

A Global Review of the Denial of Religious Freedom Winter 2001/02

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Saudi Arabia

Various non-governmental organisations have expressed concern over human rights violations in Saudi Arabia, including lack of religious freedom. However, as both the worlds' largest oil exporter and an ally in the "war on terror", Western governments have not been quick to bring any pressure to bear on the ruling family for these violations.

In this context, *Human Rights Watch* released a report in December 2001 entitled "Human Rights in Saudi Arabia: A Deafening Silence." In addition to a review of discrimination against women and the repression of political dissent in Saudi Arabia, the report states that the government is intolerant of religious diversity. The report notes, "Restrictions on religious freedom apply to Saudis and foreigners alike, and any demonstration of religious affiliation or sentiment is forbidden except for Muslims who follow the austere Wahhabi interpretation of the Hanbali school of Sunni Islam, a doctrine promulgated in the mid-18th century." The report goes on to note that "public worship by non-Muslims is banned in the kingdom and places of worship other than mosques are not permitted. ... Foreigners suspected of proselytising Muslims have also been arrested, sentenced to prison terms, and deported."

In a recent and widely publicised case, just over a dozen foreign Christians were held in a Saudi prison from approximately July last year. The majority of them, from countries such as the Philippines, Ethiopia, and Nigeria, were finally forcibly deported from Saudi Arabia in early 2002. All of them were reportedly members of house churches. While the government claims that non-Muslims can worship privately, house meetings have been raided if they become known or are considered too large. The Washington D.C.-based *Saudi Institute* notes in a recent news report that authorities in Riyadh are holding 220 religious prisoners, 17 of whom face execution.

In parallel with these genuine concerns, it should also be noted that new voices of moderation are being heard starting with the Middle East Peace Plan proposed by the Crown Prince. Saudi Arabia is also sponsoring a meeting on the UN Year of Dialogue Between Civilisations to be held in Riyadh in mid-March. John Taylor, IARF's representative in Geneva, has been invited to attend this function.

Kazakhstan

In a worrying development, *The Keston Institute* reported that the Upper House of the Kazakh Parliament approved a controversial new draft religion law on 31