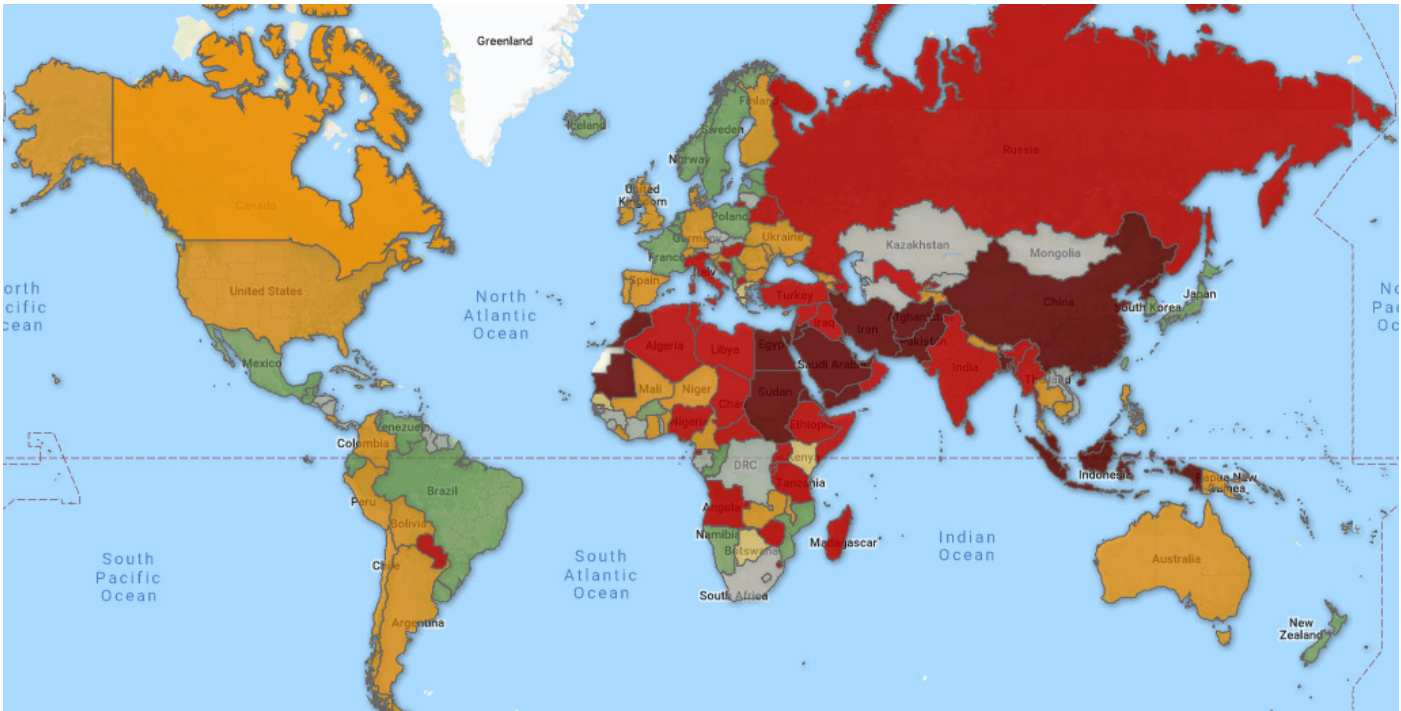
Education & Children's Rights



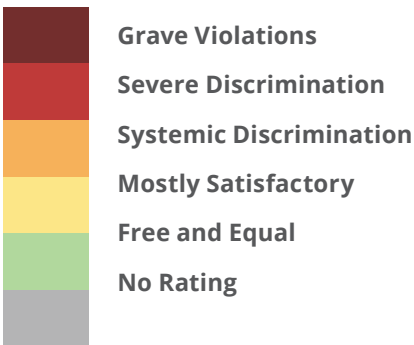
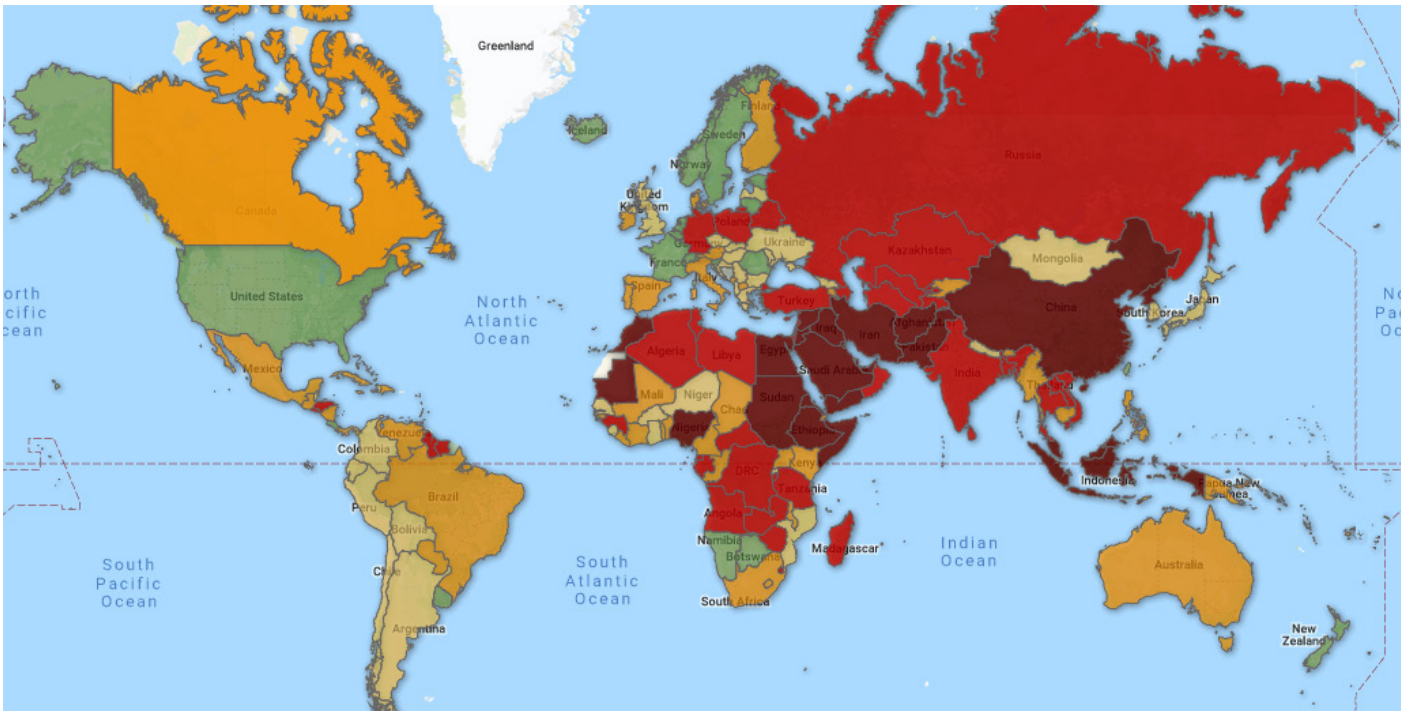
These maps depict the findings of the full Freedom of Thought Report which is available in a complete Online Edition at fot.humanists.international

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

Society & Community

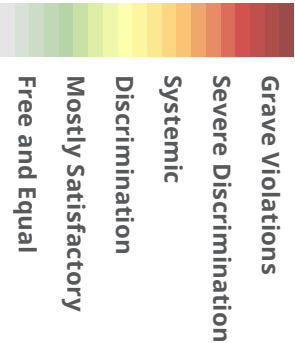


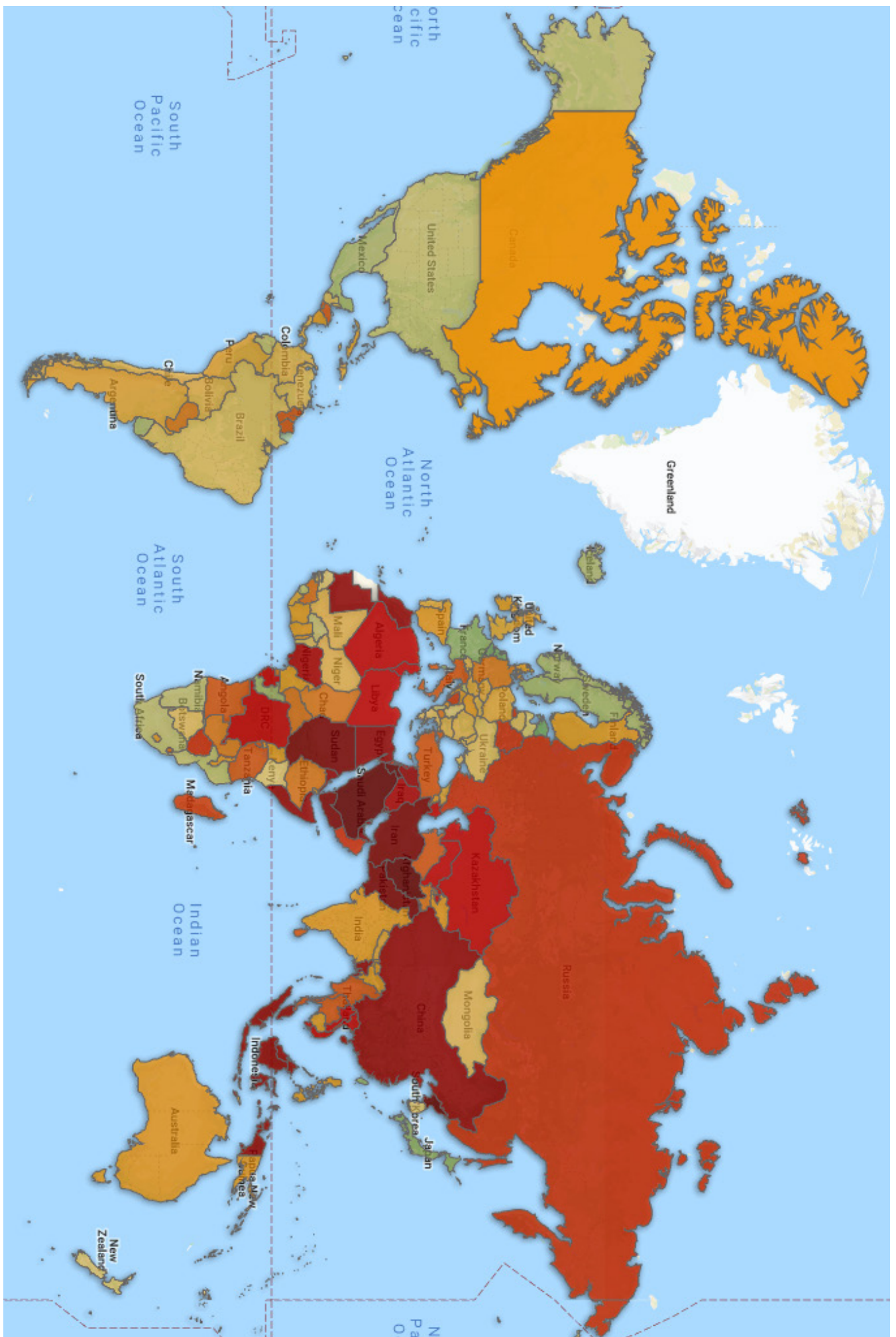
Expression & Advocacy of Humanist Values



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

This map shows as a colour gradient the “summary score” for each country (the average of the worst severity level (see key, right) of any boundary condition applied in each thematic strand.





Preface to the 2019 edition

By Andrew Copson

Laws against 'apostasy' and 'blasphemy' always violate the human rights to freedom of thought and freedom of expression. They also remain one of the most egregious forms of legal discrimination against the non-religious, as well as other religion or belief minorities, in that they are used most often against members of religion or belief groups outside the mainstream of a country.

The 'blasphemy' cases that most often hit the headlines include artists and writers, protesters and activists, who through their creative or social work cause 'offence' to a mainstream religion. Sometimes the offence as such is somewhat intentional, as when a novelist plays with the bounds of faith, or an artist depicts some aspect of faith or criticism in a novel, or satirical mode. Other times, 'blasphemy' laws and taboos are used to intimidate or prosecute people who express dissent against some aspect of mainstream religion, whether from 'inside' or 'outside' the tradition. This can mean that criticism of particular beliefs, practices, leaders or institutions is made taboo, even when there is a clear moral case for debate, criticism, reform or justice.

Every society contains people who in the exercise of their own judgement arrive at conclusions about the broadly philosophical questions to which different religions purport to offer answers. In so doing, they may be turning away from particular beliefs; beliefs that were presumed of them, or impressed upon them by family or society. Just for seeking their own answers, or for expressing their own ideas, especially but not limited to when these ideas contradict a majority religion, then laws against 'blasphemy' and 'apostasy' cast such people as heretics, infidels or dissidents.

Sometimes they are told the very expression of their change (or supposed change) in beliefs is a crime because it contradicts a religious prohibition against 'apostasy', which of course is a peculiar circular logic and not something that should have any moral let alone legal hold over a non-sharer of those beliefs. Or they are told that the expression of their 'apostasy' is a form of betrayal against consanguinity, treason against culture or country, which of course an overreaction in the extreme. Or they are told that their ideas "shake the faith" of others, as if the fact of one's own beliefs giving another a pause for thought or a moment's doubt is some great crime, and belying also the fragility of any beliefs that need such coddling protection from the mere fact of disagreement, or that any of these things is so grave that



Andrew Copson is president of Humanists International

the mere expression of thoughts must be punishable by imprisonment or even death.

There is no trade-off here: it is not the case that we *need* 'blasphemy' or 'apostasy' laws despite the huge downsides. Laws against 'blasphemy' and 'apostasy' do not achieve some good, or protect persons from harm. Rather they prevent open discussion of ideas. And in particular, these laws usually actualize a particular interpretation and 'respect for' conservatively-held beliefs, which of course are never shared by every single person in society, but are broadly shared among all the most radical or extremist believers. And yet 'blasphemy' and 'apostasy' laws compel upon all members of society conformity with those beliefs.

Defenders of 'apostasy' laws tend to rely most heavily on a specifically religious defence and a circular bit of logic (the religion says that apostates must be shunned, punished or killed, therefore the law must enact this, and if people 'belong to' the religion then they must obey its strictures, including the stricture that they must not abandon it!). This is such a bad and slippery argument that there's almost no way of grasping it, suffice it to say that it flies in the face of all human psychological experience, and undermines its own premiss: the very existence of the law itself presupposes that obviously people's minds do change and that given freedom of enquiry people will reach different conclusions about the various metaphysical, moral and historical questions that religions hope to address.

Defenders of 'blasphemy' laws may also make a narrowly religious case, such as that 'blasphemy' is an "offence against God"; though they often produce a more secular argument around the deleterious effects on 'society' upon hearing criticism, ridicule, or insult to beliefs that many members of society hold dear. This argument at least deserves attention, though it is also easily dismissed. We all have a right to express ourselves, criticism is a legitimate part of speech, more than that it is often morally necessary, while there is no right not to hear general criticism, and while rights protect people from discrimination and persecution by other people and institutions, they don't protect ideas from other ideas.

One can always construct scenarios in which a particular expression both fits the general description of being 'blasphemous' and is employed in some manner that is actually hateful or discriminatory (for example, a criticism of a religious institution may be legitimate and protected when written in a book, but if shouted in the face of an arbitrary adherent it may well become harassment, intimidation, or incitement). But to the extent that it is necessary and desirable to curb behaviour that is genuinely hateful, laws can target incitement to hatred and violence per se, and are the stronger for doing so without employing the incommensurable, ambiguous, religious concept of 'blasphemy'. 'Blasphemy' laws always overreach the legitimate purposes that can be satisfied by laws against incitement to hatred or violence.

Given that the legal and human rights case against 'apostasy' and 'blasphemy' laws is strong, it's also worth considering the extrajudicial impact of such laws. It is sometimes argued that such laws help to combat social 'disharmony' or extremism. However, as will be clear in the country chapters in this report, countries with the most severe and widely-enforced 'blasphemy' laws are usually those with the most religious tension and extremism.

One could argue about cause and effect here: maybe these social problems necessitate such laws and that is why they correlate? But the pattern we have seen again and again, certainly over the past eight years this Report has run, is that the demands and impact of extremist voices, religious social tension, and 'blasphemy' laws in particular, are self-reinforcing. Extremists demand compliance through mechanisms such as 'blasphemy' laws, and when states accede by creating, hardening or enforcing these laws as a kowtow to extremist voices and conservative voters, the demands are not considered met; rather it leads to prosecutions, to further pressure on pro-democratic, secular, liberal and

human rights advocates, and this is followed by further demands, in a cycle of increasing demands and the religionification and hardening of laws.

As such, 'blasphemy' and 'apostasy' laws not only violate the rights of the individual, it is not even true that 'society' as a whole somehow benefits. On the contrary, time and time again, it is clear that where there are cultural taboos against sacrilege, non-belief, or religious conversion, to codify those taboos in law only increases the confidence of religious radicals, diminishes the space for both personal freedoms and civil society, and propagates ever more extreme beliefs, extreme taboos, and the primacy of religious beliefs, particularly conservative religious beliefs, over the welfare of everyone in society.

Foreword to the 2019 edition

By Mohamed Hisham Nofal

I am Mohamed, a human rights and LGBT rights activist. I am also an electrical engineer by profession. Currently, I live in Germany after escaping my home country Egypt for practising my fundamental right of freedom of speech.

Back in Cairo, February 2018, I confronted a government Imam live on TV. I had been invited on to talk about why I professed atheism. I was very polite. I explained why in my opinion religion was not logical. Before I could conclude, I was told I needed psychiatric help and thrown off the show.

As a consequence, my life took a dramatic turn. Living safely in my country became inconceivable. I received death threats. The police searched my house. I had taken the decision to go public with my convictions while I was totally willing to endure the consequences of challenging religion in such a public setting. Because for me a life where my basic personal freedoms are illegal and can't be practised is not worth living.

In my part of the world, there are too many destructive beliefs and ideas that are held by both the public and the government as sacred or untouchable. But in order for the MENA region to progress towards being a peaceful region that respects human rights and contributes more positively to human civilisation, many mainstream "sacred" and "holy" ideas and beliefs will have to be challenged and changed.

"my life took a dramatic turn. ... I received death threats. The police searched my house"

This can't happen in such oppressive environments as the one we have in Egypt for instance. Our government's crackdown on freedom of speech is happening because they installed an authoritarian, fragile system that would allow the country to be driven easily to complete disorder and chaos if they ceased to use force to oppress the people. So, we urgently need new humanistic governing systems that would give us enough freedom to allow us to pursue these needed changes.



Mohamed Hisham Nofal

Many people are trying to change the status quo in my country, but sadly I am considered lucky in comparison to friends who ended up in prison or got stuck in inhuman and dangerous situations. I wish them freedom and safety.

The international community must unite around the ideals of peace and human rights. Do not give up on countries like mine, do not pretend that the politics is too hard or that no form of intervention is possible or desirable. There is always something you can do toward building up human rights. Use your imaginations. Develop new strategies. Promote the human rights we need however you can. I beg you to do it.

Editorial Introduction

By Bob Churchill

The push to abolish 'blasphemy' laws is proceeding apace in many western countries. This is a trend that must be welcomed as a victory for freedom of thought and expression, and for the campaigners who have been pushing for reform, both in countries like Malta and Denmark where the laws were sometimes employed, and countries like Canada and New Zealand where they had been out of use for decades or longer.

In an interconnected world, it is important that bad laws, no matter how seemingly inactive, should be actively abolished, both because of the risk they may be reactivated, as Ireland saw, but also because they set a dangerous precedent in a world where at least 69 states still have 'blasphemy' or quasi- 'blasphemy' laws on the books.

And such considerations will lead us on to the other side of this success story: The world is divided, with many states still enforcing these laws, and several states actively tightening or introducing new 'blasphemy' legislation in the past few years.

Victories for freedom of thought and expression

Since 2015, this Report has documented the repeal of 'blasphemy' laws in eight countries, namely: Norway, Iceland, Malta, Denmark, Canada, New Zealand, Greece, one province of France, and one further country, Ireland, where repeal legislation is pending.

In 2015, citing the then-recent Charlie Hebdo massacre in Paris, Norway finally got around to removing its essentially defunct 'blasphemy' law, the culmination of a process that had begun in 2009 and was ushered to conclusion by the outrage. One lawmaker who nevertheless remained opposed at the time called the abolition "cultural suicide", adding that "Today we have no value basis." Neither the State nor culture of Norway has subsequently been seen to collapse, however.

Iceland followed its Nordic cousin in the same year. The proposal to scrap the Icelandic 'blasphemy' law was put forward by the Pirate Party, the matter was unanimously supported by the committee examining the proposal, and then received broad support from all other political parties. Sidmennt, the Icelandic Ethical Humanist Association, which had been calling for



Bob Churchill is Director of Communications & Campaigns at Humanists International

repeal, specifically cited the international precedent set by retaining such a law: "Often, countries where there is a lack of democracy and freedom are criticized for punishing people for blasphemy even with death sentences. When those countries are criticized, their spokespeople frequently point out, correctly, that similar laws are in force in "Western" democracies. Therefore, it sends a vital message to the rest of the world if Iceland has repealed its blasphemy law. Nations which maintain blasphemy laws with serious consequences should not be able to point to Iceland and say that it has the same kind of law."

In June 2016, a frequently-used 'blasphemy' law in Malta was scrapped. The Malta Humanist Association had actively campaigned for the change, arguing it would encourage rational debate and constructive criticism in a country where conservative Catholicism is still common, but battles on reforms around social issues such as divorce and same-sex marriage are steadily being won by progressives. The law having been framed around "vilification" of religion, the humanists also stressed that repeal would have no effect on hate speech laws which already existed and which serve any legitimate purpose that a 'blasphemy' law could be said to have, adding that "vilification" in the 'blasphemy' law was vague, and therefore problematically "may be left to the discretion of the judiciary".

Later in 2016, France followed suit, where despite the avowed laïcité of the nation, a 'blasphemy' law on statue in the Alsace-Moselle region had been clinging on in

local law after occupation, inherited from the German Criminal Code of 1871.

In 2017, Denmark repealed its blasphemy law, section 140 of the Penal Code, which threatened fines or imprisonment for “ridiculing” religion. As in France, Islamist extremism loomed over the decision, with the Jyllands-Potsden cartoon backlash, the murder of Theo van Gogh and threats against other ardent secularists, was predominant in the national debate. Confrontation with the logical conclusion of the ‘blasphemy’ taboo in its absurdity - that sacrilege is somehow a crime against the Almighty Himself and must be resisted even by riot, violence and murder - led to more secular reasoning prevailing. The eventual vote had cross-party support, and ‘blasphemy’ law was abolished by a majority of 75 – 27.

On Friday 26 October 2018, Ireland became the first country in the world to hold a referendum on ending its ‘blasphemy’ law. The Irish people voted (64.85% to 35.15%) to remove the constitutional requirement that ‘blasphemy’ be outlawed. section 36 of the Defamation Act 2009 had criminalized the publishing or utterance of “blasphemous matter” punishable by a fine of up to €25,000. Though sometimes presented as an unenforced or unenforceable law, campaigners including Atheist Ireland noted that this relatively very recent law was cited internationally as a precedent in favour of such laws elsewhere, and an “investigation” into comments by the broadcaster Stephen Fry in 2017 drove home to many that even a relatively dud law could still have a chilling effect on freedom of expression. The Blasphemy (Abolition of Offences and Related Matters) Bill 2019 was formally introduced on 17 July 2019 and had reached the Second Stage as of 25 September 2019.

Even since the publication of last year’s Freedom of Thought Report, three more countries have abolished the crime of ‘blasphemy’, in all cases as part of reforms designed to remove laws considered “anachronistic” or contrary to twenty-first century human rights standards.

In December 2018, the Canadian Senate voted for repeal, as part of a bill intended to remove outdated legislation. Under Section 296 of the Canadian Criminal Code, dating back to 1892 the crime of “blasphemous libel” was in principle punishable by a prison term up to two years. Despite a “good faith” provision protecting “opinion” delivered in “decent language”, the law had historically been used to prosecute satire and criticism.

Then, in March 2019, the New Zealand parliament voted to repeal “blasphemous libel”, again as part of a package of measures to remove “anachronistic” laws under the Crimes Amendment Bill. The move follows decades of campaigning by Humanist NZ, a national partner in the End Blasphemy Laws campaign. In their submission to a public consultation on the bill to remove Section 123 of the criminal code, Humanist NZ argued for repeal

of ‘blasphemy’ on the grounds that it was detrimental to the country’s capacity to challenge rights violations committed under so-called ‘blasphemy’ laws abroad, an argument that was taken up by Justice Minister Andrew Little in favour of repeal. Later arguing for the repeal, Little declared that ‘blasphemy’ law was “out of place with New Zealand’s position as a bastion of human rights”.

And similarly, in June 2019, once again as part of a wide-ranging overhaul of the Criminal Code and the Code of Criminal Procedures, Greece dropped the two articles outlawing ‘blasphemy’. There were some words of criticism from leaders of the Greek Orthodox church, however wider public reaction was minimal, and the move was welcomed by the Humanist Union of Greece, which had lobbied on the move for many years, as well as other campaigners for free expression.

Cultures of taboo and regression in law

The divide between countries respecting secular freedom and those which do not is growing however.

It was welcome and celebrated news in October 2018 that a Pakistani Christian woman, Asia Bibi, was finally pardoned from ‘blasphemy’ allegations dating back to 2009, and was freed and fled to Canada in May 2019. However, the fate of dozens or hundreds of others accused of ‘blasphemy’ in the country is more obscure and deeply troubling. One relatively well-known case, Junaid Hafeez, a lecturer accused of ‘blasphemously’ discussing the life of Muhammad on a closed Facebook group, remain in prison in solitary confinement. His first defence lawyer quit after receiving death threats, his second defence lawyer was murdered. Others have been ‘disappeared’ and then charged with ‘blasphemy’ in connection with accusations that they merely joined atheist groups online. Extrajudicially, ‘blasphemy’ accusations lead to mob attacks and murder. Despite occasional attempts to argue for reform, all critical discussion of Pakistan’s ‘blasphemy’ laws stands to be criticized by Islamists as itself an act of ‘blasphemy’, leading to the condemnation and sometimes the assassination of those who even suggest reform of the law.

Meanwhile in Saudi Arabia, a number of accused ‘apostates’ or ‘blasphemers’, some of whom were previously sentenced to death, including Ahmad Al Shamri, Ashraf Fayadh, Waleed Abu al-Khair, and Raif Badawi, have disappeared into the prison system.

While the ‘blasphemy’ situation in Pakistan is perennially horrific, and the situation for ‘apostates’ and ‘blasphemers’ in Saudi and other states enforcing conservative taboos is nothing to be emulated, a number of other countries have actually increased

penalties for such crimes in the past year alone.

The case of Mohamed Cheikh Ould Mkheitir has shaken Mauritania since 2014. Accused of 'blasphemy' and 'apostasy' over an article he wrote about religion and slavery, as a member of a commonly "indentured" caste himself, Mkheitir was reviled by Islamist groups and leaders who repeatedly dogged his trial with rallies calling for his death. Mkheitir was imprisoned from early 2014, and handed a death sentence before the end of that year. The death penalty was subsequently commuted, and after years of isolated imprisonment he was pardoned by the Supreme Court in 2017, but he remained in detention until finally being allowed to leave the country in 2019. The entire long episode is a story of gross injustice against an innocent man, and could have served responsible lawmakers as a basis on which to talk about the perils of allowing extremists to incite hatred under the guise of 'blasphemy' and 'apostasy' allegations; could have moved the state toward just reforms. Instead, they opted for entrenching extremist demands, actually increasing the penalties for 'apostasy' and 'blasphemy' to a mandatory death penalty as of April 2018.

After some years of staged implementation, the kingdom of Brunei has increased penalties for various crimes against religion including 'apostasy' and 'blasphemy', as well as adultery and gay sex. These are now capital crimes. The sultan has said that a moratorium on the death penalty will be preserved. However, indefinite prison terms are a terrifying prospect for people simply trying to live their lives and express their beliefs. The persecution of innocent people is a high price to pay for an entirely impossible attempt to impose cultural homogeneity across a society on questions concerning religion and personal morality.

A world divided

Despite the victories in Europe, Canada and New Zealand, then, it remains the case that 69 countries outlaw 'blasphemy' or criticism of religion under similar laws, 6 of those carrying a death penalty.

Meanwhile at least 18 countries outlaw 'apostasy' (the mere fact, or announcing of the fact, of leaving or changing religion), 12 of those carrying a death penalty. Humanists International and numerous other human rights groups continue to call for the abolition of all such laws. In our advocacy work at the United Nations and other international institutions we continue to highlight cases of accused 'apostates' and call on states to abolish these medieval laws. Under the banner of the End Blasphemy Laws campaign we work with partners around the world to campaign locally for abolition.

The human rights consensus is firmly behind abolition.

There is momentum for reform in the west. But much harsher laws especially in countries with Islamic penal codes or Sharia-influenced law, continue to oppress freedom of thought and expression, not only for the non-religious but also religious liberals and reformists.

The major lesson of the past several years must be this: that for governments to promote or accede to the demands of extremist religion, whether to shore up conservative votes or to satisfy radical political groups or in an attempt to enforce conformity and control (as we have seen during the several editions of this report in countries such as Bangladesh, India, Pakistan, Maldives, Mauritania) is not even a short-term victory. Bending the law toward a conservative religious agenda, as with all forms of authoritarianism, always stamps on human rights, it leads to further extremist demands, it shrinks the space for civil liberties, it sometimes creates an illusion of conformity and homogeneity, but these are the enemy of the social good, and meanwhile liberal and progressive voices cannot and will not be silenced forever.

General Introduction

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

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

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

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

A secularizing world

Any rights violations and discrimination are important, even when only small numbers of people are affected. However, the non-religious are not necessarily a very small group. Atheists (those who do not believe in any god), and humanists (those who embrace a morality centered on human welfare and human flourishing that does not appeal to any supernatural or divine entities), and others who consider themselves non-religious, constitute a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world's population, while those who identify as "atheist" make up 13%, and an additional 23% identify as "not religious" (while not self-identifying as "atheist"). The report by the WIN-Gallup International Association <wingia.com/web/files/news/14/file/14.pdf> is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9 percentage points and atheism rose by 3 percentage points between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue. Even in countries which at first glance seem to have few self-identifying non-religious people, it should be remembered that often it is these states or societies that are most oppressive of non-religious views.

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

Freedom of thought under the human rights framework

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

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either

alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

— Article 18, Universal Declaration of Human Rights

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

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

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

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

“it is not necessary to describe atheism as a religion... to guarantee atheists the same protection as religious believers”

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

Religious believers and non-believers are equal in

human rights because they are all human, irrespective of their religion or beliefs. Just as the profession of religion is protected as a manifestation of belief and conscience, so is the atheist’s criticism of religious beliefs and practices. Just as speaking in support of one’s religious convictions and moral values can be of fundamental meaning and importance to the individual, so can advocating core humanist values of democracy, freedom, rationalism, or campaigning for human rights, equality and the principles of secularism. As the United Nations says, “religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life” (UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief).

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

Other rights and freedoms

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

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

— Article 19, Universal Declaration of Human Rights

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

It’s no coincidence that these three rights are stated together in the Universal Declaration of Human Rights: Articles 18, 19, and 20 are intertwined, and generally stand or fall together. Our survey therefore looks at

violations to the freedoms of expression, assembly and association, as well as freedom of thought, conscience, religion or belief, to show how non-religious people are prevented from, or persecuted for, expressing their atheist ideas or humanist values.

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

Rights violations and discrimination against the non-religious

Apostasy and blasphemy laws

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

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

The ‘crime’ of criticising a religion is not always called “blasphemy” or “blasphemous libel”; some countries outlaw “defamation of religion”; sometimes is included under hate speech laws (i.e. some hate speech laws outlaw expressions that fall well below any sensible standard of actually inciting hatred or violence); some quasi-“blasphemy” laws outlaw instead “hurting religious sentiments” or “insulting religion”. As documented in this report, there are legal restrictions against expressing “blasphemy”, defaming or insulting religion or religious

beliefs, or offending religious feelings etc, in dozens of countries.

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

Other discriminatory laws

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

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

Religious privilege is also seen in many countries’ public services and public education. The most common and substantial of these privileges is religious control of state-funded schools. For example, in Northern Ireland 94% of state funded schools are religious in character. This not only reinforces sectarianism beyond the school gate, but also excludes the non-religious. In England

and Wales, 16% of state-funded school places (or 1.2 million children), are subject to admission policies that discriminate against atheists.

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

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

The Ratings System

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

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

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

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

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

How countries are rated

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

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

A "signal light" summary system sits alongside the title of each country on its individual page. The "signal light" shows the worst rating received in each strand.

Example ratings table for a single country

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

In the example table above, the worst-rated boundary conditions applying in the left-most two strands are both at the middle level of severity: orange. The worst-rated boundary conditions applying in the right-most two strands are both at the second highest level of severity: red. (They don't always come in pairs like this!)

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

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

Another look at the full list of boundary conditions

It is common for a condition on the more free end of the spectrum (except for the "Free and equal" conditions) to be superseded by a condition on the more severe end of the spectrum. In this case, the less severe condition may remain implicit, and not listed against the country in the report. For example: if blasphemy is punishable

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

Const/Govt	Edu/Child	Society/Comm	Expression

by a maximum sentence of "death", then the less severe boundary condition stating that blasphemy that is punishable by "imprisonment" may be omitted in an individual country's ratings table.

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

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

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

Cautions

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

Lack of transparency in some countries makes comprehensive analysis of those countries more difficult.

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

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

The Ranking Index

The base score for each country is calculated according to the number and severity of boundary conditions applied to the country in its Ratings Table. △ indicates the country's base score has increased, whereas ▽ indicates a decrease. For the full narrative report and Ratings Table for each country, see: [fot.humanists.international](https://www.fot.humanists.international).

NOTE: These rankings reflect the considerations in this Report. There is a heavy emphasis on various kinds of formal or legal discrimination. We are not able to produce a full, qualitative assessment of societal factors or personal experience. Countries about which we have more information are likely to receive worse results.

Country	Signal light (the severity of the worst boundary condition in each thematic strand)				Base score	Ranking
	Const/Govt	Edu/Child	Society/Comm	Expression		
Belgium					0	1
Netherlands					0	1
Taiwan					0	1
France					2	4
Japan					2	4
Nauru					2	4
São Tomé and Príncipe					2	4
Norway					6	8
Saint Kitts and Nevis					8	9
Estonia					9	10
Sweden					9	10
Uruguay					9	10
Burkina Faso					11	18
Congo, Republic of the					11	18
Mozambique					11	18
Palau					11	18
Slovenia					11	18
Albania					13	26
Korea, Republic of					13	26
Mexico					13	26
Sierra Leone					13	26
Kiribati					15	32
Micronesia					15	32
Monaco					15	32
United States of America					15 ▽	32
Kenya					17	37
Benin					20	41
Ecuador					20	41
Kosovo					20	41
Marshall Islands					20	41

Botswana				22	▽	48
Brazil				22		48
Fiji				22		48
Guatemala				22		48
Dominica				24		54
Greece				24	△	54
Latvia				24		54
Moldova				24		54
Niger				24		54
Senegal				24		54
Iceland				27		60
Luxembourg				27	△	60
Bulgaria				28		63
Cape Verde				29		64
Mali				29		64
New Zealand				31	△	70
Colombia				33		71
Chile				35		72
Serbia				35		72
Portugal				38	▽	75
Liberia				40		77
Venezuela				40		77
Belize				42		81
Nepal				42		81
Singapore				42		81
Australia				47		90
Costa Rica				47		90
Dominican Republic				47		90
Georgia				47		90
Liechtenstein				47		90
Mauritius				47	▽	90
Spain				47		90
Switzerland				47		90
Papua New Guinea				51		99
Saint Vincent / Grenadines				52		101
Antigua and Barbuda				53		102
San Marino				53		102
Armenia				54		105
Cambodia				54		105
Timor-Leste (East Timor)				54		105
Cameroon				55		108
Slovakia				56	▽	109
Romania				58		110
Tajikistan				62		112
Ghana				64		114
Ireland				65		115
Peru				66		116

Malawi		71	117
Canada		73	△ 118
Denmark		74	119
Malta		76	120
Hungary		80	121
Cyprus		82	124
Chad		85	127
Finland		85	127
Paraguay		86	129
Uganda		87	130
Croatia		89	131
Poland		91	132
United Kingdom		91	132
Central African Republic		100	136
Swaziland		100	136
India		102	138
Argentina		103	139
Jamaica		109	140
Rwanda		111	141
Haiti		112	142
Zambia		118	143
Philippines		120	144
Germany		127	145
Samoa		127	145
Macedonia		129	147
Tanzania		131	148
Turkey		131	148
Djibouti		140	150
Burundi		149	▽ 151
Thailand		158	153
Belarus		169	155
Myanmar (Burma)		176	156
Zimbabwe		183	157
Italy		185	158
Palestine		187	159
Sri Lanka		225	160
Lebanon		233	161
Ethiopia		262	162
Libya		274	163
Oman		276	164
Russia		318	165
Israel		321	166
China		351	167
Bahrain		387	168
Iraq		420	169
Syria		440	170
Tunisia		450	171

Algeria		454	172
North Korea		502	173
Eritrea		503	174
Comoros		540	175
Gambia		545	176
Nigeria		547	177
Kuwait		589	178
Jordan		656	179
Bangladesh		665	180
Qatar		676	181
Morocco		705	182
Somalia		720	183
Indonesia		725	184
Egypt		774	185
Yemen		827	186
Sudan		880	187
Malaysia		923	188
Mauritania		940	189
Brunei Darussalam		996	▽ 190
United Arab Emirates		1060	191
Pakistan		1076	192
Maldives		1094	193
Afghanistan		1100	194
Iran		1287	195
Saudi Arabia		1358	196

★ The following countries have been excluded from the ranking index, because at least one thematic area contains no active boundary conditions in their Ratings Table, either because information is unavailable or is insufficient to make a determination. Therefore there is a lesser degree of confidence in their overall rating. However, for a rough indication of their possible standing, their nominal scores and rankings are listed below.

Country	Signal light (the severity of the worst boundary condition in each thematic strand)				Base score	Ranking
	Const/Govt	Edu/Child	Society/Comm	Expression		
Barbados*					9	10
Cuba*					9	10
Guinea-Bissau*					9	10
Namibia*					9	10
South Sudan*					9	10
Bolivia*					11	18
Tonga*					11	18
Trinidad and Tobago*					11	18
Mongolia*					13	26

<i>Seychelles*</i>					13	▽	26
<i>Ukraine*</i>					15		32
<i>Côte d'Ivoire*</i>					18		38
<i>Lesotho*</i>					18		38
<i>South Africa*</i>					18		38
<i>Austria*</i>					20		41
<i>Bahamas*</i>					20		41
<i>Kyrgyzstan*</i>					20		41
<i>Panama*</i>					22		48
<i>Saint Lucia*</i>					22		48
<i>Montenegro*</i>					27		60
<i>Andorra*</i>					29		64
<i>Bhutan*</i>					29		64
<i>Solomon Islands*</i>					29		64
<i>Tuvalu*</i>					29		64
<i>Lithuania*</i>					36		74
<i>Nicaragua*</i>					38		75
<i>Congo, Democratic Republic</i>					40		77
<i>Gabon*</i>					40		77
<i>Czech Republic*</i>					42		81
<i>Grenada*</i>					42		81
<i>Laos*</i>					42		81
<i>Viet Nam*</i>					42		81
<i>Vanuatu*</i>					44		88
<i>Togo*</i>					45		89
<i>Suriname*</i>					49		98
<i>Guyana*</i>					51		99
<i>Turkmenistan*</i>					53		102
<i>Honduras*</i>					58		110
<i>El Salvador*</i>					62		112
<i>Guinea*</i>					80		121
<i>Kazakhstan*</i>					80		121
<i>Azerbaijan*</i>					82		124
<i>Uzbekistan*</i>					82		124
<i>Angola*</i>					91	▽	132
<i>Equatorial Guinea*</i>					91		132
<i>Madagascar*</i>					151		152
<i>Bosnia and Herzegovina*</i>					160		154

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

Belgium

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 1

Belgium, a nation of 11.3 million, has a federal constitution with three levels of power. The Communities (French, Flemish, German), the Regions (Walloon, Flanders, Brussels) and the Federal State each

have their own responsibilities, mandates and scope. Over 40% of Belgium's population are identified as non-believers/agnostics (no religious affiliation) or atheists.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The Belgian Constitution states that:

"Enjoyment of the rights and freedoms recognised for Belgians must be provided without discrimination. To this end, laws and federal laws guarantee among others the rights and freedoms of ideological and philosophical minorities"
"Freedom of worship, its public practice and freedom to demonstrate one's opinions on all matters are guaranteed"
"No one can be obliged to contribute in any way whatsoever to the acts and ceremonies of a religion or to observe its days of rest"

Religion or belief neutrality

According to Article 21 of the constitution; the State does not have the right to intervene either in the appointment or installation of ministers of any religion or to forbid these ministers from corresponding with their superiors. A civil wedding must always precede the religious blessing of a marriage, apart from any exceptions that are established by the law.

Article 181, section 1, states that the salaries and pensions of religious ministers are paid for by the State and the amounts required are charged annually to the national budget. Section 2 declares that the salaries and pensions of representatives of organizations recognized by the law as providing moral assistance according to a non-denominational philosophical concept are also to be paid for by the Belgian Government.

Some controversies

A 2011 study of total public support at all levels of government noted that subsidies were not proportionate to the relevant populations. The Catholic Church received a more than the proportion of its adherents.

The Belgian government has curtailed the wearing of external religious signs in public functions. In Flanders, GO-Schools (Schools of the Flemish Community) have the authority to ban children from wearing the veil at school. Whether these infringe rights of some Muslim Belgians remains a contested subject.

Education and children's rights

The public education system, from kindergarten to university, requires strict neutrality, except with regard to the views of teachers of religion or secular "moral" education. (Education was one of the first aspects of Belgian politics to be administratively separated between the French and Flemish communities.)

Until 2015 religious or secular "moral" instruction was mandatory in all public schools, but provided according to the student's preference between either the religious or secular, broadly humanist classes. While based on a principle of equality between religious and secular views, some have objected that the courses as such may still constitute instruction with no overall opt-out available, and that — in lieu of a unified citizenship, ethics or philosophical education for all — students are still segregated by religion or belief.

On this basis, in early 2015, the constitutional court

found that to compel the student to undertake either one or the other was a breach of their human rights, and that an option to take neither should be implemented in the French Community.

› laicite.be/communiqués-de-presse/la-cour-constitutionnelle-a-tranche-les-cours-de-religion-et-de-morale-sont-facultatifs

Private authorized religious schools following the same curriculum as public schools are known as “free” schools. They receive government subsidies for operating expenses, including building maintenance and utilities. Teachers in these schools, like other civil servants, are paid by their respective community governments.

Family, community and society

There have long been concerns, which deepened significantly in 2015, about radical Islamism in parts of Belgium. Terrorists involved in undertaking the November 2015 Paris attacks were linked to Belgium, and Brussels was on high terror alert in the weeks following that attacks. There is some suggestion that Salafist clerics supported by Saudi Arabia have for decades undermined attempts by Moroccan immigrants to integrate, and the Belgian government is currently under significant pressure to “revise” diplomatic relations with Saudi Arabia.

› independent.co.uk/news/world/europe/paris-attacks-how-the-influence-of-saudi-arabia-sowed-the-seeds-of-radicalism-in-belgium-a6745996.html
› sputniknews.com/politics/20151127/1030848900/belgium-saudi-arabia-tax.html

In October 2015, after an 18 year investigation by Belgian authorities members of the Church Of Scientology appeared in court to “face charges of fraud, extortion, running a criminal organization, violating privacy laws and practicing illegal medicine”. If convicted the church could in theory be banned from the country although it seems that this would be unlikely in practice.

› <http://m.huffpost.com/us/entry/562fbd51e4b06317990facd7?ncid=fcblkInkushpmg00000014>

Public discourse has become more hostile towards so-called “progressive” ideas in recent years. In 2019, incidents of populist politicians “doxing” their critics (exposing their personal contact information, with a view to causing them distress or encouraging others to harass them) raised concerns.

› vrt.be/vrtnws/nl/2019/08/21/opinie-matthias-dobbelaere-welvaert/

Freedom of expression, advocacy of humanist values

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. Internet access is unrestricted. Belgians have access to numerous private media outlets. The concentration of newspaper ownership has increased in recent decades, leaving most of the country’s papers in the hands of a few corporations.

The laws on abortion were a live topic in parliament during 2018. The humanist community has been aiming for a complete decriminalization and improvement of the quality of the surrounding legislation. The parliament has adopted minimal measures of decriminalization but steered clear of any further reform of the legal framework surrounding abortion legislation.

Netherlands

Const/Govt

Edu/Child

Society/Comm

Expression

Ranking Index: 1

The Netherlands is a democratic, constitutional monarchy in Western Europe, generally recognised as a

liberal country that formally has an evenhanded policy towards religious and non-religious views.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

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

In the constitution of 1982 the equal treatment of religion and non-religious beliefs (life-stance or "philosophy of life") is made explicit. In public debate, however, reference to 'freedom of religion' is more common than reference to the equal freedom of non-religious beliefs.

Education and children's rights

The formal educational system is divided between public and so called 'special' ("bijzondere") schools. Both are funded by the state. Special schools may be based on a religious worldview or a secular pedagogical system. Approximately two-thirds of all primary schools are 'special' schools, most of which are inclusive schools, where the 'religious' identity is more or less a historic relic. A minority are orthodox Christian, conservative-Islamic, strict-Hindu or Jewish schools. In the past, these schools were allowed by law to refuse pupils and teachers on the basis of their lifestyle and beliefs and to be secretive about their financial situation and funding. Since 1st of July 2015 the law no longer permits schools to discriminate in the employment of teachers.

In 2015, the Secretary of Education further reformed the educational system, with the intention of better adapting education to the contemporary, secular society of the Netherlands. As part of this process, various proposals have been made to make more room to incorporate the present and actual wishes of parents, as opposed to assuming classical religious divisions. In

this light, a number of public initiatives have been taken to achieve acceptance of humanism as a visible and important lifestance.

In 2014 humanism was recognised by the state as a lifestance upon which a special school can be based and in 2016 the first humanist secondary school was opened in Amsterdam.

› deamsterdamsemavo.nl

In 2016 the Dutch parliament voted for structural finance of both humanist and religious education in public primary schools. In 2017 the Dutch Senate voted for structural finance as well.

› poraad.nl/nieuws-en-achtergronden/structurele-bekostiging-voor-levensbeschouwelijk-onderwijs-openbare-scholen

Humanist or religious education are not automatically provided for: parents have to ask the school to provide for it.

In the countryside, due to shrinking population, many schools – both public and religious schools – have to close their doors or merge. Due to the mergers of public and religious schools, the availability of pure public, non-religious education is at risk in these areas.

In July 2019, the news reported that several strict-religious schools and informal strict-Islamic mosques had been educed based on the accusation that they systematically rejected important values such as equality and tolerance. The Inspectorate of Education also released a report on the shortcomings of an Islamic secondary school – the "Cornelius Haga Lyceum" – in Amsterdam, pointing out that the latter was not sufficiently or satisfactorily educating students on issues such as discrimination towards people with other religions or beliefs, and homophobia.

In September 2019, thanks to a joint investigation conducted by the Dutch TV programme Nieuwsuur and the newspaper NRC, it was found that around thirty informal Islamic (weekend) schools in the Netherlands were educating children to intolerance and hate towards non-Muslims, non-strict Muslims and non-believers, as well as encouraging children to distance themselves from Dutch society and to refuse and reject homosexuality. Earlier investigations also showed that these schools were either being financed by or had required funding from the Gulf states.

dutchnews.nl/news/2019/09/mosque-run-salafist-schools-are-teaching-children-sharia-law-report/
dutchnews.nl/news/2018/04/30-islamic-organisations-in-nl-have-requested-funding-from-kuwait-saudi-arabia/

Moreover, in 2019 a Orthodox-Jewish and a Hindu school were also criticised due to their teaching falling below national standard, particularly on subjects such as sexuality and other related issues.

dutchnews.nl/news/2019/07/education-minister-calls-for-board-of-hindu-school-in-the-hague-to-step-down/
dutchnews.nl/news/2019/09/minister-warns-jewish-school-for-putting-jewish-codices-above-dutch-law/

These events have caused much debate in the Netherlands about the role of the state in 'special schools', leading to a renewed discussion of the law providing equal funding of special (religious) and public schools.

Family, community and society

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

There is a growing proportion of individuals that identify as non-religious, which according to the latest pools correspond to more than half of the Dutch population.

cbs.nl/en-gb/news/2018/43/over-half-of-the-dutch-population-are-not-religious

However, government research initiatives are still failing to update social measures and classifications; for example, Christians are sometimes subdivided into Protestant and Catholic denominations, while the majority of non-religious citizens in the Netherlands are usually identified as 'other'. The Dutch Humanist Association, Humanistisch Verbond, has requested an update of these research categories, in which the lifestance and worldviews of the non-religious are being taken more seriously. These suggested changes have not yet been implemented, but are expected to take place in 2020.

Social pressure inside conservative religious groups — against for instance the rights of women, sexual minorities and more liberal religious views — is of ongoing and growing concern. The new coalition government of the Netherlands, in which an orthodox-protestant party is represented, has frozen new policies considering reproductive rights for women.

In 2018, the Dutch Humanist Association successfully lobbied against granting government subsidies to Siriz, an anti-abortion organization that supports women who face unwanted pregnancies.

nrc.nl/nieuws/2018/08/31/geen-subsidie-voor-anti-abortuslobby-a1614913

In 2019, anti-abortions activists consistently organised manifestations in front of abortion clinics, showing aggressive behaviour towards women. Due to the intensity of the protests, the Dutch Health Minister Hugo de Jonge decided to support municipalities in creating buffer zones for protesters around the clinics. The Dutch Humanist Association also initiated a petition which gathered more than 10,000 signatures against the harassment of women at clinics.

nltimes.nl/2019/03/29/create-buffer-zones-protesters-around-abortion-clinics-dutch-health-minister

Moreover, in 2019 the political leader of the Reformed Political Party in the Netherlands also signed the so-called 'Nashville Statement'. This document provides a Christian orthodox-conservative stance on marriage and sexuality, women rights, the position of a man in society, speaking out against LGBT+ issues and 'sexual impurity'. The Statement was supported by a group of 250 Christian leaders, pastors and scholars, as well as members of the Dutch public. In reaction to the Nashville Statement, the Dutch Humanist Association initiated the 'Love Statement' which was signed by 54.000 people and presented to the chair of the Ministry of Education, Culture and Science at the Dutch Parliament.

economist.com/erasmus/2019/01/09/in-the-easy-going-netherlands-two-worlds-have-clashed

humanistischverbond.nl/watwedoene/ onze-programmas/leven-liefde-en-dood/de-liefdesverklaring/

Freedom of expression, advocacy of humanist values

In the Netherlands, freedom of expression covers both thought and religion and is guaranteed by constitutional law in the Netherlands.

In recent years, the Dutch Ministry of Foreign Affairs has prioritized the freedom of religion or belief in its human rights policy, while omitting non-religious views. At the time of writing (October 2019), the coalition party D66 is initiating an operating policy to explicitly protect

the rights of the oppressed non-religious people. The SOP furthermore provides that a Dutch representative should be present in legal proceedings against the Dutch non-believers abroad.

As for LGBT rights, same-sex marriages have been legal in the Netherlands since 2001. It is guaranteed that in every town a same-sex marriage can be registered and civil servants may not refuse same-sex marriages. Humanists are now lobbying for equal treatment for alternative parenting, and equal inheritance tax for alternative family forms and for single persons.

Ex-Muslims from home and abroad

In 2016, the Dutch Humanist Association created the New Freethinkers platform, which aims to provide assistance to individuals who have left religion. It is mainly oriented towards ex-Muslims. The platform reports hesitance amongst Ex-Muslims to express their sceptical views of their former religion publicly or to publicly announce their atheism. This is especially true among Ex-Muslims who were born and raised in the Netherlands, while ex-Muslims with a refugee background are more likely to live openly as humanist or atheists, having already chosen to move abroad precisely because of their humanist or atheist life-stance, whereas in their home country they risked discrimination, physical threats of violence, prosecution or persecution. People who apply for asylum are all housed in asylum seeker centres in the Netherlands. This includes asylum seekers who applied for asylum in relation to their atheism, agnosticism secular activism or criticism of religion. Such asylum seekers often don't feel safe in these asylum seekers centres where the majority of the population is Muslim. When lodging a complaint, some have been advised by official police personnel to remain silent about their beliefs for safety reasons.

› nieuwevrijdenkers.nl

People who ask for asylum because they have been threatened in relation to their atheism, agnosticism or secular activists critical of religion, often don't feel safe in asylum centers where the majority of the population is Muslim. The Dutch Humanist Association and the Humanist Broadcasting Corporation HUMAN made a documentary about the life of nonbelievers on the run in asylum centres. They report receiving insufficient support from the Dutch authorities in free exercise of their non-religious worldview. Some of them have been advised to remain silent about what they do or don't believe for safety reasons after they made complaints to personnel or the police. The Dutch government does not have a clear policy for the protection of atheist and other secular asylum seekers in the centers.

› human.nl/2doc/2016/ongelovig.html

In 2015, the government urged asylum centers to familiarize all new asylum seekers with human rights, among which is the right to freedom of religion or belief. The Dutch Humanist Association has lobbied to make sure the information provided expressly includes the

right to hold a humanist, atheist or secular life-stance, and produced a digital brochure 'Free not to believe' in eleven languages, which explains the rights of the non-religious. The information campaign was due to begin at the end of 2016. In 2018, information about the campaign was uploaded on a website for both personnel and asylum-seekers to see and although only partially, some asylum centers discussed it. The Dutch Humanist Association continues to advocate for the topic of freedom of religion and belief, including the right not to believe, to be discussed with everyone entering the Netherlands.

In 2018, the Dutch Ministry of Safety and Justice researched, in the Netherlands and other European countries, the assessments methods used to authenticate the narratives used by asylum seekers who claimed to be persecuted or who feared persecution for changing or abandoning their religion. On the basis of this research, and also thanks to the inputs of the Dutch Humanist Association, the Immigration and Naturalisation Service adjusted its refugee status determination method: in fact, while in the past the latter mainly considered cases of conversion to another religion, it now also includes more substantive and procedural perspectives for apostasy or conversion to atheism.

Blasphemy abolished

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

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

Taiwan

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 1

The independence and sovereign limits of Taiwan are disputed. The People's Republic of China insists that there is one unified China, including Taiwan, however Taiwan claims independence as a separate state. This tension means that Taiwan is only considered a separate state by 25 countries internationally. Owing to the

refusal of the mainland to recognise the island nation's dissent and independence from the People's Republic of China, Taiwan is diplomatically isolated, but has nevertheless fashioned a nation with secular equality enshrined in law, regarded as relatively prosperous and free.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

Formally a secular state, Taiwan's constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. In particular, Article 7 highlights equality between all citizens irrespective of religion, race, sex and other parts of one's identity. Article 13 refers to the freedom of religious belief. Article 11 states that citizens have freedom of speech, writing and publications. These rights are generally respected in practice.

Education and children's rights

Compulsory religious instruction is not permitted in any Ministry of Education (MOE)-accredited public or private elementary, middle, or high school. High schools accredited by the MOE are not allowed to require religious instruction, but may provide elective courses in religious studies, provided such courses do not promote certain religious beliefs over others. Religious organizations are permitted to operate private schools.

Family, community and society

In addition to Buddhism and a range of other religions, secular moral Confucianism commonly pervades the culture. Recent polls reveal that 35.1% of the population are of Buddhist faith, 33% adhere to Taoism and 18.7% identify as atheist or agnostic. The remaining population are stratified between other religious groups such as Yiguandao, Protestant Christianity and Tiandism amongst others.

Freedom of expression, advocacy of humanist values

There appear to be relatively few concerns of any kind about freedom of the press and of political opposition in Taiwan. The media is generally considered amongst the most free in Asia, journalists report through a diversity of views and often showcase strong affiliation to government parties in their coverage. The political tension between Taiwan and the People's Republic of China caused some media owners vulnerable to self-censorship in order to protect their potential business relationships with Chinese stakeholders. More recently, Taiwanese regulators have refrained partnerships with such companies. Legally, censorship laws are in place but do not appear to be widely enforced. Taiwan is rated "Free" by Freedom House. The 2018 elections saw a surge of disinformation in the media, critics suggested revisiting the National Security Act as a response to this, however fears of silencing important media voices were cited against imposing new restrictions.

Three journalists covering student protests were arrested in Taipei in July 2015. They refused to pay bail, but were released the next day anyway. In a statement, the Mayor of Taipei, Ko Wen-je, apologized for "the violation of press freedom" and said that as mayor, he had "an obligation to protect press freedom."

> cpj.org/2015/07/in-taiwan-three-journalists-arrested-at-student-pr.php

Norway

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 8

Norway is a constitutional parliamentary monarchy of about five million inhabitants, bordering its Nordic neighbours Sweden and Finland, as well as Russia. Norway is rated as having the highest Human Development Index (HDI) in the world, according to the

most recent data published in 2018. Recent reforms which extend and exaggerate privileges to Christianity in public education, to the point that the religious education curriculum can likely no longer be considered “non-confessional”, give cause for concern.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
There is a nominal state church with few privileges or progress is being made toward disestablishment Official symbolic deference to religion	State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional		
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

Freedom of religion and freedom of expression are protected by the Norwegian Constitution (Articles 16 and 100, respectively). Article 16 of the Constitution prominently refers to Christianity, but affirms freedom of religion for all:

“All inhabitants of the realm shall have the right to free exercise of their religion. The Church of Norway, an Evangelical-Lutheran church, will remain the Established Church of Norway and will as such be supported by the State. Detailed provisions as to its system will be laid down by law. All religious and belief communities should be supported on equal terms.”

› stortinget.no/globalassets/pdf/english/constitutionenglish.pdf

While the Norwegian state supports the Evangelical-Lutheran Church financially, other groups (religious or secular) may also register with the government to receive financial support from the state. The degree of financial support is provided to all groups in proportion to their formally registered membership. In practice, however, some of the government financial support is exclusive for the Church of Norway, as the Norwegian state continues to finance tasks that the state used to fund when the Church of Norway was an official entity.

Church of Norway

In 2012, the ties between the Church of Norway and the state were partly dissolved. However, the Evangelical-Lutheran Church (Den norske kirke) is still described as “the Established Church of Norway” (Norges Folkekirke) in the Norwegian constitution, although it is the Parliament that decides the church law that regulates even internal matters of the Church of Norway.

› human.no/Livssynspolitik/Statskirkeordningen/?index=5

Article 2 of the Constitution had previously stated that “The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same.” The article was changed in 2012 to a somewhat more inclusive wording: “Our values will remain our Christian and humanist heritage.” A requirement that at least half of the government had to be church members was also removed in 2012.

From January 2017, the Church of Norway was given status as a legal entity and the clergy are from the same date no longer “state officials” but employed by the church itself. However, funding for their salaries are still provided by the state.

Even though there is an ongoing process to separate state and church on the national level, at the local level

the situation remains partially unchanged. By law local municipalities are required to build and take care of church buildings, while there is no such obligation to provide other belief communities with facilities like assembly halls or venues for ceremonial activities.

Since 2012, the monarch is no longer the head of the Church of Norway. The monarch is however still required to profess the Evangelical-Lutheran religion (hence the monarch's own 'religious freedom' is compromised) and the monarch must invoke "God, the Almighty and Omniscient" in the oath of accession (Art. 4 and Art. 9, Constitution).

› human.no/politikk-og-debatt/stat-og-kirke/mer-om-statskirkeordningen/

During the 42nd Session of the UN Human Rights Council in 2019, the Norwegian Humanist Association's Senior International Adviser pointed out that while progress has been made in the past few years, Norway still faces problems "pertaining to the constitutional protection of freedom of religion or belief in Norway. Articles 2, 4 and 16 of the Constitution emphasise the state's Christian values, demand that the king shall adhere to the Lutheran faith and places the Church of Norway in a privileged position." She further commented that the Norwegian Humanist Association was worried that "these provisions send a signal of exclusion, and may lead to discrimination, or undermine the long-standing tradition of equal treatment", and thus called for "the government of Norway to amend these articles and to include the right to freedom of religion or belief into the human rights chapter of the Constitution, to bring it in line with international and European human rights law."

› humanists.international/2019/10/humanists-call-on-norway-to-make-constitution-more-inclusive/

Education and children's rights

Many state schools take the students to church services before Easter or Christmas. Even though students are not formally required to take part, peer pressure and inadequate information on exemption rules results in some students participating in the school church services against their will.

Christianization of Religious Education

Changes to religious education in 2015 have raised serious concerns of undue bias toward Christianity in the classroom.

Under the current centre-right coalition government formed in 2013, re-elected in 2017, and expanded to also include the Liberals (2018) and the Christian Democratic Party (2019), there have been more heated debates around various social topics including immigration, reproductive rights, as well as education and religion.

The Christian Democrats are widely regarded to have based their support for the coalition on an education reform, which as of the 2015 school year, re-emphasises Christianity in religious education. The previous equivalent school subject "Religion, Lifestance and Ethics" (Religion, livssyn og etikk, RLE) was mandatory for Norwegian students, covering world religions on a roughly comparative basis (though there were already some concerns about the prominence or bias toward Christianity under RLE).

However, as of 2015 the subject has been renamed "KRLE", to emphasise "Kristendom" - Christianity - under which teachers are encouraged to make "about half" of the classes cover Christianity exclusively. This is a setback, after many years of political fight over the content of public religious education.

The Norwegian Humanist Association campaigned against the change, arguing that under KRLE, more students were likely to apply for exemption, which might lead to the segregation of students based on religion or belief. The introduction of the symbolic K for Christianity (Kristendom) is not only divisive; the stipulation that about half the classes should cover Christianity represents a distinct bias in the curriculum in the direction of a specific religion and sends a signal that Christianity is more important and more accurate than other religions or beliefs. Further, by dedicating half the classes to Christianity, the teaching of other religions, beliefs, ethics and philosophies would by comparison get less time and so teaching would be of a lower quality. HEF also noted that the change was "not evidence-based, but ideologically and religiously rooted".

› human.no/politikk-og-debatt/religion-og-livssyn-i-skolen/krle/

As of 2019 there is an ongoing process of revising the curriculum of KRLE, and there are at least some attempts to change the current situation. It is fair to assume that the Christian and the conservatives will join forces to keep the privileged position of the Church of Norway and Christianity in the school system, but there is also a strong support to make important changes.

Family, community and society

While the majority of the population remain nominally affiliated with the Church of Norway (70% as of December 31st 2018), the most recent figures from Statistics Norway describe a steady decline in number of church baptisms, church confirmations and church membership.

› ssb.no/en/kultur-og-fritid/statistikker/kirke_kostr/

In reality, polls over recent years have consistently shown Norway to be among the least religious countries in the world, as measured by a relatively small percentage of the population believing in a

personal god, a low percentage describing themselves as religious, and very low rates for regular church attendance. For a large percentage of church members, church affiliation is of a nominal (“cultural”) rather than of a religious nature.

› newsinenglish.no/2009/09/30/church-attendance-hits-new-low/

The fastest growing group are in fact the “nones”, those that don’t affiliate with any faith community. According to 2018 statistics, they comprise about 17% of the population, more than the members of all other belief communities outside the Church of Norway.

The Church of Norway is adjusting quite well to this phenomenon, eagerly embracing the very Nordic/Scandinavian concept of the “Peoples’ churches”; not so much belief or god left in that church, but a lot of buildings all over the country where the church provides ceremonies and cultural activities instead of religious activities as their main task. This “cultivation of religion” is strongly supported by many politicians and political parties.

Freedom of expression, advocacy of humanist values

Freedom of expression is guaranteed in the constitution and generally upheld in practice.

The largest non-religious organization is the Norwegian Humanist Association, *Human-Etisk Forbund* (HEF) with over 93,000 members, as of July 2019. (HEF is a Member of the IHEU.) In principle non-religious groups, including Humanist organizations, are treated on equal footing with religious groups.

“Blasphemy” abolished

In 2015, Norway formally abolished its remaining “blasphemy” law (formerly under section 142 of the Penal Code, banning public expression of “contempt” for religions recognised by the state). There had been no successful prosecutions under the law for some decades, though there had been threats in relation to republication of the Jyllands-Posten cartoons as recently as 2006.

A parliamentary vote had already indicated political consensus to abolish the law, but the decision had not come into effect due to delays in implementing a revised Penal Code. In direct response to the Charlie Hebdo massacre in Paris in January 2015, two Norwegian MPs brought a motion in February arguing that the blasphemy prohibition “underpins a perception that religious expressions and symbols are entitled to a special protection... This is very unfortunate signal to send, and it is time that society clearly stands up for freedom of speech.” The motion passed with broad political and public support.

› thelocal.no/20150507/norway-scraps-blasphemy-law-after-hebdo-attacks

› human.no/Livssynspolitik/blasfemi/

United States of America

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 32

The United States of America is a large country of around 327 million people, bordered by Canada to the north and Mexico to the south. Since the end of World

War II, the US has been widely considered the most powerful nation on Earth and remains very influential globally in economic, cultural and political affairs.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories		Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious	
	No formal discrimination in education		No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

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

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

The constitution, "free exercise" and "establishment"

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

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

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

The Amendment has two clauses directly relating to the relationship between state and religion. The "Free Exercise Clause", protects the rights of people to hold whatever religious beliefs he or she wants,

and to exercise that belief. This protection has also been extended to the right to non-belief. The "Establishment Clause" forbids the establishment of a state church and prevents the government, both state and federal, from favoring any one religious doctrine. This is often called the separation clause, referring to Thomas Jefferson's description of "a wall of separation between church and state".

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

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

In 2019, the American Humanist Association scored a victory in its battle for guaranteeing Church-State separation in the US: after a long legislative struggle, the US District Court of Maryland signed a final order prohibiting Carroll County commissioners from leading prayers to public meetings, a practice that had taken hold since 2010. "Carroll County's prayers unconstitutionally wrapped the power and prestige of the government around the personal religious beliefs of elected officials," explained Monica Miller, the AHA's Legal Director and Senior Counsel.

› ahuman.convio.net/site/MessageViewer?em_id=2961.0&dlv_id=6684&pgwrap=n

Concerns regarding Trump presidency

President Trump courted and won the support of conservative Christian leaders during the election campaign and in subsequent policy-making.

He offered the role of Education Secretary to prominent creationist Jerry Falwell but in the end went with billionaire Republican party donor Betsy DeVos, a Christian campaigner against marriage equality and ardently in favour of the school vouchers system. The National Education Association criticised her appointment saying: "her efforts over the years have done more to undermine public education than support students. She has lobbied for failed schemes, like vouchers — which take away funding and local control from our public schools — to fund private schools at taxpayers' expense." The voucher system effectively channels taxpayers' money to religious schools in particular, which do not have to serve families of all religions or beliefs equally. Rabbi Jack Moline, president of Interfaith Alliance, commented: "Americans are always free to send their children to private schools and religious schools, but raiding the public treasury to subsidize private businesses and religious organizations runs against the public trust and the Constitution" and

that the move suggests that Trump "has little regard for... the constitutional principle of separation of church and state."

Along with vice-president Mike Pence, the Trump administration represents various threats to LGBTI rights. Trump has also said he would like to criminalize the burning of the American flag with prison terms or the revocation of citizenship, a policy widely-denounced as contrary to the free expression, as well as being a violation of the human right to citizenship. Executive Director of the American Humanist Association, Roy Speckhardt, commented in the wake of Trump's election: "No matter how thin Trump's veneer of religiosity may be, make no mistake that the Religious Right has just assumed a mantle of power that exceeds their fondest hopes and humanists' worst nightmares."

› patheos.com/blogs/friendlyatheist/2016/11/14/donald-trump-women-may-have-to-go-to-another-state-to-obtain-abortion-under-his-supreme-court/
› bigstory.ap.org/article/df9a14336c64485cabb5fdc81ded5981/falwell-says-trump-offered-him-education-secretary-job
› washingtonpost.com/local/education/trump-picks-billionaire-betsy-devos-school-voucher-advocate-as-education-secretary/2016/11/23/c3d66b94-af96-11e6-840f-e3ebab6bcdd3_story.html
› huffingtonpost.com/entry/ignorance-won-can-we-return-to-reason_us_58233104e4b0334571e0a3a0

During his term in office, various threats to American secularism have emerged.

Speaking at an event called 'National Prayer Breakfast' in February 2019, Trump promised to help religious adoption agencies that chose not to work with gay parents as he claimed they should be free to follow "their deeply held beliefs".

› washingtonpost.com/religion/2019/02/07/trump-just-promised-help-religious-adoption-agencies-that-wont-work-with-gay-parents-heres-what-he-could-do/

In August 2019, the Trump administration also announced a proposal which would extend to for-profit companies whose owners claim to follow a religious belief the right currently granted exclusively to non-profit religious organisations to enter into contracts with the federal government with an exemption from the requirement to not discriminate in employment on the basis of religion. Liberal religious groups have argued that such reform is not necessary to protect religious liberty and would infringe civil rights laws. American Atheists started a petition against the proposal.

› washingtonpost.com/religion/2019/08/14/trump-administration-proposes-protecting-federal-contractors-who-fire-or-hire-workers-based-religious-beliefs/
› atheists.org/2019/08/federal-contractors-discriminate-religion/

In September 2019, the American Humanist Association expressed concerns regarding Trump's declarations during the United Nations Global Call to Protect Religious Freedom event. The President "announced the formation of a coalition of U.S. business leaders meant to "encourage the private sector to protect people of all faiths in the workplace"", noticeably omitting humanists or non-religious people.

› ahuman.convio.net/site/MessageViewer?em_id=3042.0&dlv_id=6761&pgwrap=n

Trump's Secretary of State Mike Pompeo also made Christian nationalist declarations in October 2019, noting that "he asks God for direction" in his work as well as he "directly linked his work as one of the administration's top officials to his role as an "imperfect servant serving a perfect God"", echoing a similar recent statement by Attorney General William Barr who also warned that ""militant secularists" are behind a campaign to destroy traditional moral order". Roy Speckhardt, director of the American Humanist Association, commented: "the Trump administration's flagrant promotion of Christian ideology is a gift to Christian nationalists. This religious favoritism is the kind of abuse of their duty to represent all Americans equally that demonstrates how fundamentalism is the driving force of this administration's agenda."

› americanhumanist.org/press-releases/humanists-respond-to-weekend-of-christian-nationalism-from-trump-officials/

› theguardian.com/us-news/2019/oct/19/william-barr-attorney-general-catholic-conservative-speech

Trump vs the Johnson Amendment

For many US secularists, president Trump's tax reforms, particularly the provisions concerning the Johnson Amendment, represent a new threat to "church-state" separation in the United States. They fear that allowing religious leaders (for example, including wealthy and influential mega-churches) to participate in partisan politics will lead to an increase in the involvement of religion in American politics and potentially pool electorate influence in the hands of pastors.

Others, such as Jay Sekulow, chief counsel for the American Center for Law and Justice, argues that the Johnson Amendment: "prevents religious leaders from truly exercising their constitutionally-protected free speech rights when they act in their official capacity as a pastor or head of a religious, tax-exempt organisation."

› latimes.com/opinion/op-ed/la-oe-balmer-johnson-amendment-20170202-story.html

There is no restriction on a religious leaders right to act in a partisan fashion, however at present if they do so act, their tax exempt status will be revoked.

Roy Speckhardt of the American Humanist Association explains that: "The Johnson Amendment is a key protection for everyone's constitutional right to be free

from religious coercion in government. And Trump's false claim that it's silencing ministers is just a smoke screen for his real agenda of setting aside the Johnson Amendment so he can open up churches to be used as political action committees."

› americanhumanist.org/press-releases/humanists-rail-trumps-theocratic-speech/

"Under God" and "In God we Trust"

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

› oldtimeislands.org/pledge/pledge.htm

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

› religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/

The Don't Say the Pledge campaign by the American Humanist Association had some success in 2015, establishing precedents against the enforced recitation of the pledge by students in school settings.

› americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says-dontsaythepledge.com/

Religious monuments on government land

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

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

The holiday season in December often results in an uptick of constitutional violations regarding religious displays on public property. Local governments often place stand-alone nativity scenes (also known

as creches) on public grounds, which violates the Establishment Clause. However, local governments have found a way around the law by allowing other religious holiday displays along with the nativity scenes, such as menorahs. A number of local humanist organizations have requested permission to display a HumanLight sign or other display representing humanists, atheists, and freethinkers.

State Laws

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

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

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

— arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf

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

› ffrf.org/faq/feeds/item/14017-religious-tests-for-public-office

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

Education and children’s rights

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

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

› secular.org/issues/vouchers

› americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious

In 2015, religious and secular groups protested the possible creation of a private school voucher

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

› americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers

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

› aclu.org/religion-belief/aclu-and-freedom-religion-and-belief

› infidels.org/library/modern/church-state/decisions.html

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

› thisamericanlife.org/radio-archives/episode/534/transcript

› nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?_r=0

On June 26, 2017, the Supreme Court sided with religious institutions in a major church-state decision. The American Humanist Association (AHA) expressed serious concern over the ruling that requires taxpayer money to flow to a Missouri church school for playground improvements. David Niose, the Legal Director at the AHA’s Appignani Humanist Legal Centre, said: “This decision, requiring the transfer of tax money from hard working Missourians to houses of worship, is an assault on the principle of church-state separation.”

› americanhumanist.org/featured/aha-condemns-supreme-court-ruling-sending-tax-dollars-churches/

Family, community and society

Hobby Lobby

On 25 March 2014, the Supreme Court heard arguments for the cases *Sebelius v Hobby Lobby Stores, Inc.* and *Conestoga Wood Specialties Corp. v Sebelius*. The Hobby Lobby Stores and Conestoga Wood Specialties are both Christian-owned stores that were concerned about the 'contraceptive mandate', which would require that businesses that offer health insurance to their employees must also cover all federally-approved contraception methods for them at no additional cost. The store owners believe that four of those contraceptive methods are equivalent to abortion. They argued that the contraceptives would burden their religious exercise and sought for an exemption. They argued that they were entitled to exemption under the RFRA (Religious Freedom Restoration Act) and the administration had granted exemptions to some churches and religious nonprofit organizations, showing that the mandate could not be the least restrictive means of achieving a compelling state interest. The government had argued that for-profit corporations' owners do not receive such exemptions. However, the Supreme Court eventually ruled in a 5-4 decision that a closely-held company can be exempt from contraceptive coverage under the Affordable Care Act.

› economist.com/blogs/economist-explains/2014/03/economist-explains-19

› msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling

Social Pressure on the Non-religious

The US has among the highest religiosity in the western world, though there has been a marked rise in the number of people identifying as non-religious or religiously "unaffiliated" in recent years. Statistics from 2018 indicate that there are now as many Americans who identify as non-religious as there are Evangelicals and Catholics (about 23%).

› pewforum.org/2015/05/12/americas-changing-religious-landscape/

› edition.cnn.com/2019/04/13/us/no-religion-largest-group-first-time-usa-trnd/index.html

Despite strong legal and constitutional protections for the religious and secular alike, the U.S. has long been home to a social and political atmosphere in which the non-religious are sometimes made to feel like lesser Americans or as if atheism is "un-American".

Opinion polls have regularly suggested that the majority of Americans would be less likely to vote for a presidential candidate if they were an atheist. One survey suggested that "No other trait, including being gay or having never held elected office, garnered a larger share of people saying they'd be less likely to support the potential candidate." Other surveys have shown that 60% of Americans (75% of Evangelicals) have a less favourable view of atheists than most other belief

groups.

› pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/

› pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/

It's worth noting that these surveys actually represent an improvement in the reputation of atheists when compared to similar studies undertaken in previous years.

In some states more than others, the prevailing social prejudice against atheists and the non-religious reinforces, and is reinforced by, the political support for religious, especially Christian, privilege. While there is legal remedy for clear discrimination on grounds of religion or belief, it can often go unchallenged in situations where it is difficult, or personally disadvantageous or hazardous, to take a stand against authority, for example in prisons, the military, and even some administrative contexts.

In 2017, some media in the US were quick to attempt to associate Texas Church gunman Devin Kelly's actions with a 'militant atheist' ideology despite their being no evidence of religious affiliation between Kelly or those inside the church. Many fake news articles reverberated around conservative social network sources used by many large, right wing media stations. news.vice.com/story/facebook-is-still-spreading-conspiracies-48-hours-after-texas-shooting

Following the presidential election of Donald Trump in November 2016, right-wing Christian lobby group National Organization for Marriage (NOM) have vowed to work with Trump to reverse equal marriage throughout the country, and to bring about an end to the US's persuasions to equalise marriage abroad.

› http://www.patheos.com/blogs/friendlyatheist/2016/11/10/anti-lgbt-christians-are-already-working-to-undo-marriage-equality/?utm_source=dlvr.it&utm_medium=twitter

Freedom of expression, advocacy of humanist values

The United States has a strong constitutional tradition, and the constitution famously guarantees freedom of expression. The concept of free speech is deeply embedded in the culture.

However there are concerns following the November 2016 elections that President Trump has repeatedly questioned the right to opinion of various media outlets and individual commentators. In a characteristically blasé tweet of 29 November 2016 he said: "Nobody should be allowed to burn the American flag – if they

do, there must be consequences – perhaps loss of citizenship or year in jail!” Whether the first amendment to the US constitution protects flag-burning has been a recurrent question in free speech debate and may be considered a touchstone issue. Trump’s stance is contrary to a Supreme Court decision of 1989 which found that flag-burning was a constitutionally protected expression.

Atheists in Congress

Anti-non-religious sentiment has fed into the social idea that to be really American is to be religious, especially Christian, which in turn creates an atmosphere in which elected officials, or candidates seeking office, feel the need to play into that idea. There is a clear right to be an atheist, but going public as such, in some states or in some social or political contexts, might have debilitating consequences for your chances of success in life.

For example, there are several Congress members who refuse to list their religious affiliation but only one of the 535 members of Congress claim to be non-religious (Rep. Kyrsten Sinema (Arizona) listed “none” under the category of religious affiliation). One former Congressman, Barney Frank, who had previously suggested he was an atheist, said in his 2015 memoir that, “In fact, I am not an atheist”, and even advised others against using the term.

› patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/

Despite the dearth of known non-religious politicians in Congress, the American Humanist Association suggested in 2014 that dozens have in fact stated privately they are non-religious, but are afraid to “come out”.

› huffingtonpost.com/2014/08/22/atheist-congress-members_n_5701377.html

Same-sex marriage

In June 2015, the Supreme Court established the right of same-sex couples to marry, in a landmark ruling (Obergefell v. Hodges). Implementation of the decision, which effectively legalised same-sex marriage nationwide, has faced opposition from some conservative religious groups.

Highlighted cases

There were some mixed signs for secular equality in the justice system in 2015. In February 2015, after a hearing on charges of DUI (driving under the influence), one Michael Baker was required to attend Alcoholics Anonymous (“AA”) meetings as a condition of his parole, despite being an atheist and despite officially raising objections to his parole officer and again at a hearing in August, and despite being verbally harassed for his atheism by other attendees at the AA meetings he did attend. At the most recent hearing in August, despite recognising the “spiritual basis” of AA, the judge ordered

Baker to attend.

“The state cannot require an atheist to undergo faith-based treatment, as doing so clearly violates the Establishment Clause of the First Amendment. In fact, the Ninth Circuit has twice held that a parolee’s right to be free from coerced participation in AA is a matter of ‘uncommonly well-settled case law...’”

— Monica Miller, senior counsel, Appignani Humanist Legal Center

› americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f

Jason Holden, a humanist inmate at the Federal Correctional Institution in Sheridan, Oregon, was denied the right to form a humanist study group and to identify as a humanist for official purposes. However, in this case, acting on Holden’s behalf, the American Humanist Association’s Appignani Humanist Legal Center reached a favorable settlement with the Federal Bureau of Prisons. “This settlement is a victory for all humanists in the federal prison system, who will no longer be denied the rights that religious individuals are accorded,” commented Roy Speckhardt, executive director of the American Humanist Association. Under the terms of the enforceable settlement, the Bureau must acknowledge humanism as a worldview in parity with theistic religious beliefs, provide information as required, recognise those who wish to identify as humanist for official assignment purposes, and must permit humanist study groups.

› americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f

In 2017, a lawsuit was filed by American Atheists alleging that a developmentally disabled child was forcibly baptized against the expressed wishes of his parents by a minister and a court approved mentor. The child, referred to as “V” in the court filing, was taken to a church picnic in August 2016 by the child’s mentor. During the picnic, the mentor and the church’s pastor subjected V to a full-immersion baptism. The lawsuit alleges that V’s court-appointed guardian Margaret Vaughan repeatedly attempted to convert V’s parents and their children and told them that “families need God to raise children.” On August 28, 2016, V’s mentor took V to a picnic at his church and, along with the church pastor, forcibly baptized V, pushing him under water. Since the incident, V is said to have suffered anxiety and emotional distress.

› atheists.org/2017/03/child-forced-baptism/

Greece

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 54

Greece is a unitary parliamentary republic on the edge of the Balkan Peninsula, often regarded as the birthplace of democracy in Europe and a catalyst to western civilisation. The country has seen steady economic, social and legal changes in recent years with leftist government attempts towards secularisation

of the country. However, Greek Orthodox privilege still exists is still prevalent across the country and religion is still firmly woven into the fabric of major institutions. Financial crisis and the rise of far-right politics have been significant factors in the past several years.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions			
	State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional	Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious	Some concerns about political or media freedoms, not specific to the non-religious

Constitution and government

The constitution, other laws and policies protect freedom of thought, conscience and religion. Freedom of speech and press are protected under Article 14, 'every person may express and propagate his thoughts orally, in writing and through the press in compliance with the laws of the State'. However the "blasphemy" law was abolished only in 2019. Article 3 of the constitution states that 'the prevailing religion in Greece is that of the Eastern Orthodox Church of Christ', recent governments have proposed for this Article to be amended to one emphasising 'religious neutrality'

› hri.org/docs/syntagma/artcl25.html#A3

Orthodox privilege

The government financially supports the Orthodox Church; for example, the government pays for the salaries and religious training of clergy, finances the maintenance of Orthodox Church buildings, and exempts from tax Orthodox Church's revenues from properties it owns. However, the recent government has seen changes towards the relationship of state and religion, towards disestablishment.

Whilst state sponsorship of the Greek Orthodox religion is still entrenched, recent leftist governments have taken steps toward disestablishment of the Orthodox church.

The former government of Prime Minister Alexis Tsipras proposed changes to significantly reduce the role of the Orthodox Church in the public sector. The government announced to 'free up' 10,000 civil service roles occupied by the clerics of the church, however they would continue to pay the salary of clerics with a subsidy of €200 million annually. The government also proposed to introduce 'religious neutrality' in to the constitution. A government spokesperson informed that religious neutrality would not regard religions with greater value than others, thus attempting to remove any kind of 'privilege' from religions in the state. These changes and proposals were highly criticised by the religious conservatives who scrutinised the government for their lack of faith.

› secularism.org.uk/news/2018/11/greece-takes-major-step-towards-disestablishment-of-orthodox-church

› religionnews.com/2019/01/18/greeks-bridle-at-historic-deal-to-split-orthodox-church-from-state/

Education and children's rights

Orthodox religious instruction in primary and secondary schools, at government expense, remains mandatory for all students during their 12 years of compulsory education. Although non-Orthodox students may exempt themselves, in practice public schools offer no alternative activity or non-Orthodox religious

instruction for these children.

Until 2019, references to the student's religious affiliation and citizenship were stated on school leaving certificates. As per decisions of the Data Protection Authority and the Supreme Administrative Court, this requirement has been removed. In addition there is no longer a mandatory reference to the non-Orthodox religion of child students who seek exemption from religious education, as they can now invoke reasons of conscience.

Family, Community and Society

Religion was and still is often assumed in Greek society with polls supporting the prevalence of the Eastern Orthodox religion. A 2005 poll revealed that 96.6% of the census were Orthodox Christian and only 2% identified as atheist. However, a more recent poll (2015) showed that this had changed significantly to 81.4% Orthodox Christians and 14.7% non-religious.

Greek atheists report that their previous affiliation with religious identity was forced onto them by family rather than existing from their own genuine beliefs. Despite a rise in non-religion, the Orthodox faith is still embedded in many activities and traditions of local communities. Some atheists claim that they still participate in communions, attend church and partake in other religious activities for the social benefits of bonding with family and friends rather than their beliefs in the religion.

› nsrn.net/2017/01/16/research-atheism-in-greek-society-breaking-the-chain-of-religious-memory-and-the-emergence-of-atheist-identity/1/
› religiongoingpublic.com/archive/2017/moving-from-traditional-religion-to-atheism-in-greek-society-like-a-ship-distancing-from-the-coast

There remain mandatory entries on birth certificates for the religion of the parents and the presumed religion of the child.

Freedom of expression, advocacy of humanist values

Greece is a free country with an open and vigorous parliamentary democracy, according to Freedom House, however "Ongoing concerns include corruption, discrimination against immigrants and minorities, and poor conditions for undocumented migrants and refugees."

› freedomhouse.org/report/freedom-world/2019/greece

The rise of the far-right in recent years is cause for concern and has resulted in harassment and acts of violence or hatred.

In October 2019 humanists protested the harassment through parliamentary procedures of Panayote Dimitras, a human rights activist associated with Greek Helsinki Monitor and Humanist Union of Greece, by the president of a far-right nationalist party.

› humanists.international/2019/10/nationalist-party-president-harassing-humanist-activist-in-greece/

Blasphemy law abolished in 2019

After a number of high-profile blasphemy cases and international criticism, the "blasphemy" law was abolished in 2019.

Article 198 of the Greek Penal Code stated that "1. One who publicly and maliciously and by any means blasphemes God shall be punished by imprisonment for not more than two years; 2. Anyone, except as described in par.1, who displays publicly with blasphemy a lack of respect for things divine, is punished with up to 3 months in prison."

Article 199 declared similar provisions against anyone who "blasphemes the Greek Orthodox Church or any other religion tolerable in Greece", imprisonable for up to two years.

The 'blasphemy' law had been actively used to persecute individuals and groups for portraying, mocking or insulting the Orthodox religion in the form of art or on social media outlets (see "Highlighted cases", below).

Human rights groups including the Humanist Union of Greece campaigned for the abolition of the 'blasphemy' law and it was removed from the constitution on 1 July 2019 as part of a package of measures to clean up the criminal code.

› end-blasphemy-laws.org/2019/06/greece-quietly-drops-blasphemy-laws-new-criminal-code/

Highlighted cases

On June 9th, 2012, **three actors in the play "Corpus Christi"** were arrested on the charge of blasphemy following a lawsuit filed by Greek Orthodox Bishop Seraphim of Piraeus. Then, in November, the Athens public prosecutor charged the organizers, producers and cast of the play with blasphemy. If convicted, they could face several months in prison. According to newspaper reports, Bishop Seraphim was accompanied to court by members of the neo-Nazi Golden Dawn party.

› csmonitor.com/World/Europe/2012/1002/Blasphemy-in-democracy-s-birthplace-Greece-arrests-Facebook-user

In late September, 2012, a man was arrested in Evia, Greece, on charges of posting "malicious blasphemy and religious insult on the known social networking site, Facebook". The accused, 27-year-old **Phillipos Loizos**, had created a Facebook page for "Elder Pastitsios the Pastafarian", playing on a combination of Elder Paisios,

the late Greek-Orthodox monk revered as a prophet by some, and the Greek food pastitsio, a baked pasta dish made of ground beef and béchamel sauce. “Pastafarian” refers to the spoof religion of the Church of the Flying Spaghetti Monster, itself an intentional pun on aspects of Creationism. A manipulated image on the Facebook page depicted Elder Pastitsios with a pastitsio where the monk’s face would normally appear.

› greece.greekreporter.com/2012/11/16/greece-prosecutes-corpus-christi-for-blasphemy/

On March 14th, 2013, Greek artist **Dionysis Kavalieratos** was tried in court on blasphemy charges for three of his Christian-themed cartoons that were displayed in a private Athens art gallery. The gallery owner was a co-defendant. He was acquitted.

› onthewaytoithaca.wordpress.com/2013/04/19/greek-artist-acquitted-of-blasphemy-charges/

Spain is a constitutional monarchy with a bicameral parliament. The population of around 46 million people enjoy constitutional guarantees of secularism, though

in practice there are extant religious privileges, in particular for the Catholic Church.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools	Discriminatory prominence is given to religious bodies, traditions or leaders	Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
	State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional		

Constitution and government

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice, and there is no state religion, although the Roman Catholic Church continues to receive some privileges that are not available to other religions or groups.

The constitution provides for religious freedom and the freedom of worship by individuals and groups. The constitution also states that "no faith shall have the character of a state religion."

Federal tax law, however, provides taxpayers the option of allocating up to 0.7 percent of their income tax to the Catholic Church or to a nongovernmental organization (NGO), but not to other religious groups.

As a result of a 1979 agreement with the Vatican, religious institutions are exempt from paying property tax.

Education and children's rights

The government funds teachers for Catholic, Islamic, Protestant, and Judaic instruction in public schools when at least 10 students request it. The courses are

not mandatory. Those students who elect not to take religious education courses are required to take an alternative course covering general social, cultural, and religious themes. Religious groups are responsible for selecting teachers for their particular religion. Either the national Ministry of Education or the regional entity responsible for education certifies teachers' credentials.

Family, community and society

Secularization is proceeding apace in some regions. Around 30% of Catalans now profess atheism, compared to 20% Roman Catholicism. According to a survey conducted in 2016 by the Center for Sociological Research, 19.4 percent of respondents identified themselves as "non-believers" and an additional nine percent stated themselves as being outright "atheistic." At 67.8 percent, Roman Catholicism has the largest group of religiously affiliated adherents.

Expression, advocacy of humanist values

The expression of humanist or secular values is generally respected.

There are some concerns that the Law on Public Safety (2015) places some undue limits on freedom

of expression and association on “public order” grounds. Under the law all protests must be registered with a local authority and protesters are forbidden from demonstrating near government buildings. Disseminating unauthorized images of law enforcement can also carry a penalty of up to €30,000.

› freedomhouse.org/blog/worrying-setback-freedom-expression-spain

De facto “blasphemy” law

A de facto blasphemy law is still on statute and is sometimes enforced. Article 525 of the Spanish Civil Code reads:

“1. Those that, in order to offend the feelings of members of a religious confession, make public derision, orally, by writing or through any type of document, of their dogmas, beliefs, rituals or ceremonies or mistreat, also publicly, those who practice that religion, will be punished with a fine between eight to twelve month of their salary. 2. Those that make public derision, orally or by writing, of people who do not confess any religion will incur in the penalties set in the previous paragraph.”

› ohchr.org/Documents/Issues/Expression/ICCPR/Vienna/Annexes/Spain.pdf

There have been a number of prosecutions under this law in the last several years. Most of these cases have been brought by the Spanish Association of Christian Lawyers and by a Catholic legal association, the Tomás Moro Legal Center (see “Highlighted cases” below).

Europa Laica, an organization that promotes pluralism and freedom of conscience, campaigns against Article 525 and has initiated a petition for its derogation.

› peticionpublica.es/Default.aspx?pi=P2010N4138

Highlighted cases

Three women, **Rocío Ballesta, Antonia Ávalos and a third woman who has chosen anonymity**, were dragged through five years of criminal proceedings following a peaceful march in 2014, on charges of “crimes against religious sentiment”, before the case was finally thrown out in October 2019. The case dated back to 2014 when the accused carried a large latex model of a human vulva during a general worker’s union march. The model, named the coño insumiso (rebellious pussy) was a parody of the effigies of saints and the Virgin Mary, which are still carried on religious parades in Spain. The three women said they were marching on behalf of the “Guild of the Sacred Rebellious Pussy and the Sacred Burial of Social and Workers’ Rights”. The proximate reason for the “rebellious pussy” protest was “to draw attention to their belief that the church’s teaching denied women fundamental rights at a time when the government was planning to introduce a restrictive abortion law.”

The case was first dropped in 2016 because the court

found that the defendants were entitled to the freedom of expression represented by “publicly proclaiming that you don’t follow a religious faith”. However, the Association of Christian Lawyers then brought a civil action for “crimes against religious sentiment” and “mocking Catholic symbols and dogma”. During the second trial, defendant Ávalos said, “We feel that we are being persecuted and criminalised for defending women’s sexual and reproductive rights”. Campaigners condemn the new trial as an attack on free expression. Finally dismissing the case on 11 October 2019, the judge said the point of the parade had not been to offend religious sensibilities but to “defend social, workers’ and feminist rights.” This appears to leave the door open to other cases where “offending religious sensibilities” is considered part of the intention.

› thelocal.es/20151127/spanish-women-in-court-over-giant-plastic-vagina-protest

› elsaltodiario.com/el-jornal-andaluz/ofensa-vulvar-cono-insumiso-sevilla-elena-duenas

› theguardian.com/world/2019/oct/11/seville-judge-throws-out-rebellious-pussy-latex-vagina-effigy-case

In July 2017, the Spanish actor **Willy Toledo** wrote a Facebook post to express his indignation after three women were charged for offense against religious feelings by parading a large model of vagina through the streets of Seville during what was called the Procession of the insubordinate pussy. The Facebook post read:

“I shit on God and have enough shit left over to shit on the dogma of the saintliness and virginity of the Virgin Mary. This country is unbearably shameful. I’m disgusted. Go fuck yourselves. Long live the Insubordinate Pussy.”

› elpais.com/elpais/2018/09/04/inenglish/1536063749_831261.html

The Spanish Association of Christian Lawyers filed a complaint against Toledo. In May 2018, instead of appearing at court, the actor called a press conference where he stated that he had not committed any crime and therefore would not appear before a judge. In September 2018, the Court of Madrid issued an arrest warrant against Toledo after he twice failed to appear and testify in court.

› eldiario.es/politica/archivan-mayoria-denuncias-sentimiento-religioso_0_343665942.html

› humanistfederation.eu/spanish-actor-willy-toledo-prosecuted-following-case-on-insult-to-religion/

In 2004, the Spanish singer **Javier Krahe** was accused of blasphemy based on a short-film shot in 1978, where the artist allegedly showed how to cook a crucified Christ. The case was open for eight years and in 2012, after multiple attempts by the Tomás Moro Legal Center to prosecute him, the judge ruled that there was no intention from the defendant to humiliate religious beliefs and Krahe was acquitted.

› elpais.com/sociedad/2012/05/26/actualidad/1338051427_175989.html

During his play *The Revelation*, comedian **Leo Bassi** dressed up as the Pope in an attempt to condemn religious fanaticism and obscurantism. The Tomás Moro Legal Center accused Bassi of breaching Article 525. However, the court concluded in 2015 that apparently believing in a religion and publicly manifesting it (even in the form of satire chosen by Bassi) is protected under freedom of expression. Bassi also received multiple death threats and on 1 March 2015, during one of the comedian's shows, a homemade explosive device was put under a theatre chair (luckily, the bomb caught fire but did not explode).

› eldiario.es/politica/archivan-mayoria-denuncias-sentimiento-religioso_0_343665942.html

Ireland

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 115

Ireland is a Republic of about 4.8 million people. It covers about five-sixths of the geographical island of Ireland. In 1922 it achieved de facto independence from the UK, and became the mostly-Catholic Irish Free State. The rest of the island remained within the UK, and became the mostly-Protestant Northern Ireland. In 1937 the Irish Free State adopted a new constitution which named the state Ireland. In 1949 Ireland declared itself

a fully sovereign Republic. In 1972 Ireland joined what is now the European Union. In 1999 the Belfast Agreement created new shared institutions between Ireland and Northern Ireland, and between Ireland and the UK. As of October 2019 it is unclear what impact Brexit (the planned divorce of the UK from the European Union) will influence these relationships.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Religious groups control some public or social services</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
Official symbolic deference to religion			

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, there is some state sponsorship of religion, particularly in the education system. A 2009 'blasphemy' law is pending repeal following a constitutional referendum to remove it in October 2018.

The constitution includes the ostensibly secular statement that "no law may be made either directly or indirectly to endow any religion". However, the state argues that it is constitutionally obliged to buttress the rights of religious bodies to act in accordance with their own religious ethos, even while those religious bodies are delivering state-funded essential public services such as schools and hospitals.

In 2019 Atheist Ireland called for an ethical secular State at meeting with the Taoiseach and Government, held as part of a dialogue process under Article 17 of the Lisbon

Treaty.

› atheist.ie/2019/07/meeting-with-taoiseach/

Explicit appeals to the Christian god

The constitution includes explicit appeals to the Christian god, including:

The preamble: "In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred, We, the people of Éire, Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ..."

Article 44: "The State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion."

Every day, the Dail and Seanad (the houses of parliament) begin their work with a public prayer to the Christian God. The chairperson must read this prayer

aloud, which imposes a religious test on an elected public office-holder. In 2017, the Dail added a moment of silent reflection for non-Christians, but also voted that parliamentarians must now stand during the Christian prayer.

› atheist.ie/2017/05/do-not-stand-for-this/

Religious oaths for public office holders

Articles 12, 31 and 34 of the constitution include obligatory religious oaths for the President, judges, and members of the Council of State which includes the Taoiseach (Prime Minister), Tanaiste (Deputy Prime Minister), Chief Justice, President of the High Court, chairs of the Dail and Seanad, and Attorney General. This is the Presidential oath:

"In the presence of Almighty God I do solemnly and sincerely promise and declare that I will maintain the Constitution of Ireland and uphold its laws, that I will fulfil my duties faithfully and conscientiously in accordance with the Constitution and the law, and that I will dedicate my abilities to the service and welfare of the people of Ireland. May God direct and sustain me."

These oaths effectively preclude conscientious atheists and agnostics from holding these important positions.

In 2014, the United Nations Human Rights Committee told Ireland:

"Ireland should amend articles 12, 31 and 34 of the Constitution that require religious oaths to take up senior public office positions, taking into account the Committee's general comment No. 22 (1993) concerning the right not to be compelled to reveal one's thoughts or adherence to a religion or belief in public."

› atheist.ie/2014/07/irish-government-again-evades-un-questions-on-oaths-blasphemy-and-religious-discrimination-in-irish-schools/

Other constitutional and legal issues

The constitution is heavily influenced by the Roman Catholic ethos of 1937. However, two recent referendums have removed the bans in Article 40.3.3 against abortion and in Article 40.6.1 against blasphemy. Other issues remain to be tackled. Article 40.1, on equality before the law, does not include the principle of non-discrimination. Article 41.2 refers to the duties of women in the home. Article 42, on education, and Article 44, on religion, do not protect freedom of thought, conscience and religion for atheists, agnostics and humanists, particularly within the education system.

taoiseach.gov.ie/eng/Historical_Information/The_Constitution/Bunreacht_na_hEireann_October_2015_Edition.pdf

In 2013 the Humanist Association of Ireland said: "If the Constitution is to be a document to speak for all citizens,

its current wording fails that test."

humanism.ie/wp-content/uploads/2013/03/EqualityForNon-ReligiousPamphlet.pdf

Many laws discriminate against atheists, humanists and minority faith members. These include the Education Act, which gives preference to religious families over nonreligious families; the Defamation Act, which includes the crime of blasphemy; the Equal Status Act and Employment Equality Act, which allow state-funded schools and hospitals to discriminate on the ground of religion; the Charities Act, which favours religious motivations over secular ones; and the Civil Registration Act, which discriminates against and among secular marriage solemnisers.

In 2015 Atheist Ireland elaborated on these issues in this report to the United Nations Human Rights Council for its Universal Periodic Review of Ireland:

atheist.ie/2015/09/universal-periodic-review-of-ireland/

Historical religious influence

The dominant religion has traditionally been Roman Catholicism, and the Catholic Church has influenced the island since the fourth century. Most Irish people remained Catholic despite the reformation in England, and Irish history has been dominated by ethno-religious conflicts between Catholics and Protestants. Resistance to British rule largely came from Catholics (with some notable exceptions). Under British administration, the Catholic majority experienced high levels of discrimination, including restrictions on land ownership, limitations on religious practice, and being barred from political positions. Despite reforms, by the early 20th-century, discrimination was still widespread and was one of the factors fuelling an independence movement dominated by Catholics.

From the first decades of independence, the Catholic Church came to be dominant in both the political system and civil society. Over 92% of people were recognised as Catholic, and this grew as many Protestants left the Free State. The Catholic Church also wielded significant political influence. Pressure from the Church resulted in bans on contraception (partially legalised in 1978), homosexual acts (reluctantly legalised in 1993 after the David Norris case at the European Court of Human Rights), and divorce (legalised by referendum in 1997). Censorship of books, plays, television and films was also widespread, especially those not congruent with Catholic dogma. In 1982 a Catholic-backed referendum made abortion unconstitutional in all but very restrictive cases.

Religious influence today

In recent decades the Catholic Church's influence on Irish civil society has waned. This is in part due to changes in demographics, urbanisation, and the country's emergence into the global economy. A

series of Church scandals going back to the late 1990s, especially the Catholic Church Child Sex abuse appear to have contributed to plummeting church attendance. Whereas, back in the 1970s attendance had been recorded at 90%, recent surveys have recorded national weekly attendance at 30% with some parts of Dublin reporting attendance at less than 15%.

However, while the Catholic Church has lost the control that it used to have over the population, it still retains considerable political influence. This is because many of the laws that were passed while the Church was stronger are still in place. Some of these laws are underpinned by the 1937 constitution, and they would require referendums to amend them. Until recently, successive governments have been unwilling to fundamentally address this issue. Since 2015, three referendums have legalised same-sex marriage, abortion, and blasphemy (see below).

In the 2016 census, 78.3% said they were Roman Catholic; 10.12% said they had no religion or were atheist or agnostic; 6.84% said they were of another Christian denomination; 2.54% did not answer the question; and 2.2% said they were of a non-Christian religion. In 2017 Atheist Ireland argued that these figures overestimate the strength of religion, because of bias in the census question, and made the following proposal to the census office to amend religion question in the 2021 census: atheist.ie/2017/11/religion-question-census-2021/

Education and children's rights

The Catholic Church has dominated education in Ireland since British reforms in the 1830s. This dominance was expanded after independence. Currently, despite the church's decline in influence within the country as a whole, it still controls most state-funded public schools. This results in infringements of the human rights of atheists, humanists, and members of minority faiths.

Multi-belief alliance for secular schools

In 2016 a multi-belief alliance was formed to campaign for secular schools, involving Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland. This alliance has met with the Oireachtas (Parliament) Education Committee and the Council of Europe Commissioner for Human Rights. teachdontpreach.ie/2016/12/oireachtas-education-committee/
teachdontpreach.ie/2016/11/council-of-europe-commissioner/

There are four related areas in which Irish schools infringe on the human rights of atheists, humanists, and minority faith member. They are outlined in the Schools Equality PACT, an acronym for Patronage, Access, Curriculum, and Teaching. atheist.ie/schoolsequality/

Patronage

The Irish education system cedes control of most publicly funded schools to patron bodies, almost all religious. Nearly 90% of state-funded public primary schools are run solely by the Catholic Church. Most of the remaining primary schools are run by minority faith churches, or by a nonreligious patron body called Educate Together. Nearly half of all state-funded public second-level schools are run by the Catholic Church. Most of the rest are run by state Education & Training Boards and are described as multi-denominational, but many of these are run in partnership with the Catholic Church or the Church of Ireland. There are currently no fully secular or non-denominational schools in Ireland.

These patron bodies are allowed to determine the ethos of the school, which in most cases is Catholic, and that ethos permeates throughout the whole school day. Even many schools directly run by the state, under Education & Training Boards, have a Catholic ethos and engage in "faith formation". The Oireachtas (parliament) Education Committee has concluded that multiple patronage and ethos as a basis for policy can lead to segregation and inequality, and that the objectives of admission policy should be equality and integration.

Access

Section 7.3(c) of the Equal Status Act gives an exemption to religious-run, state-funded, schools that allows them to discriminate on the ground of religion in their admissions processes. A Schools Admissions Act in 2018 prevented Catholic primary schools from discriminating in access, but minority faith primary schools and all secondary schools can still discriminate in access on the ground of religion.

teachdontpreach.ie/2018/07/schools-admissions-bill-2/

In 2016 the Council of Europe Commissioner for Human Rights Nils Muiznieks told The Irish Times that:

"You have a system which I have not encountered elsewhere... with the State being held hostage to an extent by patrons... Ireland is bound by international human rights standards and has to provide access to education on a non-discriminatory basis, however it does it."

teachdontpreach.ie/2016/11/holding-state-hostage/

The Humanist Association of Ireland argue in their report "Equality for Non-Religious People" that:

"The reality for many families is one of lack of choice of school in their locality and many are effectively forced to send their children to schools of a particular religious denomination whose ethos is not in conformity with their own."

humanism.ie/wp-content/uploads/2013/03/EqualityForNon-ReligiousPamphlet.pdf

Curriculum

The state's national curriculum is administered by the National Council for Curriculum and Assessment (NCCA), but there is also time put aside for the patron body's religious education programme. According to the NCCA, "The development of curriculum for religious education remains the responsibility of the different church authorities." This is usually, though not always, the Catholic Church.

Parents have a constitutional right to exempt their children from religious instruction in schools, but such parents are routinely asked to supervise them personally during school hours because schools will not do so. Some schools are run directly by State Education & Training Boards. In 2018 the Department of Education instructed these schools to give an alternative timetabled subject to students who opt out of religion class. However, after lobbying from the ETBs, the Catholic Church, and Teachers Unions, the Department effectively reversed that instruction.

› teachdontpreach.ie/2019/03/how-state-schools-break-the-rules/

The state religious education curriculum only includes discussion of atheism and humanism under the heading "Challenges to Faith". The NCCA recently produced a report on updating this course to cover Education about Religions and Beliefs and Ethics (ERBE). However, even if such a course was developed, it would be delivered in accordance with the religious ethos of each school. The Catholic Church has opposed this course, and has effectively prevented it from being introduced.

The ethos of schools permits sex education to be delivered through the lens of the patron body, which in most cases is the Catholic Church. In 2019 the Oireachtas Education Committee recommended, as Atheist Ireland had asked it to do, that the law be changed to remove the role of ethos as a barrier to the objective and factual delivery of sex education curriculums. This is the first time that an Oireachtas Committee has recognised that students have a right to an objective education for the State curriculum, even in denominational schools, outside of the patron's religion or values programmes. The change has not yet been legislated for.

› teachdontpreach.ie/2019/01/report-objective-sex-education/

Teaching

An exemption in Section 37 of the Employment Equality Act allows state-funded Irish schools to legally discriminate against teachers on the ground of religious belief, if "the provision of services in an environment which promotes certain religious values". This Act was amended to prevent schools from also discriminating on the ground of sexuality or marital status, but they are still allowed to discriminate on the ground of religion. Most teachers in Ireland are expected to teach religious

instruction, mostly Catholic, in order to access the teaching profession in the vast majority of state-funded schools.

Recommendations from human rights bodies

In August 2014 the UN Human Rights Committee criticised the Irish government for its lack of provision of education to the non-religious and religious minorities stating:

"The Human Rights Committee is concerned about the slow progress in increasing access to secular education through the establishment of non-denominational schools, divestment of the patronage of schools and the phasing out of integrated religious curricula in schools accommodating minority faith or non-faith children."

› atheist.ie/2014/08/un-asks-ireland-about-religious-discrimination-in-irish-schools-video-and-transcript/

In recent years, ten different United Nations and Council of Europe human rights oversight bodies have told Ireland that its schools are breaching the human rights of atheists, agnostics and members of minority faiths:

- Council of Europe Human Rights Commissioner 2017
- United Nations Committee on the Rights of the Child 2016
- United Nations Committee on ESC Rights 2015
- United Nations Human Rights Committee 2014
- Council of Europe Commission Against Racism and Intolerance 2013
- United Nations Committee on the Elimination of Racial Discrimination 2011
- United Nations Human Rights Committee 2008
- Council of Europe Protection of National Minorities 2006
- United Nations Committee on the Rights of the Child 2006
- United Nations Committee on Elimination of Racial Discrimination 2005

Family, community and society

Two recent referendums, in 2015 and 2018, have removed the constitutional bans on same-sex marriage and abortion. The Civil Registration Amendment Act 2012 discriminates against and among secular marriage solemnisers.

Abortion

In 2018 the Irish people passed a referendum to amend the constitution to allow the legalisation of abortion. The new clause that was added to the constitution is:

"Provision may be made by law for the regulation of termination of pregnancy."

Abortion was illegal in Ireland under British rule and remained so after independence. In 1983 a Catholic-led referendum made abortion unconstitutional.

"The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right."

Campaigners on both sides accepted that Irish women would continue to travel to England for abortions. But in 1992, the parents of a raped 14-year-old girl asked the police if they could use DNA from a foetus in the case against her rapist. The state responded by taking out an injunction preventing the child from travelling to England for an abortion. After a public outcry, the Courts found that a pregnant woman could have an abortion if there was a direct threat to her life. Because this girl was suicidal, she could have an abortion. The case became known as the X Case. It resulted in a further amendment to the constitution, which added:

"This subsection shall not limit freedom to travel between the State and another state. This subsection shall not limit freedom to obtain or make available, in the State, subject to such conditions as may be laid down by law, information relating to services lawfully available in another state."

In 2012 Savita Halappanavar died at University Hospital Galway in Ireland, after requesting and being denied an abortion. After another public outcry, the law was again relaxed very slightly, and the campaign for more liberal abortion laws intensified. In 2017 a Citizens' Assembly recommended that the government hold a referendum to introduce more liberal abortion laws. In 2019 the Irish people passed a referendum to amend the constitution to allow the legalisation of abortion.

› atheist.ie/2018/05/abortion-vote-sees-fall-of-irelands-catholic-berlin-wall/

Marriage Equality

In 2015 the Irish people passed a referendum to amend the constitution to allow same-sex couples to marry. The new clause that was added to the constitution is:

"Marriage may be contracted in accordance with law by two persons without distinction as to their sex."

This made Ireland the first country in the world to introduce marriage equality by popular vote, as opposed to by a court decision or a parliamentary vote. It strengthens the argument that the Irish people are more secular than is reflected by the Irish constitution and laws. A separate Children and Family Relationships Act 2015 was passed in April 2015. This included adoption rights for same-sex couples.

Civil Marriages

In 2012 the Civil Registration Act was amended to allow secular bodies to nominate solemnisers for civil marriage ceremonies. This Act overtly discriminates between religious and secular bodies on a number of grounds.

Religious bodies who nominate solemnisers can also promote a political cause, but secular bodies who nominate solemnisers cannot legally promote a political cause. Also, secular bodies have to comply with regulations on length of time in existence, amount of members, and being ethical. These requirements do not apply to religious bodies, whose only condition is that they meet regularly for worship. The Act also discriminates between secular bodies, as only a body whose principal objects are secular, ethical, and humanist (as well as other restrictions) can apply for inclusion on the Register of Solemnisers.

The Government claims that this discrimination has a legitimate aim, which is to ensure that the institution of marriage is protected. When the Bill was being debated in parliament, the Minister suggested that the different rules were intended to prevent Elvis impersonators from solemnising marriages. Atheist Ireland has argued that the Act is a breach of human rights law. It is direct discrimination and, in particular, it breaches Article 26 (Equality before the law without discrimination) of the International Covenant on Civil & Political Rights.

› <https://atheist.ie/2013/07/the-civil-registration-act-discriminates-on-religious-grounds-and-undermines-human-rights/>

Freedom of expression, advocacy of humanist values

'Blasphemy' law - repeal pending

In October 2018, the Irish people voted in a constitutional referendum to remove the crime of 'blasphemy' from the constitution, opening the door for repeal of the 'blasphemy' law. A Bill to repeal the law is with the Attorney General for drafting as of February 2019.

› atheist.ie/2019/02/blasphemy-repeal-bill-2019/

Blasphemy was a common-law offence under Irish law until the 1937 Constitution explicitly made it an offence punishable by law. The Defamation of Act of 1961 also made it a statutory crime, but did not define what blasphemy was. The 1996 Constitution Review Group called for the deletion of the crime of blasphemy from the Irish Constitution, along with other references to the Christian God, religion and religious oaths. Two other All-Party Committees have also called for the removal of religious references in the Constitution. In 1999, the Supreme Court found the Irish law against blasphemy

to be unenforceable because it included no definition of what the offence consisted of.

In 2009 the Oireachtas (parliament) was updating the Defamation Act that included the offence of blasphemy. The Minister for Justice, Dermot Ahern, introduced a definition in order to make the offence enforceable. “Blasphemous matter” was defined as matter “that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion,” and “he or she intends, by the publication of the matter concerned, to cause such outrage.”

There were no prosecutions recorded under the Blasphemy Law. There was one high-profile investigation of the British actor and broadcaster Stephen Fry, though no charges were brought.

However, some media outlets self-censored themselves for fear of falling foul of the law. Islamic states and proponents of “blasphemy” and “defamation of religion” laws pointed towards the Irish law to justify their own draconian legislation. In particular, Pakistan, on behalf of the Islamic states at the United Nations, used the language of Ireland’s law in its proposals to the Ad Hoc Committee on the Elaboration of Complementary Standards in its call for an international instrument preventing the defamation of religion.

In 2013 a Constitutional Convention took submissions from secular organisations Atheist Ireland and the Humanist Association of Ireland, in favour of removing the blasphemy section. The Council of Irish Churches also favoured repeal, describing the blasphemy clause as “obsolete”. The Knights of Saint Columbanus and the Islamic Cultural Centre of Ireland argued in favour of retention. Professor Heiner Bielefeldt, United Nations Special Rapporteur on Freedom of Religion, advised Atheist Ireland as it prepared its submission:

“Of course you are right that the major damage done by this legislation is the international one. I wouldn’t expect any harsh verdicts being handed down in Ireland, but those countries that continue to have an intimidating anti-blasphemy practice like to quote European countries to unmask Western hypocrisy. So I hope things will be moving in the right direction.

› atheist.ie/2013/07/atheist-ireland-asks-constitutional-convention-to-remove-blasphemy-offence/

The Constitutional Convention voted in favour of deletion of the clause, but also recommended it be replaced with a prohibition against “incitement to religious hatred”. Following the constitutional referendum on 26 October 2018, a Bill to repeal the law is now at the Attorney General’s office for drafting.

Testimonies

“In Ireland the non-religious are now the second largest group in Society after Roman Catholics, but still face religious discrimination. The Irish Constitution begins with “In the name of the Most Holy Trinity” and Catholic social policy is reflected in many of our laws. The Catholic Church in Ireland controls the vast majority of publicly funded schools, which have exemptions from equality laws. A religious oath is required to take up the office of President, or to become a Judge, or to be Taoiseach (Prime Minister), or to hold a number of other high public offices. In 2010 Ireland introduced a new blasphemy law. In recent years, ten different UN and Council of Europe reports have told Ireland that it is infringing on the human rights of atheists, agnostics and minority faith members. It is time for Ireland to realise that it must comply with its human rights obligations and ensure that all citizens have equal rights regardless of their religious or philosophical convictions.”

— Jane Donnelly, Human Rights Officer, Atheist Ireland

“Three recent referendums have shaken the Catholic Berlin Wall that has kept a pluralist Irish people trapped within the laws of a Catholic Irish Constitution. Same-sex couples can now marry on the same basis as their fellow citizens. Pregnant Irish women can have access to safe, supervised, legal healthcare at home. And atheists and religious people alike can criticise religions without fear of blasphemy charges. These three referendums had a consistent two to one majority. But many challenges remain to achieve a secular State. The next tasks are achieving secular schools free from church control, which will be difficult because the extent of the Catholic Church’s control in this area, and removing religious oaths for high office, thus allowing conscientious atheists to take up these positions.”

— Michael Nugent, Chairperson, Atheist Ireland

United Kingdom

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 132

The United Kingdom (UK) is a constitutional monarchy comprising Great Britain (England, Scotland and Wales) and Northern Ireland, with a total population of about 64 million people. England with the largest population, 53 million, is home to a bi-cameral UK parliament which has devolved a range of powers to the other 3 nations. There are specific legislative differences in the 4 nations,

exercised by their own parliaments or assemblies, reflecting the historical and cultural differences in those nations. A referendum vote in 2016 to “leave the European Union” is widely regarded as having exposed social divisions and as creating political and economic uncertainty.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>There is systematic religious privilege Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
<p>Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional</p>	<p>Religious courts or tribunals rule directly on some family or ‘moral’ matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious</p>

Constitution and government

UK laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. However, religious privileges and legal exemptions, some linked to the established state church, are cause for concern.

National churches

The Church of England was created in a schism from Rome in the 16th century when the king made himself head of the church. The monarch must by law be a confirmed member of the Church of England and is described as the ‘Defender of the Faith and Supreme Governor of the Church of England’ as well as being Head of State. Though usually considered “ceremonial”, this religiously-restricted and hereditary role does have some non-trivial powers. The monarch approves the appointment of Bishops.

The Church of Scotland is not formally established, however the Church of Scotland’s role as the “national church” is enshrined in legislation, and senior ministers from the Church play a prominent role in national ceremonial matters. The monarch takes an oath to preserve and defend the Church of Scotland. In Wales and Northern Ireland there are no constitutional links between churches and monarchy, but Northern Ireland Protestants assert a loyalty to the monarch (often considered part of their case for remaining in the UK).

Religious privileges and exemptions

26 ‘Lords Spiritual’ (consisting of the Archbishops of Canterbury and York, plus 24 diocesan bishops from the Church of England) sit in the House of Lords (the upper chamber of parliament) as of right, where they speak and vote on legislation – a privilege not awarded to any other group, and without public accountability.

The UK state provides preferential treatment in the finance of church buildings. In 2012, places of worship were singled out for compensation for the removal of the zero Value Added Tax (VAT) rating concession for alterations to listed buildings. The government also helps fund the repair and maintenance of all listed places of worship for religious groups nationwide (without any comparable funding for secular alternatives) and contributes to the budget of the Church Conservation Trust, which preserves disused Church of England buildings of architectural or historic significance.

Exemptions from employment equality legislation allow employers with a “religious ethos” to discriminate in their employment practices on grounds of religion or belief. This extends to recruitment, promotion and disciplinary practices. However, UK law additionally allows discrimination on grounds of sexual orientation. Moreover, religious groups are increasingly being contracted by the central and local government to run services for the general public and are allowed to exercise these exemptions even when running such public services. These exemptions are separate from those where a “genuine occupational requirement” can be shown for a postholder to be of a particular religion or belief.

Education and children’s rights

Faith schools, discrimination, and selection

Faith schools (including Church schools) are a significant part of the UK education system. 34% of state-funded schools in England, 14% (denominational) in Scotland, 15% in Wales and 94% in Northern Ireland are designated with a religious character, and in Great Britain their proportion is increasing. Wales and Northern Ireland have both Catholic and Protestant schools; England additionally has Jewish, Muslim, Hindu, Sikh and other Christian schools.

In Scotland all state schools are to a degree ‘faith schools’. Most schools in Scotland are non-denominational Christian schools. There is no provision for secular schooling in the Scottish state school system. In 2017 there were 370 state-funded denominational schools in Scotland, of which 51 were secondary schools. Most denominational schools in Scotland are Roman Catholic Schools.

› ippr.org/read/autonomy-in-the-right-place#school-governance-in-38-160-scotland

A high proportion of these state-funded religious schools (the legislation is complex) can discriminate against students in their admissions policies, and against some or all teachers in their employment policies, on religious grounds. In October 2015, a report from the Fair Admissions Campaign found “near-universal noncompliance” with the statutory rules on admission of

pupils by religiously-selective state schools in England.
› fairadmissions.org.uk/an-unholy-mess-new-report-reveals-near-universal-noncompliance-with-school-admissions-code-among-state-faith-schools-in-england/

This added to earlier findings that showed that religious selection causes extensive socio-economic and ethnic segregation.

› fairadmissions.org.uk/groundbreaking-new-research-maps-the-segregating-impact-of-faith-school-admissions/

Eventually, in 2019, the UK Government announced it will lift a 50% limit on religious selection in admissions that has applied to all new state-funded schools in England since 2007, with a new 100%-selective school currently in the pipeline.

› humanism.org.uk/2019/06/14/dfe-approves-six-new-faith-schools-in-missed-opportunity-to-back-inclusive-education/

Furthermore, religious schools in Great Britain are currently allowed to discriminate more broadly than EU law permits. In a report published in late December 2016, the Equality and Human Rights Commission for the UK stated that it considers the existing exceptions permitting a religious requirement for all teacher recruitment to be too broad. The Commission recommended that the provisions should be reviewed by both the Department for Education and the Scottish Government to make them compatible with the EU Employment Equality Directive.

› equalityhumanrights.com/sites/default/files/religion-or-belief-report-december-2016.pdf

Religious education

In England and Wales, all state schools are obliged to teach religious education (RE). Most religious schools can give confessional education (meaning that confessional teaching is funded by the state) but legislation mandates that RE is non-confessional in other state schools where the syllabus is required to “reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain” (these are generally taken to be Islam, Hinduism, Sikhism, Judaism and Buddhism). Detailed syllabuses for RE are prepared for individual local authorities by advisory bodies they are required to set up on which local religious interests sit with teachers and local councillors.

Increasingly, humanism is included in RE. Indeed, in 2018, the landmark report of the Commission on Religious Education (CoRE) proposed that the subject be renamed Religion and Worldviews to make it clear that it should be inclusive of non-religious perspectives. However the UK Department for Education (DfE), which is responsible for England, has stated that it

does not intend to make the recommended changes on the grounds that some religious stakeholders believe they will ‘dilute’ the subject. And previously, in 2015, the Government excluded humanism from age 16+ examination syllabuses, in spite of majority public support (including almost 90% of consultation respondents) for its inclusion.

› humanism.org.uk/2018/09/09/humanists-uk-welcomes-landmark-commission-on-re-recommending-new-subject-religion-and-worldviews/
› humanism.org.uk/2018/12/16/secretary-of-state-for-education-rejects-calls-for-legal-reform-to-re/
› humanism.org.uk/2015/02/12/government-rejects-consensus-subject-experts-public-religious-leaders-marginalises-humanism-gcse-levels/

The DfE’s claim that this narrow examination syllabus would meet the statutory requirement for RE was challenged on the basis of human rights law in a case brought by three humanist families with support from the Humanists UK. In November 2015 the High Court ruled against the DfE, saying that non-religious views such as Humanism must be given parity with religions in RE; the judge described the Government’s claims to the contrary as an “error of law”. The judgment potentially has significant implications, establishing a duty on the state to treat religious and non-religious worldviews with equal respect; however, to date the DfE has refused to acknowledge anything more than a technical defeat.

› bbc.co.uk/news/education-34921857
› humanism.org.uk/2015/11/25/judge-rules-government-broke-the-law-in-excluding-humanism-from-school-curriculum/

In Wales, the Government is currently consulting on a new curriculum, and is proposing to legislate to make explicit that RE must include humanism on an equal basis to the major religions to ensure compliance with human rights law. This change follows from a successful challenge to a local council’s decision to refuse a humanist representative permission to become a full member of the local body that decides on what goes on the RE syllabus. This prompted the Welsh Government to issue guidance to ensure that these bodies are fully inclusive. The Government in England refuses to issue similar guidance, preferring to defer decisions about who may sit on these bodies to local councils

› humanism.org.uk/2019/05/01/success-new-welsh-curriculum-is-fully-inclusive-of-humanism/
› humanism.org.uk/2018/11/08/humanist-representatives-will-be-included-on-schools-re-body-welsh-council-rules/

In Scotland, Religious Observance and Religious Education are statutory requirements in every year of schooling. In non-denominational schools, which must still reflect Scotland’s Christian (Presbyterian) heritage most faith schools are Roman Catholic in nature. The Roman Catholic Bishop’s Conference in Scotland retains the right to set the religious education curriculum (RERC)

and sex and relationships education. Whilst only 15% of schools in Scotland are ‘denominational’ in nature, all of Scotland’s state schools have, to a greater or lesser extent, a Christian influence.

› humanism.scot/what-we-do/education/

Despite this Religious and Moral Education (RME), sometimes known as Religious, Moral and Philosophical Studies (RMPS), in non-denominational schools does include understanding of non-religious viewpoints alongside traditional teaching of faith positions.

› education.gov.scot/Documents/rme-pp.pdf

In Northern Ireland, all religious education is Christian in nature, with the core syllabus having one module that mandates the teaching of two world religions, but otherwise only focusing, from a faith-based perspective, on Christianity.

› education-ni.gov.uk/sites/default/files/publications/de/religious-education-core-syllabus-english-version.pdf

No opt out from religious education for students

Students cannot opt out of RE in any state school (including religious schools) but parents do have the absolute right to withdraw their children. This likely breaks children’s human rights, with case law on what is known as Gillick competence seeming to suggest that once a child obtains sufficient understanding and intelligence to be mature enough to make up their own mind on the matter, a child’s right to make their own decisions overrides their parents’ rights over them.

Required collective worship

In England, Wales and Northern Ireland, every state-funded school is legally required to hold a daily act of “collective worship”. In religious schools this is in line with the faith of the school but in schools not designated with a religious character, worship must be “wholly or mainly... broadly Christian”, subject to variations approved by their local authority to reflect the school’s population – but they cannot substitute a secular equivalent. Parents have the same right to withdraw their children from worship as from RE, save that in England and Wales the right is transferred to the pupil in the sixth form (i.e., at 16+). However, the right is rarely used because it singles out students from their peers and may mean they miss out on secular aspects of the assembly. In Scotland religious observance is required six times a year and older pupils do not have the right of withdrawal.

Humanists UK reports being frequently contacted by parents whose children have experienced proselytising in school, either because their child attends a religiously designated school, or because of the Christian collective worship that every English and Welsh school has to hold. And, in 2019, the charity supported two parents –

Lee and Lizanne Harris – to challenge the way worship is conducted at their children's school at the High Court with a view to establishing a requirement for a meaningful alternative to the practice for those who are withdrawn..

› humanism.org.uk/campaigns/schools-and-education/
› humanism.org.uk/2019/07/29/high-court-grants-parents-permission-to-challenge-school-worship-law/

In Scotland, all schools are required to hold occasions for Religious Observance, however there is no minimum number of sessions, with guidance suggesting it takes place “sufficiently frequently to have an impact on the spiritual development of the school community”. Religious Observance is defined by the government as: “Community acts which aim to promote the spiritual development of all members of the school's community and express and celebrate the shared values of the school Community”.

Children and Young People are not given the right to opt out of these religious observance sessions, however parents and guardians can withdraw their children. If pupils do not attend sessions due to parental opt out, government guidance states they must be provided with “a meaningful alternative” by the school.

› gov.scot/Resource/0051/00516155.pdf

Humanist Society Scotland has campaigned for children and young people to have their own right to opt-out of Religious Observance and have previously taken legal action on the subject in line with recommendations from the United Nations Committee on the Rights of the Child. In 2016 Humanist Society Scotland led a court challenge to require Scottish Ministers change the law to ensure young people can realise their own right to freedom of thought, belief and religion. The charity were not able to test the human rights arguments however they did force the Scottish Government to issue updated guidance to give young people a voice in the process for the first time.

› humanism.scot/what-we-do/news/humanists-to-challenge-scottish-government-in-courts/

Family, community and society

There has been a marked decline in people's declared religious affiliation, particularly in Great Britain. The 2011 Census found 59% ticking the Christian box (down from 72% in 2001), 25% (15%) ticking no religion, and 5% (3%) ticking Muslim. Other religions totalled 4% (3%) and 7% (8%) declined to answer.

In contrast to the Census, the British Social Attitudes survey measures religious belonging; in 2018 it found 52% declaring no religion (up from 49% declaring in 2014). A 2016 Scottish Social Attitudes Survey found 58% have no religion, rising to 74% of 18 to 34 year olds.

› scotcen.org.uk/news-media/press-releases/2017/

[july/scots-with-no-religion-at-record-level/?_ga=2.84817945.1436756900.1511782481-1070362660.1511782481](https://humanism.org.uk/2019/07/29/high-court-grants-parents-permission-to-challenge-school-worship-law/)

There is a wide range of humanist and other non-religious organisations.

Marriage law discrimination

Religious people in the UK have a choice between being married by a civil registrar and being married by a representative of their religion who shares their approach to life. Except in Scotland, non-religious people have no option other than the civil registrar. Each year many hundreds of people in England, Wales, and Northern Ireland choose to have a wedding ceremony performed by a humanist celebrant but their weddings are not legally recognised.

In Scotland, however, humanist marriages have been legally recognised since 2005. In 2015, the total number of Humanist weddings in Scotland exceeded Church of Scotland marriages for the first time. By the middle of 2017, Humanist Society Scotland registered celebrants had legally married 50,000 people.

› humanism.scot/what-we-do/news/more-than-4200-humanist-weddings-took-place-in-scotland-last-year/

Evidence suggests something similar could be expected in England and Wales. Despite indications that legal recognition of humanist marriages would be popular, fair and easy to introduce, in December 2014 the Government chose to ignore over 90% of respondents to a consultation and reject legalisation. Consultations are ongoing.

› humanism.org.uk/2014/12/18/labour-pledge-legalise-humanist-marriages-government-blocks-proposals-disappointing-thousands-couples/

One law for all?

In history the Church of England's canon law and its courts were deeply entangled with the secular law and courts but by now, although canon law is still part of the law of the land, the ecclesiastical system is almost entirely concerned with internal matters to the Church. Other denominations and religions often have their own internal tribunals but again in most instances there is little conflict between the systems. The emergence of sharia councils (not courts) run by local Muslim imams has, however, raised concerns. Their business is almost entirely to provide (or refuse) religious divorces to Muslim women, and there is strong evidence of patriarchal and misogynist behaviour by some councils. A Muslim Arbitration Tribunal operates under the general law on arbitration and occasionally sharia councils are also reported to do so. Concern focuses on rulings that may stray into matters not legally open to sharia councils – child custody, inheritance and criminal matters. The campaign group One Law For All explains, “Proponents argue that those who choose to make use of Sharia courts and tribunals do so voluntarily and

that according to the Arbitration Act parties are free to agree upon how their disputes are resolved. In reality, many of those dealt with by Sharia courts are from the most marginalised segments of society with little or no knowledge of their rights under British law. Many, particularly women, are pressured into going to these courts and abiding by their decisions.”

› onelawforall.org.uk/about/

The Census shows 4.8% of the UK population as Muslims. The number contained within this figure who in fact are secular or non-religious is difficult to establish as the position of those who, having been raised as Muslim, are non-religious, sometimes identifying as ex-Muslim, is difficult: they may be forced to hide their non-religious views, either by social taboo against “apostasy” or outright threats of ostracism or in extreme cases against their lives. Similar problems are sometimes reported within other extremely conservative religious groups – Christian Exclusive Brethren and Charedi Jewish communities, for example. In November 2015 the hashtag #ExMuslimBecause trended in the UK for several days, as part of a ‘coming out’ campaign.

› bbc.co.uk/news/magazine-34357047

Freedom of expression, advocacy of humanist values

UK law, incorporating the European Convention on Human Rights, protects freedom of expression and freedom of association and assembly, and the UK is known for its strong and diverse media and active civil society.

However, some sections of the British press have a reputation for subtly or not so subtly playing into far-right nationalist views. A report for the UN High Commission for Refugees (UNHCR) in 2015 comparing press coverage on the migration crisis in Europe, found that “coverage in the United Kingdom was the most negative, and the most polarised. Amongst those countries surveyed, Britain’s right-wing media was uniquely [aggressive] in its campaigns against refugees and migrants.”

› unhcr.org/uk/protection/operations/56bb369c9/press-coverage-refugee-migrant-crisis-eu-content-analysis-five-european.html

In 2019, in responding to campaigning by Humanists UK and other religion or belief groups working with asylum seekers in the UK, the UK Home Office, which deals with all immigration matters, introduced new specific training on processing and understanding claims made on the basis of religion or belief. This followed several high-profile media cases where claimants were turned down for spurious or unfair reasons, including a humanist who was denied asylum on the basis that he could not name Plato and Aristotle as humanists, even though neither was.

The libel laws of England and Wales, which previously had been over-reaching, were reformed in 2013 to make it more difficult to use them to suppress free speech. However, the same libel laws as previously applied are still on the books in Northern Ireland. There is an ongoing campaign for reform there, too.

› libelreform.org/latest-news/libel-reform-northern-ireland

“Blasphemy” laws in Scotland and Northern Ireland

“Blasphemy” law in England and Wales was abolished under the Criminal Justice and Immigration Act in 2008. However, two distinct laws in Scotland and Northern Ireland are still on statute. The last successful prosecution for “blasphemy” in Scotland was in 1843, when a bookseller Thomas Paterson was handed a fifteen-month prison term.

Some commentators believe that the Human Rights Act (1998) effectively makes the “blasphemy” laws in Scotland and Northern Ireland inapplicable. The Scottish Government’s official position in a letter from the Justice Secretary in 2017 supports this view and therefore has rejected calls to scrap the common law of Blasphemy.

› humanism.scot/what-we-do/news/scottish-government-will-not-scrap-blasphemy-laws-new-letter-reveals/

This is because under the Human Rights Act all courts in the United Kingdom must interpret the law such that it is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms, which includes freedom of expression under Article 10. However, prior to the passage of the Human Rights Act, the claim that “blasphemy” law is inconsistent with the right to free expression was tested in the case of *Wingrove v UK* (1997) and was rejected on the basis that the state’s margin of appreciation on free speech could include restrictions on “blasphemy”. It therefore remains unclear whether there could be a prosecution under the laws in Northern Ireland and Scotland as they stand.

In December 2016 the Humanist Society Scotland repeated its call for the Scottish government to abolish the “blasphemy” law and in September 2017 the Scottish Parliament considered a petition on the matter. Citing the Freedom of Thought Report, they noted the existence of numerous “blasphemy” laws around the world which remain in use, and “the cruelty with which those who are accused of violating these laws are often punished, by state agents or by non-state actors, including neighbours and relatives.” To have such laws on statute “should be a badge of shame for any progressive nation.” The Scottish National Party, which currently forms the Scottish Government, committed to repeal the blasphemy laws as official party policy in 2018.

› heraldscotland.com/news/14947934.Humanists_urge_Holyrood_to_repeal_Scotland_s_blasphemy_law/

› humanism.scot/what-we-do/news/msps-consider-petition-blasphemy-laws/

In 2019, Humanists UK launched a campaign to repeal the blasphemy laws in Northern Ireland. As a result of this campaign all of the major political parties in Northern Ireland came out in support of repeal, with the exception of the Democratic Unionist Party, which is opposed, and the Ulster Unionist Party, which is still forming its policy. Due to the current collapse of the Northern Ireland Assembly it is currently not possible for legislation to be passed to enact this change.

› heraldscotland.com/news/14947934.Humanists_urge_Holyrood_to_repeal_Scotland_s_blasphemy_law/

› humanism.scot/what-we-do/news/msps-consider-petition-blasphemy-laws/

› humanism.org.uk/2019/07/12/dup-opposes-repealing-northern-irelands-blasphemy-laws-while-all-other-parties-come-out-in-favour/

Social and ethical issues

There are mixed fortunes in the UK for advocacy of humanist values. In 2014 same-sex marriage was legalised across the UK, except in Northern Ireland, but humanist marriage in England and Wales has been blocked whilst flourishing in Scotland (see above). Legislation to legalise assisted dying has consistently been rejected by both UK and Scottish Parliaments, despite popular support.

Abortion, while generally legal in most of the UK, remains significantly more restricted in Northern Ireland where it is illegal even in the case of rape and any approved abortion must satisfy the purpose of “preserving the life of the mother”. This can cover adverse physical and mental health risks other than immediate life-or-death situations, but many women from Northern Ireland still need to travel to other parts of the UK (or elsewhere) to obtain the procedure, always at their own expense. From 2017 women from Northern Ireland can now obtain an abortion legally on the National Health Service elsewhere in the UK. Legislation passed by the Westminster Government in June 2019 compels the UK Government to make regulation for safe and legal access to abortion in Northern Ireland in at least cases where there is a fatal foetal diagnosis or the pregnancy has arisen as a result of sexual crime and declare a moratorium on prosecuting women who illegally obtain an abortion. This legislation came into force on 21 October 2019; there were attempts by members of the Northern Ireland Assembly to reform the Assembly to prevent the reform, but the Northern Ireland Assembly is still suspended as of October 2019.

› theguardian.com/world/2017/oct/23/northern-irish-women-offered-free-abortion-services-in-england

› bbc.co.uk/news/uk-scotland-41879520

Abortion also remains in criminal law across the UK, meaning women can be sent to jail for not following the correct procedures around abortion, even if the

abortion would otherwise have been performed in circumstances that are allowed. In 2015 the campaign We Trust Women was launched to decriminalise abortion.

› wetrustwomen.org.uk

The Scotland Act 2016, devolved the power to legislate on abortion to the Scottish Parliament. Scottish Ministers currently have no plans to change the law on abortion

› gov.scot/Publications/2016/09/2860/6

In 2017, Scotland’s Chief Medical Officer wrote to all health boards to say the drug misoprostol, known as the abortion pill, can be taken at home. Home use of misoprostol was introduced in Wales in 2018.

› bbc.co.uk/news/uk-scotland-41760959

Communications privacy and civil liberties concerns

In November 2016 the UK parliament passed the Investigatory Powers Act, sometimes referred to as “the Snooper’s Charter”. The law grants new “hacking powers” to police and security services, requires internet service providers to store all their customers’ website visits (at domain level) for a year, and requires phone companies to keep metadata on all phone calls. The data may be made available on request, without judicial oversight, to various public authorities, including some bodies which have no direct relationship to national security (e.g. the Department of Work and Pensions and the Food Standards Agency). The Investigatory Powers law has been severely criticised by civil liberties groups and privacy advocates. American whistleblower Edward Snowden called it “the most extreme surveillance in the history of western democracy. It goes further than many autocracies.” Amnesty UK said the law would “violate the human rights of every single person in the UK.” Open Rights Group (ORG) said the law set a dangerous international precedent.

› theguardian.com/world/2016/nov/19/extreme-surveillance-becomes-uk-law-with-barely-a-whimper

› amnesty.org.uk/blogs/yes-minister-it-human-rights-issue/urgent-stop-ipb-investigatory-powers-bill-snoopers-charter-human-rights

› openrightsgroup.org/press/releases/2016/ipb-will-reach-beyond-the-uk

Another new law, the Digital Economy Act, came into force in April 2017. It was set to require age verification procedures on all pornographic websites, and restricts the provision of “extreme” pornography, vaguely defined as material that is “grossly offensive, disgusting or otherwise of an obscene character”. Open Rights Group criticised the bill prior to parliamentary approval as constituting “censorship of legal content”, and argued that it increased the risk of credit card fraud and personal data leaks by requiring sites to collect personal information. ORG adds: “Blocking websites is a disproportionate, technical response to a complex,

social issue. The UK's children need education, not censorship, to keep them safe." After multiple delays, the plan to require age verification measures on pornographic websites was finally dropped in October 2019.

› theguardian.com/technology/2016/nov/23/censor-non-conventional-sex-acts-online-internet-pornography

› openrightsgroup.org/campaigns/digital-economy-bill-hub/stop-uk-censorship-of-legal-content

› bbc.co.uk/news/technology-50073102

Mauritania

Const/Govt

Edu/Child

Society/Comm

Expression

Ranking Index: 189

Mauritania bridges the Arab Maghreb and western sub-Saharan Africa; its Arab-Berber population tend to live in the north and black Africans in the south. It is one of the world's poorest countries, with about one fifth of the population living on less than \$1.25 per day. Slavery has been described as a major human rights issue,

with the world's highest proportion of slaves, mostly the black Africans, in indenture that is socially justified with reference to Islam. Mauritania is a member of the League of Arab States and the Organization of Islamic Cooperation (OIC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities The non-religious are barred from holding government office		There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed 'Apostasy' or conversion from a specific religion is outlawed and punishable by death 'Blasphemy' or criticism of religion is outlawed and punishable by death
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)		Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	
Preferential treatment is given to a religion or religion in general There is an established church or state religion	Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Discriminatory prominence is given to religious bodies, traditions or leaders	

Constitution and government

The Constitutional Council and the High Council of Magistrates are required, when taking an oath of office, to make a promise to God to uphold the law of the land in conformity with Islamic precepts.

The preamble of Mauritania's 1991 constitution declares a "right to equality" and the "fundamental freedoms and rights of human beings"; Article 1 of the constitution notes that, "the Republic guarantees equality before the law to all of its citizens without distinction as to origin, race, sex, or social condition". However, the constitution and other laws and policies restrict freedom of religion or belief. The Constitution defines the country as Islamic, recognising Islam as the only religion of its citizens, with Islam as "the religion of the people and the state".

The law and legal procedures of Mauritania are based on Sharia. Sharia crimes such as heresy, apostasy, atheism, refusal to pray, adultery and alcoholism are all contained in Mauritania's Penal Code. The Code includes punishments of lapidation, amputation and lashings. Sharia norms are also reflected in Mauritania's 2001 Personal Status Code (a legal code which regulates all matters related to marriage, divorce, family and inheritance issues). Its Article 311 states that for difficulties of interpretation as well as in cases where the Code is silent, reference should be made to Sharia.

Education and children's rights

Classes on Islam are compulsory in the curricula of both public and private Islamic schools; attendance is mandatory.

Family, community and society

Non-Muslims are restricted from having citizenship status. Muslims who convert from Islam lose their citizenship and property rights. Article 11 of the Press Act is used to ban proselytizing by non-Muslims; the Act prohibits the publication of any material that contradicts or threatens Islam. Non-Muslims are only allowed private worship after they are granted permission to do so from the state.

Freedom of expression, advocacy of humanist values

Freedom of expression both for individuals and for the press are severely compromised in Mauritania.

Apostasy, blasphemy, "adultery", and homosexuality are among the capital crimes in Mauritania, as well as terrorism.

Mandatory death for "apostasy" and "blasphemy"

Article 306 of the Mauritanian penal code, stipulates apostasy as a crime punishable by death.

Until 2018, anyone found guilty of converting from Islam was supposed to be given three days to repent and so receive a lesser sentence or be released without conviction. If they did not repent, an individual might face confiscation of their property, or the death sentence. However, despite "repenting", Mohamed Cheikh Ould Mkheitir (see "Highlighted cases" below) was found guilty of "apostasy" and sentenced to death, in a one-day trial in late December 2014. His case has been a major focus of Islamist demands and debate within Mauritania since 2014.

The case also appears to have brought about a change in the law – for the worse.

In 2018, Mauritania enacted a law which makes the death sentence for apostasy compulsory, as well as upgrading blasphemy to a capital offence and making that compulsory as well.

An amendment to penal code Article 306 will see the death penalty applied to "every Muslim, man or woman, who ridicules or insults Allah", his messenger, his teachings, or any of his prophets, "even if [the accused] repents".

› [aljazeera.com/news/2017/11/mauritania-strengthens-blasphemy-law-blogger-case-171122163349451.html](https://www.aljazeera.com/news/2017/11/mauritania-strengthens-blasphemy-law-blogger-case-171122163349451.html)

The law also provides for a sentence of up to two years in prison and a fine of up to 600,000 Ouguiyas (approximately EUR 13,804) for "offending public indecency and Islamic values", or "breaching Allah's prohibitions" or assisting in their breach.

Civil society groups including Amnesty International, Committee to Protect Journalists, PEN International, and the International Humanist and Ethical Union condemned the new law, calling for it to be reversed and for the release of Mohamed Cheikh Ould Mkheitir.

› iheu.org/ngos-protest-mauritania-creates-mandatory-death-sentence-apostasy-blasphemy/

There appears to have been a moratorium on the death sentence since 1987. However, Mkheitir remains in jail, along with around 52 persons convicted on "terrorism" charges over the years.

› opinion-internationale.com/dossier/pas-de-contrainte-en-islam-il-faut-liberer-mohamed-cheikh-condamne-a-mort-pour-ses-idees-en-mauritanie/la-condamnation-a-mort-de-mohamed-cheikh-ould-mohamed-ould-mkhaitir-un-cas-de-dysfonctionnement-de-la-justice

“Spreading atheism”

It has been observed that the charge of “spreading atheism” has been used not only to silence writers and activists but for political means also. A number of left-wing activists and writers have highlighted what they see as a systematic campaign which accuses them of spreading atheism. They have attributed this to the Muslim Brotherhood seeking to undermine the leftist movement and to make people fearful of it. Left-wing activists have been called upon to repent to God and integrate themselves into Muslim society, fatwas signed by a group of Mauritanian religious scholars have been issued accusing some activists of apostasy, and the Supreme Council for Fatwa and Grievances has issued a statement calling on activists on social media to “stop offending Islam and the Prophet and spreading atheism”.

There were calls for the left-affiliated Aqlam Horra (free pens) website to be shut down after it published an article, entitled “Religion, Religiousness and Masters,” (which was subsequently deleted and apologised for). A Mauritanian businessman had said he would pay just under \$14,00 to whoever killed the writer responsible for the article.

Press freedom

Press freedom is guaranteed by the constitution. However, in reality, privately run newspapers face closure for publishing material considered offensive to Islam or threatening to the state. Self-censorship is also practiced by journalists to some degree, when they cover issues relating to Sharia or slavery, for example, and activists against slavery have been frequently harassed and persecuted.

› iheu.org/iheu-calls-on-un-to-do-more-to-protect-mauritanian-anti-slavery-campaigners/

Highlighted cases

In late December 2014, **Mohamed Cheikh Ould Mkheitir** was sentenced to death for “apostasy”. As a 28-year-old blogger, he had been arrested in January 2014, for allegedly publishing an article seen by some as insulting Muhammad and constituting an act of apostasy. His writing in fact sought to highlight the indentured servitude in Mauritanian society, often socially justified with reference to national cultural identity and in particular to Islamic tradition.

› iheu.org/iheu-condemns-death-sentence-for-apostasy-handed-to-writer-in-mauritania/

Following Mkheitir’s initial arrest, there were a number of protests condemning his writing (though with a low level of internet penetration, and at around 50% one of the lowest remaining levels of literacy in the world, there is good reason to think that the content of his blogs was not really a direct motivator for many of the

protesters). There were numerous calls, including by imams, scholars and professors, for his execution. One preacher, Abi Ould Ali, offered EUR 4,000 to anyone who killed Mkheitir. The Mauritanian government and opposition parties supported the protests. President Mohamed Ould Abdel Aziz said, “We will apply God’s law on whoever insults the prophet, and whoever publishes such an insult.”

After his death sentence was handed down in December 2014, there were again popular celebrations. Jemil Ould Mansour, leader of Mauritanian Islamist party Tawassoul, welcomed the conviction, saying that Mkheitir had got “the fate he deserves”.

› bvoltaire.fr/philippe-franceschi/peut-sauver-mohamed-cheikh-ould-mkheitir,149711

Ensaf Haidar, the wife of Saudi blogger Raif Badawi (see Saudi Arabia > Highlighted Cases), protested Mkheitir’s sentence in August 2015, writing: “Millions of people around the world rallied to the support of Raif Badawi; who will care for a poor young man in Mauritania? He will be executed for blasphemy – by those who insist that Isis does not represent Islam.”

› independent.co.uk/voices/comment/millions-of-people-rallied-to-the-support-of-raif-badawi-who-will-care-for-a-poor-young-man-in-10466040.html

In early November 2017, Mkheitir’s sentence was reduced by an appeals court in Nouadhibou, down to two years imprisonment. Having already served four years he was due to be released. The re-sentencing was followed once again by riotous demonstrations calling for Mkheitir’s execution. Humanists International called for his safety to be ensured.

› washingtonpost.com/world/africa/mauritania-blogger-sentenced-to-death-is-released-on-appeal/2017/11/09/00573942-c565-11e7-9922-4151f5ca6168_story.html?utm_term=.5d2f6adb727
› aa.com.tr/en/africa/security-disperse-protests-in-mauritanian-capital/962148
› iheu.org/mauritanian-blogger-accused-apostasy-released-immediate-safety-paramount/

Despite the reduction of earlier sentencing, it was not until July 2019, in the final days of the presidency of Mohamed Ould Abdel Aziz, that Mkheitir was actually freed from detention and was enabled to flee abroad. Humanists International commented: “That the outgoing president has taken this action in his last days in office speaks of a broken system: it appears to demonstrate that the administration knew that Mkheitir’s prolonged detention was unjust but that there wasn’t the political strength to face down the Islamist lobby agitating for his execution. It shows once again that nation states must not allow extreme conservative religious opinion to dictate courses of action which violate basic justice and human rights.”

› middleeasteye.net/news/mauritania-releases-blasphemy-blogger-jailed-2014
› humanists.international/2019/08/mohamed-cheikh-ould-mkhaitir-freed-after-6-years-in-detention/

Brunei Darussalam

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 190

Brunei, a Malay state located on the north coast of the island of Borneo in Southeast Asia, has a population of under half a million and one of the highest standards of living in the world, thanks to its large reserves of oil and gas. The country is governed by the constitution and the national tradition of the Malay Islamic Monarchy, and there have been no direct legislative elections held in Brunei since 1962. Brunei is a member state of the Organization of Islamic Cooperation (OIC).

The implementation of a new Sharia penal code, and the state Grand Mufti advocating death for apostasy, represent a serious degradation in freedom of thought and expression. The second phase of a plan to implement harsh new Sharia penalties under the criminal code became active in April 2019, introducing the death penalty for various hudud crimes including apostasy, homosexuality, and adultery.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
	<p>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Religious control over family law or legislation on moral matters</p>	
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

Whilst Brunei's constitution states that "all [...] religions may be practised in peace and harmony", it also establishes "the Muslim religion according to the Shafi'i sect of that religion" as the official religion of Brunei.

Anyone who teaches or promotes any "deviant" beliefs or practices in public may be charged under the Islamic Religious Council Act and punished with three months incarceration and a fine of BND 2,000 (US\$1,550).

All government meetings and ceremonies commence with a Muslim prayer.

New Sharia penal code

Brunei adopted a new Sharia penal code in 2013, which was implemented in stages over several years. It contains a range of provisions that restrict the right to freedom of thought, conscience and religion. The provisions include harsh penalties for not performing Friday prayers or observing Ramadan and expanded restrictions on the rights of individuals hold or speak freely about certain beliefs. (See "Apostasy and blasphemy" below.)

Then final phase, introduced 3 April 2019, was met with international condemnation. It includes death penalties for hudud crimes including apostasy, blasphemy, adultery and homosexuality.

"General offences" listed in the act include:

- 209. *Propagation of religion other than religion of Islam.*
 - 210. *Persuading etc. Muslims to change religion.*
 - 211. *Persuading etc. person having no religion to become believer of etc. religion other than religion of Islam etc.*
 - 212. *Exposing beliefs and practices of religion other than religion of Islam to Muslim child, or child whose parents have no religion, who is under 18 years. ...*
 - 229. *Religious teaching without written approval.*
 - 230. *Contempt etc. of religious authority. ...*
 - 235. *Incitement to neglect religious duty.*
- › agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2013/EN/S069.pdf

There had been international condemnation of the planned second stage of the Sharia implementation.

"Application of the death penalty for such a broad range of offenses contravenes international law."
— Rupert Colville, spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR)
› un.org/apps/news/story.asp?NewsID=47552#.VGiH01esUi4

Rights groups widely condemned the law. Amnesty International called it "heinous" and "cruel", arguing that "Brunei must immediately halt its plans to implement

these vicious punishments, and revise its Penal Code in compliance with its human rights obligations."

- › amnesty.org/en/latest/news/2019/03/brunei-darussalam-heinous-punishments-to-become-law-next-week/
- › hrw.org/news/2019/04/03/brunei-new-penal-code-imposes-maiming-stoning
- › humanists.international/2019/04/bruneis-new-laws-are-a-national-shame-and-highlight-international-failings/

In May 2019, the sultan said that a moratorium on the death penalty would remain in force, but defended the legislation overall. Those convicted of death under moratorium conditions can usually expect in effect to serve indefinite life sentences.

- › bbc.co.uk/news/world-asia-48171165

Education and children's rights

The government's promotion of the Shafi'i school of Sunni Islam to the exclusion of other beliefs has continued within the education system. The Compulsory Religious Education Order of 2012 mandates compulsory Islamic religious education registration of all Muslim children aged seven to fifteen. The Islamic Religious Council Act stipulates the banning of public teaching or promotion of any "deviant" beliefs. Punishment can include three months imprisonment and a fine of BND 2,000.

Family, community and society

National dress, including head coverings for men and women, is obligatory for all regardless of belief when attending citizenship ceremonies. Women not wearing the hijab in public face up to 6 months in prison or a \$1600 fine, or both.

Since Muslims and non-Muslims are not allowed to marry, non-Muslims must convert to Islam if they wish to marry a Muslim.

Freedom of expression, advocacy of humanist values

The state of emergency declared by the Sultan of Brunei declared in 1962 continues, and allows for severe restrictions on freedom of expression, freedom of the press and the right to free assembly and freedom of association.

Independent media in Brunei is extremely limited and journalism is restricted. A 2005 amendment to the national sedition law strengthened prohibitions on criticizing the sultan and the national "Malay Muslim Monarchy" ideology. Brunei's Internet Code of Practice

limits online any content deemed subversive or encouraging of illegitimate reform efforts.

Apostasy and blasphemy

Articles 213, 214 and 215 of the revised penal code criminalize printing, disseminating, importing, broadcasting, and distributing of publications deemed contrary to Sharia. Non-Muslims are forbidden to refer to 'Allah' as their God (some Bruneian Christians do use 'Allah' where in English Christians say 'God').

In 2014, the State Mufti, Abdul Aziz Juned, declared apostasy an offence punishable by death for any Muslims who choose to disassociate themselves from the faith. The State Mufti said that those who had made blasphemous statements or performed sacrilegious actions and had not repented would be liable for a death sentence.

The penal code introduced in 2013 and implemented in full in 2019 includes death for insults to religion, and apostasy, as well as various other *hudud* crimes.

Pakistan

Const/Govt

Edu/Child

Society/Comm

Expression

Ranking Index: 192

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

out is uncommon, but those revealed or alleged to be non-religious tend to provoke swift condemnation.

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

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The non-religious are barred from holding government office	Religious or ideological instruction in a significant number of schools is of a coercive fundamentalist or extremist variety	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
State legislation is partly derived from religious law or by religious authorities		<p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>There is an established church or state religion</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>		

Constitution and government

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

Islam and a confused legal system

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

Anti-secular government

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

It is a constitutional requirement that the president and prime minister be Muslim. All senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity and affirm their belief in the finality of the prophet Muhammad. The Interior

Ministry has been critical of both secular and religious parties that have protested against this move.

For lawmakers and others to critically discuss the Islamist nature of the law, such as suggesting reform of blasphemy laws (see below) or any broader secular reforms, exposes the critic to potential assassination. [› aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me](https://www.aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me)

Education and children's rights

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

Hate on the curriculum

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

A report by International Crisis Group (ICG) in 2014 found that Pakistan's education system is in crisis. Among various problems including millions of children out of school, the report found that education tended to promote a nationalist worldview excluding minority views and beliefs, and that the madrasa sector flourishes, often as a direct response to poor state provision. Madrasa schools are only nominally regulated, and many of these seminary-type schools

propagate “religious extremism and sectarian violence”. The report found that: “the state will have to do far more than just increase the numbers of schools and teachers. Curriculum reform is essential and overdue. Provincial governments must ensure that textbooks and teachers no longer convey an intolerant religious discourse and a distorted narrative, based on hatred of imagined enemies, local and foreign.”

› crisisgroup.org/asia/south-asia/pakistan/education-reform-pakistan

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

› uscirf.gov/sites/default/files/Pakistan%202014.pdf

Forced “conversions”

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

› bbc.co.uk/news/world-asia-29008267

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

› pakistanchristianpost.com/detail.php?hnewsid=6198

Family, community and society

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

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

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

- Marriages are registered according to one’s religious identity (although there is no legal recognition of the non-religious, and no mechanism for the government to register marriages of e.g. Hindus and Sikhs).
- The marriages of non-Muslim men remain legal upon conversion to Islam. However, if a non-Muslim woman converts to Islam and her marriage was performed according to her previous religious beliefs, the

marriage is considered dissolved.

- Children born to non-Muslim women who convert to Islam after marriage are considered illegitimate.
- The children of a Muslim man and a Muslim woman who both convert from Islam are considered illegitimate, and the government has the power to take custody of them.

Freedom of expression, advocacy of humanist values

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

Establishing “blasphemy” laws

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

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

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

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

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

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

endangered.

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

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

Prosecuting those who commit murder in the name of winning retribution against 'blasphemers' is also problematized by Islamists and others who intimidate or threaten prosecutors. In 2017 the lead prosecutor of the killers of Mashal Khan (see Highlighted Cases below) was forced to quit reportedly under extreme pressure from the families of the accused.

› dawn.com/news/1366186

Blasphemy laws are also used specifically against the minority Ahmadi community. Pakistan's Penal Code 298 contains anti-Ahmadiyya blasphemy legislation. Whilst Ahmadis have the Quran as their holy book, they can be punished with up to three years in prison by just referring to their faith as Islam. At the end of 2013, a 72-year-old doctor and member of the Ahmadiyya community, Masood Ahmad, was imprisoned for 'posing as a Muslim' and heresy after being secretly filmed reading from the Koran at his surgery. In May 2014, a Pakistani mob killed an Ahmadi woman member two of her granddaughters after an Ahmadi was accused of posting blasphemous material on Facebook.

According to the National Commission for Justice and Peace, the authorities prosecuted a total of 1,170 blasphemy cases between 1987 and 2012, with scores of new cases being brought every year.

"Blasphemy" law: some individual victims

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

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

In June, 2017 Taimoor Raza was accused of making a post that made "derogatory" remarks about the Prophet Mohammad and his family in a way that was interpreted as "sectarian". According to reports, he was initially arrested after allegedly playing "blasphemous" material on his phone at a bus stop in Bahawalpur. The counter terrorism board found him guilty and has sentenced him to death. Taimoor Raza's attorney complains that his client is sentenced under two irrelevant and contradictory articles. Rana Amjad Sattar, chief executive of the Humanist Society Pakistan (an IHEU Member Organization), said: "'Blasphemy' is just a powerful religious taboo and no government should be enforcing this taboo, still less punishing so-called 'blasphemers' with imprisonment or death! Taimoor Raza must be released."

› iheu.org/anti-terrorism-court-hands-death-sentence-blasphemous-facebook-post/

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

› christianpost.com/news/9-year-old-christian-boy-accused-burning-quran-tortured-four-days-police-finally-released-from-jail-171150/

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

› al-monitor.com/pulse/afp/2016/09/pakistan-religion-blasphemy.html

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

› christiansinpakistan.com/ghotki-a-hindu-booked-over-blasphemy-accusations-local-hindu-community-fearful-of-reprisal/

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

› ndtv.com/world-news/pakistani-police-on-the-hunt-for-christian-charged-over-poem-1430510

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

› blogs.wsj.com/indiarealtime/2016/06/21/pakistan-tv-hosts-banned-after-blasphemy-discussion/

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

› independent.co.uk/news/world/asia/pakistani-teenage-boy-cuts-off-own-hand-after-imam-accused-him-of-blasphemy-a6820846.html

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

› telegraph.co.uk/news/worldnews/asia/pakistan/10751110/Christians-in-Pakistan-sentenced-to-death-over-a-text.html

In November 2014 a married Christian couple, Sajjad Maseeh (or Shehzad Maish), 27, and Shama Bibi (or Samah), 24, who was pregnant, were attacked by a mob of around 1,200 people after rumors that they had burned verses from the Quran. After their legs were broken to prevent them running, they were set alight and thrown in a kiln. As is often the case, the origin of the rumours have subsequently been linked to an interpersonal conflict, in this case, "revenge for unpaid bills". The viscerally shocking nature of this case has reverberated through the 'blasphemy' law debate in Pakistan, prompting more than usual pressure on police to convict members of the mob who killed them. In November 2016 five of the killers were sentenced to

death. An editorial in The Nation broadly welcomed the death sentences for the killers, adding: "Avenging Samah and Shehzad Maish isn't enough, we must prevent future deaths. The root cause of the problem, the blasphemy laws, are still in place in their nefarious form, as is a politico-religious complex designed to protect them."

› christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html

› nation.com.pk/editorials/25-Nov-2016/a-measure-of-atonement

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

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

› telegraph.co.uk/news/worldnews/asia/pakistan/9530596/Rimsha-Masih-Christian-girl-arrested-for-blasphemy-released-from-Pakistan-prison.html

› theguardian.com/world/2013/jul/01/pakistan-girl-accused-blasphemy-canada

› bbc.co.uk/news/world-asia-23739778

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

"Blasphemy" online

From 2010 onward, the government has been aggressive in its blocking of online "blasphemous" content. For example, perceived blasphemous content on Youtube

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

› iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/

Signs of change... and fading hope

In the past several years there have been a few preliminary efforts by responsible parties to reign in the malign influence of ‘blasphemy’ laws in Pakistan. However, such efforts have often been countered by Islamist voices and by pressure in the opposite direction.

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

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

› worldwatchmonitor.org/2014/11/article_3483230.html/

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

› samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse

In 2015 some “blasphemy” accused were granted pre-trial bail, and there was political discussion of reviewing

the sentences of some long-standing “blasphemy” cases, with individuals in prison facing years-long waits for hearings.

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

› iheu.org/statement-on-terrorism-conviction-against-mumtaz-qadri/

› dawn.com/news/1242637

› theguardian.com/world/2016/feb/29/pakistan-hangs-mumtaz-qadri-who-killed-blasphemy-law-governor

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

› deccanchronicle.com/world/neighbours/030916/pakistan-court-clears-all-accused-in-church-attack-case.html

In 2017, the High court in Islamabad asked the Pakistani government to make changes to the laws in order to prevent people from being falsely accused of blasphemy. The judicial request, while not demanding a repeal of the law, asked for the same punishment for those who

falsely allege blasphemy as for those who commit the crime. Currently, the false accuser faces imprisonment of up to between two years and life, although such a sentence is rare. This request however has mostly been ignored by Parliament and after a number of similar unsuccessful attempts, there is little optimism for this latest recommendation.

› [aljazeera.com/indepth/features/2017/08/pakistan-court-seeks-amend-blasphemy-law-170814120428595.html](https://www.aljazeera.com/indepth/features/2017/08/pakistan-court-seeks-amend-blasphemy-law-170814120428595.html)

In 2017 a proposal to allow Ahmadiyya to vote without having to declare themselves “non-Muslims” was quickly withdrawn after Islamists vociferously objected. Despite the withdrawal of the plan Tehreek-e-Labaik Pakistan (TLP) (an Islamist political party strongly supportive of the “blasphemy” laws and which appears to be gaining strength following the execution of Mumtaz Qadri) staged a disruptive protest and forced the government to back down. Not only was the proposal to extend Ahmadiyya voting rights withdrawn, but several wider concessions were made by the government as well. These concessions include a national council to counter any “deviant teaching” that Mohammad was not the final prophet and an investigation into whether there was a “conspiracy” to extend voting rights of Ahmadiyya. The agreement makes the continue imprisoned in Pakistan of Christian “blasphemer” Asia Bibi a pivotal issue, with new guarantees that she would not be sent abroad.

› [ucanews.com/news/hopes-for-blasphemy-reforms-fade-as-radicals-gain-ground-in-pakistan/80850](https://www.ucanews.com/news/hopes-for-blasphemy-reforms-fade-as-radicals-gain-ground-in-pakistan/80850)

Asia Bibi was the most prominent ‘blasphemy’ prisoner in recent times. A “lower-caste” Christian farm worker accused of ‘blasphemy’ by neighbours, who had been feuding between families, who objected to her drinking water from a particular well. The charge in 2009 led initially to a death sentence in 2010, followed by years in indefinite detention, as is the fate of many ‘blasphemy’ convicts in the country.

Asia Bibi was eventually released from jail in 2019 after being cleared of charges in October 2018. The court’s decision to drop the blasphemy charges in 2018 was met with violent demonstrations by extremists calling for Asia’s beheading, which paralyzed cities across Pakistan for several days. In order to stop the violence, Imran Khan’s government struck a deal with the protesters, allowing them to petition against the Supreme Court’s judgement. The Supreme Court, however, rejected the challenge to its October ruling.

After her release, Asia Bibi remained under protective custody and was moved to an allegedly ‘secure area’, in a house in the city of Karachi. Asia’s friend, Ahman Hullah, reported that Asia was locked in the house with her husband and that she was prevented from leaving by Pakistani authorities, despite Canada having offered her asylum and the Pakistani authorities having publicly

stated that she was free to leave the country.

› [theguardian.com/world/2019/feb/09/asia-bibi-pakistani-authorities-barring-her-from-leaving-friend-says](https://www.theguardian.com/world/2019/feb/09/asia-bibi-pakistani-authorities-barring-her-from-leaving-friend-says)

She eventually was able to leave for Canada in May 2019, thanks to international efforts and European Union mediation, and she is now hoping to move to Europe. While her release comes as some good news, blasphemy law remains unchanged. Asia Bibi herself has attempted to draw attention to the issue, stating that: “There are many other cases where the accused are lying in jail for years and their decision should also be done on merit. The world should listen to them.”

› [telegraph.co.uk/news/2019/08/31/asia-bibi-pleads-justice-victims-pakistans-harsh-blasphemy-laws/](https://www.telegraph.co.uk/news/2019/08/31/asia-bibi-pleads-justice-victims-pakistans-harsh-blasphemy-laws/)

2017 crackdown on “blasphemy” and “atheists”

“Blasphemy” accusations in Pakistan are almost always linked to violence and injustice. In 2017 in particular, there were a series of “blasphemy” related incidents that include: enforced disappearances in January, a crackdown on social media including the arrest of several users and the blocking of various websites through the first few months of the year, and the murder of university student Mashal Khan in April (see Highlighted Cases below). On the murder of Mashal Khan, a spokesperson for Atheist and Agnostic Alliance Pakistan (an IHEU Member Organization) said:

“... in a country like Pakistan, when the police stand by as mobs of students who are supposed to be interested in ‘higher learning’ commit this atrocity, it is lawless... There will be no justice while ‘blasphemy’ is a crime and people feel they can get away with murder.”

› [iheu.org/humanist-murdered-fellow-university-students-alleged-blasphemy/](https://www.iheu.org/humanist-murdered-fellow-university-students-alleged-blasphemy/)

Two men accused of “atheism” were arrested in March: Abdul Waheed (who has been linked to the pen name Ayaz Nizami) and blogger Rana Noman. The exact accusations remain unclear, but comments by officials and the public suggest that both will be tried as “blasphemy” cases and that they also therefore face possible death sentences.

Apostasy

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

› loc.gov/law/help/apostasy/index.php#pakistan

Freedom of the press

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

› ifj.org/campaigns/end-impunity-2016/end-impunity-2016-pakistan/

Highlighted cases

Mashal Khan, a student who referred to himself as a 'humanist' on his Facebook page, was murdered by his fellow university students for alleged blasphemy. According to Pakistani media, a large group of students were involved in the attack that occurred on the 13 April 2017 after Khan was accused of posting "blasphemous" content online. Khan had called himself "The Humanist" on his Facebook page. Khan appears to have posted routinely against discrimination and in favour of human dignity. Khan was reportedly shot in the head and then beaten with sticks. Video footage circulated on social media showed his lifeless body being attacked. Police were reportedly present during the attack but claimed they were unable to intervene due to the large number of attackers present. The official police report into Mashal's death says there is no evidence supporting any blasphemy allegation. 53 suspects went on trial in 2017. Mashal Khan's father, Iqbal Khan, is reported to have said he rejected any attempt at "reconciliation" by the families of those who killed his son, saying "If someone wants it [reconciliation] then he should watch the videos of the brutal killing of my son."

› tribune.com.pk/story/1382848/journalism-student-killed-mardan-university-alleged-blasphemy/
› samaa.tv/pakistan/2017/09/iqbal-khan-rules-reconciliation-mashal-khans-killers/

In January 2017, **several bloggers and activists accused of atheism or blasphemy** were forcibly disappeared apparently by state security services. When they were released, some reported having been tortured in detention. As part of the same 'crackdown', in March 2017 **Abdul Waheed** was accused of being behind the pen name "Ayaz Nizami", and another blogger **Rana Noman** were arrested and accused of publishing "blasphemy" online. While there were protests to release the 'disappeared' activists and bloggers, many others protested against them. Abdul Waheed's arrest in March was greeted by the trending hashtag "#HangAyazNizami" on social media.

› iheu.org/pakistan-harassing-persecuting-non-religious-guise-blasphemy/

› ex-muslim.org.uk/2017/03/details-on-the-cases-of-ayaz-nizami-and-rana-noman/
› nation.com.pk/24-Mar-2017/blasphemy-crackdown-fia-arrests-2-suspects-from-karachi

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

› nation.com.pk/national/15-Oct-2016/gcci-scci-stress-joint-efforts-to-boost-exports

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

In 2013, **Junaid Hafeez**, a visiting lecturer of English in Bahauddin Zakaria University (Multan, Punjab province) was accused by a student affiliated with Islami Jamiat Talaba of insulting the Prophet Muhammad on Facebook. Hafeez was arrested and jailed on blasphemy charges. Since June 2014, he has been kept in solitary confinement, in conditions that were described as 'extreme' between 2018-2019. His trial, that has involved eight different judges, has been lengthy and has incurred in severe delays since May 2014, following the murder of Junaid's counsel, Rashid Rehman (see below). Mr Hafeez was expected again in court on 1st October 2019.

Rashid Rehman, a lawyer who agreed to defend Junaid Hafeez, has since been murdered. Rehman was special coordinator for the Human Rights Commission of Pakistan in Multan. The Hafeez trial had been conducted in jail because of the threat to his life, and Rehman himself received death threats for representing Hafeez and he reported them to the Multan Bar Association, however no measures were taken to provide him with security. His colleagues at the human rights commission also urged the government to provide him with security. In May 2014, two men walked into Rehman's offices and shot him dead. They have not been caught and activists complain of the government seeking to bury the case.

Maldives

Const/Govt

Edu/Child

Society/Comm

Expression

Ranking Index: 193

Though most famous internationally as a popular tourist destination, Maldives has been described as undergoing a battle between liberal and literal interpretations of

Islam, with serious human rights violations linked to fundamentalists, and attacks on perceived atheists and homosexuals in recent years.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

There is not even formal freedom of religion or belief in the constitution of the Maldives. The constitution designates Islam as the official state religion, and other articles in the constitution appear to make the practice of Islam mandatory. The government and many citizens at all levels interpret the constitution as imposing a requirement that all citizens must be Muslims. While freedom of expression is guaranteed by the constitution, it is not respected in practice.

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

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

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

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

Education and children's rights

Article 36 of the constitution states that it is imperative for parents and the state to provide children with primary and secondary education and section (c) of that article states schools are required to "inculcate obedience to Islam" and "instill love for Islam."

The Ministry of Islamic Affairs mandates Islamic instruction in schools and funds salaries of religious instructors.

Older schools in particular are traditional Islamic or Quaranic schools.

› classbase.com/countries/Maldives/Education-System

Family, community and society

The government certifies imams, who are responsible for presenting government-approved sermons. By law, no one may publicly discuss Islam unless invited to do so by the government, and imams may not prepare sermons without government authorization.

Family law

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

Freedom of expression, advocacy of humanist values

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

Suspension of Maldivian Democracy Network 2019

In early October 2019, the Adhaalath Party issued a statement about the necessity to investigate the activities of the NGO Maldivian Democracy Network (MDN) following a report published by the latter in 2016, titled 'Preliminary Assessment of Radicalisation in Maldives'. The MDN report criticised the Maldivian education system and claimed that the rhetoric used in certain textbooks encouraged extremism and highlighted certain passages of the Quran. The Adhaalath Party condemned the report accusing the MDN of deriding Islamic religion, and the Ministry of Islamic Affairs also stated that the report contradicted the tenets of Islam, handing the case to the police and launching an investigation. Members of the public also condemned MDN's report, with some demanding the NGO's closure.

› edition.mv/news/12791

› edition.mv/news/12772

On October 10th, the government issued a statement imposing MDN's temporary cessation of activities "due to [the report's] content slandering Islam and the Prophet Mohamed (PBUH)". The statement assures that the government continues to be committed to "upholding the democratic rights of our citizens including those of expression and peaceful assembly" as recognised by the ICCPR, however emphasises that "these rights cannot be exercised maliciously, in the form of hate-speech, or in a manner that contributes to public discord and enmity". The statement also reminds that the government condemns "those who foment hatred, send out threats, and call or violence against others in the name of defending religion", but nonetheless reminds that "Islam is one of the fundamental sources of our country's democratic framework as well as a source of unity and peace within our community."

› twitter.com/MoFAMv/status/1182285209204510722/photo/1

While the investigation of MDN is still ongoing as of October 2019, the government's move to demand a cessation of MDN's activities has been heavily criticised by several human rights organisation including the International Federation for Human Rights (FIDH) and the World Organisation Against Torture, as well as by former Maldivian politician and current UN Special Rapporteur on Freedom of Religion and Belief, Ahmed Shaheed, who tweeted: "How on earth is this action justified under Article 19 and Article 22 of the ICCPR? How is this government any different from the government of Abdulla Yameen? The government must always act within the law and uphold the rights of everyone!"

› twitter.com/ahmedshaheed/status/1182298625210245120
› fidh.org/en/issues/human-rights-defenders/maldives-lift-restrictions-against-maldivian-democracy-network

Atheism and criticism of Islam

While many religious 'crimes' are not individually spelled out under the penal code, wide berth is given for the prosecution of 'hudud' crimes under Sharia law. The penal code grants judges discretion to impose Sharia penalties, including apostasy and blasphemy

› state.gov/documents/organization/281272.pdf

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

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

Kidnap and intimidation of atheist Facebook users

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

Analysts have raised concerns over the growing threat of extremism in the Maldives. A recent report by the US State Department expressed concern over radicalization of youth groups and said funds are being raised in the Maldives to support terrorism abroad. Maldivian media have also said they feel threatened by religious extremists and gangs.

› jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam

In November 2017, the government launched a new initiative, under which people making fun of Islam on social media will get house calls from government officials to "educate" them about Islam.

› maldivesindependent.com/society/government-house-calls-for-maldivians-insulting-islam-on-social-media-134124

Highlighted cases

Human rights defender and blogger **Yameen Rasheed**, who work as an IT professional, was found stabbed to death in the stairwell of his apartment in April 2017. He had been an ardent campaigner for justice in the case of the apparent 'enforced disappearance' of his friend Ahmed Rilwan (see below). Yameen had also made a series of satirical posts about the spread of radical Islam and the Maldivian government through his blog The Daily Panic. And he was previously arrested along with others in 2015 after taking part in an anti-government rally in the capital. Mr Rasheed had in the past reported receiving regular death threats to police, but had failed to get a response and often his complaints were dropped without investigation. Four men on trial for the murder denied the charges in November 2017.

› nytimes.com/2017/04/23/world/asia/yameen-rasheed-dead-maldives-blogger-dead.html
› theguardian.com/world/2017/apr/23/maldives-blogger-yameen-rasheed-stabbed-to-death-in-capital
› raajje.mv/en/news/21058

In a series of kidnappings in June 2014, **several perceived atheists and homosexuals in Malé city** were detained and intimidated by large gangs of approximately 40 men. The abductees were interrogated on their beliefs, tested on passages from the Quran, and asked to recite the Shahadha (Islamic creed). The men were accused of atheism and homosexuality, and threatened with death. They were forced to hand over their Facebook account passwords and pressured to identify the administrators of the 'Secular Democratic Maldives Movement' and 'Maldivian Atheists' on Facebook. The Maldivian Democratic Party made a statement on the kidnappings, saying, "The extremists blindfolded the young people, took them to remote locations against their will, threatened them with sharp weapons, threatened them with death, issued sentences in a vigilante trial and are now implementing these sentences..." Sources suggest all individuals were later released, but were locked out of their social media accounts and warnings about "blasphemy" appeared on the commandeered pages. Minivan News reported that members of the vigilante group had been photographed in a meeting with Islamic Minister Sheikh Mohamed Shaheem Ali and youth groups who were protesting against homosexuality and the "harassment" of Islam, along with a meeting with the Home Minister Umar Naseer.

› minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753

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

› minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753

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

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

colleagues have continued to raise concerns about the speed and current conclusions of police investigations. <independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html>

› ifj.org/uploads/media/South_Asia_Press_Freedom_Report_2013.pdf

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

› vnews.mv/25749

In 2019, an investigator confirmed that Ahmed Rilwan Abdulla was killed by a local Al-Qaeda affiliate, publicly acknowledging for the first time the existence of the hardline group and its efforts to silence liberal voices in the Maldives, which had previously been consistently denied by officials. The investigator also argued that government officials, including the former President Abdulla Yameen and his Minister of Tourism Ahmed Adeeb, attempted to divert the focus of the investigation, and has recommended charges of obstruction of justice against Ahmed Adeeb.

› aljazeera.com/news/2019/09/missing-maldives-journalist-rilwan-killed-al-qaeda-affiliate-190901121511620.html

Officials confirmed in March 2013 that they were investigating “anti-Islamic” social media activity. Though the “investigation” had a broader purview, the Facebook Page “**Dhivehi Atheists/Maldivian Atheists**” appears to have been at the forefront. The Page had been accused of “insulting God” and posting “offensive” cartoons, by the religious conservative Adhaalath party. Liked by 300 users, the majority of the posts were in local Dhivehi language, and the page encouraged Maldivians to leave Islam and “choose the path of science and reason”. Several posts made by visitors accused various people of being behind the Page and threatened to kill them. Many visitors have stated that the administrator had been identified as a woman.

› sun.mv/39714

› minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245

A closed (i.e. private) group called “Against Dhivehi Atheists / Maldivia” <facebook.com/groups/standagaistdhivehiathiist/> says of itself: “The main purpose of this group is to report to facebook about the page [Dhivehi-Atheists-Maldivian-Atheists] Please add as much friends as you can, and spread the message”. This

tactic may have worked, since as of December 2015 the original page <[facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/](https://www.facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/)> is not accessible.

On 2 June 2012, **Ismail Khilath 'Hilath' Rasheed** was attacked with a knife outside his house, narrowly escaping a fatal injury. Rasheed, an openly gay blogger and journalist who advocates for freedom of religion and a fierce critic of Islamic fundamentalism, had previously been threatened online in an article published on Muraasil.com. Rasheed was also the main victim in an attack by Islamist extremists on a silent protest in 2011. Rasheed has since left the Maldives.

› minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978
› minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753
› minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438

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

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

› examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives

Afghanistan

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 194

Afghanistan has suffered from chronic instability and conflict in its modern history from the Cold War to the civil wars between the Mujahedeen and the Taliban. The Taliban was removed from power in 2001 (but still exists) and Afghanistan has had a democratically elected government since 2004. 2016 was marked by a period of

rapid ISIS brutality that added another front to the pre-existing mix of Islamist militant groups. Human rights abuses, including the torture of detainees, violence against women and children, and attacks on journalists remain a serious problem.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities	Religious or ideological indoctrination is utterly pervasive in schools	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
	Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	

Constitution and government

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

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

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

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

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

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

According to the constitution, the president and vice

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

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

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

Education and children's rights

According to Unicef data (2017/18), 3.7 million children are out of school in Afghanistan, 60% of them girls. Low enrolment of girls is linked to a lack of female teachers, especially in rural areas, and by socio-cultural factors and traditional beliefs. Child marriage is a persistent problem, with 17% of girls married before their 15th birthday.

› [unicef.org/afghanistan/education](https://www.unicef.org/afghanistan/education)

Other factors affecting school enrolment and attendance are shortage of educational facilities, insufficient transportation and geographical barriers. Moreover, structural problems such as inefficient resource management as well as socio-political and humanitarian crises also negatively affect the educational system.

It is also worth noting that children who do go to school often receive a low quality education, as less than half of the teachers have the minimum academic qualification (equivalent to an Associate Degree).

Children affected by conflict

Child casualties represent almost one-third of the overall total of conflict-related civilian casualties in Afghanistan. During the first 6 months of 2019, United Nations Assistance Mission in Afghanistan (UNAMA) documented 1,207 child casualties – 327 deaths and 880 injured – an increase of 13% compared to the same period in 2018.

UNAMA continues to receive reports of harassment and sexual violence committed against children by parties to armed conflict as well as the recruitment and use of children by Anti-Government Elements, security forces and pro-Government armed groups.

In 2018, 92 election-related incidents affecting education

were also documented, mostly attributed to the Taliban: attacks were carried out against voter registration centres which were based in schools, during the months leading up to the elections and on the days of the elections themselves, impacting children's safety and access to education over protracted periods.

› reliefweb.int/report/afghanistan/midyear-report-protection-civilians-armed-conflict-1-january-30-june-2019

Religion in schools

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

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

Family, community and society

Violence against women

UNAMA reports that “violence against women – murder, beating, mutilation, child marriage; giving away girls for dispute resolution (baad) and other harmful practices – remain widespread throughout Afghanistan, notwithstanding the Government’s concrete efforts to criminalize these practices and establish measures for accountability.” UNAMA documented 280 cases of murder and “honour killings” of women from January 2016 to December 2017.

› unama.unmissions.org/women%27s-rights-reports

In 2009, a presidential decree known as the Elimination of Violence Against Women Act (EVAW) should have outlawed the stoning and flogging of adulterers and provided the foundation for securing accountability for violence against women. The law was issued, but never ratified by Parliament.

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

› rawa.org/temp/runews/2016/08/26/more-than-5000-cases-of-violence-against-afghan-women-recorded-in-six-months.html#ixzz4Rpb1m8Gg

In general, hence, UNAMA reported that Afghan “women’s access to justice remained limited and women continued to face inequality before the law. At the same time, the frequent failure of State officials to exercise due-diligence in investigating, prosecuting and punishing perpetrators, and providing reparations to survivors, contributed to the existing high rate of impunity and strengthened the normalisation of violence against women in the Afghan society.”

› unama.unmissions.org/women%27s-rights-reports

In 2018, Human Rights Watch reported that despite attempts to pass the EVAW law, “mediation remains the preferred route for most prosecutors, which women are often compelled to accept due to pressure from family and justice officials. Registered cases represent only a fraction of the actual crimes of violence against women.” Following pressure from conservative members of parliament the EVAW law was again dropped from the penal code and is “in limbo” as of 2018.

› hrw.org/world-report/2018/country-chapters/afghanistan

Women affected by conflict

UNAMA reports that “women continue to be disproportionately impacted by the armed conflict in Afghanistan, not only suffering loss of life and limb, but also conflict-related displacement, economic insecurity, and lack of access to essential services. The armed conflict also exacerbates inequalities and discriminatory practices against women, which increases their exposure to sexual and gender based violence.”

› reliefweb.int/report/afghanistan/midyear-report-protection-civilians-armed-conflict-1-january-30-june-2019

Freedom of expression, advocacy of humanist values

Freedom of expression is theoretically guaranteed in Afghanistan – unless it acts against national interests or personal privacy – under article 34 of the Constitution. In practice, however, such freedom has rigid margins and limitations, in particular when it runs up against religion. A popular slogan exemplifies the reactionary suppression of ideas: “One is free to express, but not after expressing it”.

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

The penal code addresses “Crimes against Religions” and states that a person who physically attacks a follower of

any religion shall receive a short-term prison sentence of not less than three months and a fine of between 3,000 and 12,000 Afghanis (US\$60 to \$240); physical attacks on non-religious people are, by exclusion from this law, not technically as serious.

Attacks on journalists and media freedom

Freedom of thought and expression has been further endangered in Afghanistan in the last decades due to the ongoing armed conflict. As there are many active illegal armed groups and parties, journalists work under extremely difficult circumstances and routinely face violence, threats, and intimidation. While many incidents go unreported, Internews partner NAI, supporting Afghanistan Open Media, has collected hundreds of reports of such incidents.

› nai.org.af/data/

According to the Afghan Journalist Safety Committee (AJSSC), 2017 was “the bloodiest year ever for journalists and other media personnel working in Afghanistan”, with 20 journalists and media workers being killed – 13 deaths more than 2016. The majority of incidents took place in Kabul.

› tolonews.com/afghanistan/journalist-killed-kandahar-shooting

On 25th April 2018, 25 people were killed in twin bombings in Kabul, of which 9 were journalists, and a BBC journalist was also killed in a separate incident in the eastern province of Khost. These events made this day the deadliest for media workers in Afghanistan since the fall of the Taliban.

› theguardian.com/media/2018/apr/30/afghanistan-the-10-journalists-who-died-in-deadly-day-for-media

On 13th May 2019, Mina Mangal, who worked as television presenter before entering politics, was shot dead. She had previously posted on Facebook that she had received threats and feared for her life. Ms Mangal’s father told the BBC: “I am asking the government why they could not protect my working daughter and I have lost her. I urge them to protect my other daughters and other women like them who come out of home and serve our society.”

› bbc.com/news/world-asia-48249867

“Apostasy”

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

With regard to non-believers and apostates, very few incidents are recorded, though this probably means that many converts and dissenters from Islam generally are simply too afraid to speak out. Assuming or defending any right to criticize, abandon or renounce Islam is

considered a taboo even by many people who adhere to broadly democratic values.

In 2006, a Muslim man, Abdul Rahman, who converted to Christianity faced prosecution for his apostasy. All pleas to throw the case out were rejected at once; the judge vowed to resist international pressure and threatened to sentence Abdul Rahman to death unless he reverted back to Islam. His death was prevented when President Karzai, under the strong advocacy and pressure of international community, requested the Supreme Court to spare him of his charges. The charges were dropped because of lack of evidence and ostensibly his mental instability. He left Afghanistan shortly thereafter.

› answering-islam.org/authors/clarke/apostasy_freedom.html

“Blasphemy”

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

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

Farkhunda Malikzada “blasphemy” murder

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

› hrw.org/news/2015/07/07/dispatches-11th-hour-justiceforfarkhunda

Her brutal death triggered different reactions from human rights activists and clerics of both high and low levels. Among others, Ayaz Niazi, the prominent imam of Wazir Akbar Khan Mosque (attended by many high government officials and most favored by the Presidential Palace) warned against taking any action against the attackers. Ayaz Niazi said in his Friday’s sermon: “My appeal to the judicial and legal institutions is to act with caution ... When the people’s most

important element of belief is insulted, they are not responsible to see if this [alleged blasphemer's] mind is working or not working. You have to be careful. This is a huge mistake. If you start arresting people, they will probably revolt. It will be difficult to rein them in".

› theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy

Afghanistan Express "blasphemy" events

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

› rferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html

His post went viral on the internet and was reported by leading international news agencies from the Middle East to the USA and Europe. Ultimately, another warlord, Abdurrah Rasul Sayyaf, condemned the blasphemous piece and called for the arrest of the author and the news agency. It transpired that the article had been copied from the personal website of the author, Ahmad Javeed Ahwar, a writer and a social media activist, and was published without his permission. A demonstration was held in Kabul where the crowd demanded punishment of the author. The newspaper office was shut down and the owners were arrested. President Ashraf Ghani and Chief Executive Abdullah Abdullah, assured people of Afghanistan of taking all the required measures regarding the arrest and trial of Ahmad Javeed Ahwar. <rferl.org/a/afghan-blasphemy-case-an-early-test-for-new-government/26654627.html>

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

› theguardian.com/world/2014/oct/24/afghanistan-express-article-isis-taliban-islam-blasphemy

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

Broader freedom of expression issues

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

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

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

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

› data.nai.org.af

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

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

› nai.org.af/blog/two-recent-months-witness-sever-violations-against-journalists

Highlighted Cases

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

Refugees.

› refworld.org/docid/46e690f223.html

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

› wikileaks.org/plusd/cables/05KABUL5076_a.html

› cpj.org/2005/12/cpj-calls-on-karzai-to-free-journalist-ali-mohaqiq.php

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

› refworld.org/docid/48d5cbf4c.html

› independent.co.uk/news/world/asia/free-at-last-student-in-hiding-after-karzais-intervention-1782909.html

Testimonies

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

“As an atheist I’m facing constant problems with family, friends, and even in dealing with people at the university campus and the community at large. Having any beliefs outside of Islam or that of which is not compatible with Islam and its teachings are considered an unforgivable crime. Such a view is prevalent throughout society, family,

friends and even at the university, which supposed to be a place to question and doubt; Not to mention that such beliefs are systematically reinforced by the constitution and the state’s laws. Thus, I am closet atheist, and my Secular Humanist views are limited to social media and to myself alone. The environment in Afghanistan is suffocating for freethinkers and Humanists. There are two ways available to me and others like me: Either stay quiet for your entire life which in turn is an imposed punishment for a social being like humans, or voice your concern for equality, freedom of thought and expression publicly. But to what cost?”

— Arash Kargar (pseudonym)

Saudi Arabia

Const/Govt	Edu/Child	Society/Comm	Expression

Ranking Index: 196

The Kingdom of Saudi Arabia is an Islamic state governed by an absolute monarchy in tandem with a powerful religious elite. From 2014 to 2017 Saudi anti-terror law defined “the promotion of atheist thought” as an act of terrorism, and the 2017 anti-terror law still continues to suppress many forms of criticism or dissent in extremely broad terms, and is actively intended to prosecute political dissent and religion or belief minorities. Prosecutions for apostasy or promoting atheism have been made in recent years, with individuals facing possible death sentences and serving long jail terms.

The Saudi government has claimed to be making improvements in terms of respecting the civil liberties and human rights of its 33 million population; however

most improvements have been minimal, and a highly restrictive regime persists. In 2017 the Crown Prince pledged reforms including to lift the ban on women driving, however many human rights campaigners and prisoners of conscience remain imprisoned years later, with sporadic fresh crackdowns on those consider dissidents or troublemakers, including peaceful protesters and activists for political reform and freedom of expression. Most forms of public religious expression must be consistent with the government’s particular brand of Sunni Islam.

Saudi Arabia is a member of the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), and the Gulf Cooperation Council (GCC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities Quasi-divine veneration of a ruling elite is enforced, or a single-party regime holds uncontested power, subject to severe punishment	Religious or ideological indoctrination is utterly pervasive in schools Religious or ideological instruction in a significant number of schools is of a coercive fundamentalist or extremist variety	Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed 'Apostasy' or conversion from a specific religion is outlawed and punishable by death 'Blasphemy' or criticism of religion is outlawed and punishable by death It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed It is illegal or unrecognised to identify as an atheist or as non-religious
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)	Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination	

<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			

Constitution and government

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

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

› goo.gl/UF0liF [A History of Saudi Arabia, Madawi al-Rasheed]

Freedom of religion or belief is extremely oppressed in Saudi Arabia. Wahhabism – commonly described as an “ultra conservative” or “fundamentalist” branch of Sunni Islam – is functionally recognized as the state religion. According to Article 1 of the Basic Law of Saudi Arabia (its equivalent to a constitution), “The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God’s Book and the Sunnah of His Prophet (God’s prayers and peace be upon him) are its constitution.”

The country’s laws are based on Sharia law.

Human rights violations

The Kingdom is one of a small number of countries given the worst-possible rating across all categories Freedom House (2019).

› freedomhouse.org/report/freedom-world/2019/saudi-arabia

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

In 2019 a fresh plea was made by 40 civil society NGOs at the United Nations for the international community to hold the Saudi government to account.

› humanists.international/2019/06/humanists-international-joins-40-ngos-urging-un-to-hold-saudi-arabia-to-account/

In a government reshuffle under King Salman in 2015, the head of the Mutaween (religious police), Sheikh Abdul Latif al-Sheikh, considered to be somewhat sympathetic to women’s rights, was replaced by Abdulrahman al-Sanad, who was previously sacked by King Abdullah on grounds of his criticism of intermingling young men and women in co-ed universities. King Salman also appointed as his personal adviser the controversial cleric Saad al-Shethri, known as a hardliner against Christians, Jews, and Shiites. The female Deputy Minister for Education was also removed (see “Education and children’s rights”, below) with no new women being appointed. These moves were widely seen as entrenching or setting back the reform agenda.

› middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866

› ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html

Since then, Crown Prince Mohammad bin Salman, designated in June 2017 as the successor to King Salman, has apparently orchestrated a series of arrests in what has been described by the House of Saud as an anti-corruption purge, though many commentators regard it as a crackdown on the Crown Prince's likely opponents and detractors.

In 2017 the Crown Prince pledged some liberalizing reforms, including an end to the ban on women driving. The driving ban has been lifted, with the first licenses issued to women in 2018. However as of June 2019 major issues for women's rights remain. Figures suggest that driving schools for women remain few and that relatively few women have been granted licenses. The "guardianship" ship system is only partially relaxed and remains socially enforced, women must have permission from their "guardian" (usually father or husband) to obtain a passport, and women's rights activists have been detained. Many activists arrested for campaigning for even those reforms which have taken place remain in jail.

› [nytimes.com/2019/06/24/world/middleeast/saudi-driving-ban-anniversary.html](https://www.nytimes.com/2019/06/24/world/middleeast/saudi-driving-ban-anniversary.html)

Geopolitical power

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

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

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

› atlas.media.mit.edu/en/profile/country/sau/

Early in 2015 the Kingdom of Saudi Arabia along with the GCC countries (except Oman) went to war in Yemen. The air campaign has been widely accused of indiscriminate bombing with significant civilian casualties that may be classifiable as war crimes.

› [aljazeera.com/news/2015/10/yemen-151007015252750.html](https://www.aljazeera.com/news/2015/10/yemen-151007015252750.html)

› foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/

The Saudi coalition has been accused of obstructing humanitarian aid, blocking supplies coming in from the Persian Gulf and creating famine and disease. Amnesty International testifies to the use of cluster bombs. The conflict falls along sectarian lines, testing the regional balance of power between Sunnis and Shiites.

› [amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/](https://www.amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/)

Education and children's rights

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

› <http://www.uscifr.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>

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

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

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

In 2002, in an incident known as the Meccas girls' school fire, the Saudi religious police prevented girls from evacuating their school during a fire, insisting that they must obey the religious dress code. 15 girls were killed in the blaze.

› [hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized](https://www.hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized)

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

In 2009 King Abdullah appointed a female Deputy Minister in charge of girls' schooling, namely Norah Al-Faiz. She was the first woman to chair at ministerial level. However, in 2015 in a government reshuffle, King Salman dismissed Norah Al-Faiz, after her work on the cause of girls' sports programmes in state-run schools

prompted opposition by religious conservatives. No women were appointed in the new government setting. The newly appointed Minister of Education Ministry, Azzam Al-Dakhil, vowed not to allow sporting activities for girls in public schools.

Family, community and society

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

› redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf

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

Religious police

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces public morality and restrictions on public religious manifestations and practice, is known for being especially intolerant of minority religions and disbelief. It is not subject to judicial review and reports directly to the King.

In 2016 following public outcry at incidents of the ‘police’ acting beyond their remit and subjecting individuals to harassment, detainment, beatings and lashings, their powers were curbed and their presence on the streets was greatly diminished.

A year later, many celebrated the anniversary of their fading. However others reportedly welcomed their gradual return later in 2017, albeit with diminished powers.

› arabnews.com/node/1076321/saudi-arabia
› bloomberg.com/news/articles/2017-06-26/saudi-religious-police-return-just-with-a-little-less-vengeance

Freedom of expression, advocacy of humanist values

Blasphemy and apostasy

“Blasphemy” is conceived as a deviation from Sunni Islam and thus may also be treated as “apostasy”. Apostasy is criminalized and mandates a death penalty. The criminal accusation of “apostasy” is sometimes deployed against people (including writers, activists, artists, or lawyers) who show any serious sign of pushing at the outer boundaries of freedom of expression, or who are critical of the religious authorities, and whose views (rightly or wrongly) are termed “atheist” or as “insulting to religion”. These laws are actively utilized (see Highlighted cases, below).

In 2017 the Ideological Warfare Center, an anti terror unit in Saudi Arabia, cited various Islamic and Quranic scholars who argued that there was no death penalty for those who were deemed apostates under Islamic law. This led to a number of social media users to interpret the IWC’s statement as a sign that the Kingdom was moving towards abolishing the death penalty for apostates. However, an official source from the Saudi Press Agency responded that such rumours are incorrect and threatened to sue anyone propagating them.

› alaraby.co.uk/english/blog/2017/12/9/saudi-anti-terror-authority-argues-no-death-penalty-for-apostates

› spa.gov.sa/viewstory.php?lang=en&newsid=1693825

Atheism as “terrorism”

From 2014 to 2017, the Saudi anti-terror law (Article 1) defined as its very first example of terrorism: “Calling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based”.

› independent.co.uk/news/world/middle-east/saudi-arabia-declares-all-atheists-are-terrorists-in-new-law-to-crack-down-on-political-dissidents-9228389.html

This legislation, enacted March 2014, not only expressly framed expression of atheism as terrorism but, along with related royal decrees, created a legal framework that outlaws as terrorism nearly all thought or expression critical of the government and its understanding of Islam.

› ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21585&LangID=E

› hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights

In November 2017 a new anti-terror law came into effect, which appears to supercede the 2014 legislation. The “Penal Law for Terrorism and its Financing” 2017 no longer expressly mentions atheism. However the broader issues of vaguely-defined terms and criminalization of criticism of authorities remain firmly in

place, with active prosecutions, and the law being used to “justify torture”.

› hrw.org/news/2017/11/23/saudi-arabia-new-counterterrorism-law-enables-abuse

› alqst.org/eng/new-saudi-terrorism-law-still-deeply-flawed-wide-open-abuse/

› theguardian.com/world/2018/jun/06/un-accuses-saudi-arabia-of-using-anti-terror-laws-to-justify-torture

A legal assessment by Professor Michael Newton, Vanderbilt University School of Law, finds that the law includes under its definition of terrorism vaguely-defined acts such as “disrupting public order; harming the security of the community and the stability of the state; risking national unity; disabling the Basic Law or any of its articles; harming the reputation or status of the country; damaging public facilities and natural resources...” Newton notes that the Saudi state, by failing to preclude discriminatory application of the law, falls short of minimum international standards, leaving the door wide open to “prosecutorial targeting based solely on impermissible proxy criteria such as religious or political affiliation.”

Newton underlines that:

“The 2017 anti-terror law’s explicit call for use of the law to punish peaceful religious and political dissidents presents a marked contradiction to both international standards of human rights and the purposes of anti-terrorism legislation.”

› esohr.org/en/wp-content/uploads/2018/08/May_2018_A_Legal_Assessment_of_the.pdf

Social and political suppression

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

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

The government has also sought to control online media, blocking access to hundreds of thousands of websites, which it considers immoral or politically sensitive. All websites, blogs and anyone posting news or commentary online are required by law to have a

license from the Ministry of Information. Failure to do so, can result in a fine or possible closure of the website concerned.

There have been numerous arrests and convictions for social media comments, postings, and activism by human rights defenders, many falling under a vague “state security” classification precluding them from royal pardons.

› amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o

Other Human Rights Issues

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

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

The death sentence (usually by beheading and crucifixion) applies not only for the crime of “apostasy” (see above) but also crimes of “witchcraft” and “sorcery”.

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

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

Some activists continue to protest for equal rights. Despite the Kingdom sometimes saying it has made progress on women’s rights, those protesting have sometimes been met with punitive treatment. In December 2014, Loujain Hathloul and Maysaa Alamoudi were arrested at the border with the United Arab Emirates for driving. Their case was referred to the Specialized Criminal Court, which deals primarily with

cases related to state security and terrorism.

There have been several cases reported of women attempting to flee Saudi Arabia, sometimes then facing coercion or threats of enforced deportation.

› humanists.international/blog/rahaf-was-not-the-first-woman-to-flee-sexual-apartheid-and-she-wont-be-the-last/

Highlighted cases

In a case that gained global attention, on 7 January 2019, **Rahaf Mohammed** (formerly Rahaf Mohammed Mutlaq al-Qunun) raised the alarm via social media that she had been denied an onward flight from Thailand bound for Australia. She was intending on seeking asylum in Australia after receiving death threats from family members for “renouncing Islam” and allegedly fleeing an arranged marriage and threat of violence over matters of “trivial” disobedience. Her passport was seized by a Saudi diplomat and she was threatened with deportation to either family in Kuwait or back to Saudi Arabia. However, she refused to board the flight and barricaded herself into her airport hotel room. Videos from within the hotel room and of her pledge not to leave until she has seen the United Nations refugee agency made international headlines.

Thailand eventually committed not to return Rahaf or anyone to a country where they were at risk of being killed. Mohammed al-Qunun had her passport returned to her and was allowed to board the flight bound for Australia, under UNHCR protection. On 8 January the Australian government stated that they will continue to monitor the case closely, as Mohammed al-Qunun’s allegations are “deeply concerning”, and that they would “consider” granting a humanitarian visa. However, asylum was granted by Canada on 11 January.

› humanists.international/2019/01/those-who-renounce-religion-must-not-be-deported-to-states-that-persecute-apostates/

In 2017 a death sentence for “atheism” was upheld against **Ahmad Al Shamri**. He was convicted of apostasy in February 2015, having been arrested on charges of ‘atheism and blasphemy’ for allegedly uploading a series of videos on social media in 2014. Shamri, in his 20s, from the town of Hafar al-Batin, made an insanity plea deal. His defence added that Shamri was under the influence of drugs and alcohol at the time of making the videos. However, he lost the appeals court case and the supreme court ruled against him in April 2017.

› humanists.international/man-sentenced-death-atheism-saudi-arabia/

› independent.co.uk/news/world/middle-east/saudi-arabia-man-sentenced-death-atheism-ahmad-al-shamri-hafar-al-batin-appeal-denied-a7703161.html

In 2016 an **unnamed then-28-year-old man**, was

reportedly sentenced to 10 years in prison and 200 lashes for sending a series of tweets expressing his atheistic views.

› [vice.com/en_us/article/xw3mpk/saudi-arabia-sentenced-man-to-10-years-in-prison-and-2000-lashes-for-atheist-tweets](https://www.vice.com/en_us/article/xw3mpk/saudi-arabia-sentenced-man-to-10-years-in-prison-and-2000-lashes-for-atheist-tweets)

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

› pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/

› arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/

› esohr.org/en/?p=658

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

› humanists.international/un-iheu-calls-immediate-release-saudi-prisoners-badawi-fayadh-al-shamri/

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

In 2012, a Saudi journalist and poet, **Hamza Kashghari**, was extradited from Malaysia and imprisoned without trial for twenty months due to a series of tweets considered by the authorities to be insulting toward the Prophet Mohammed.



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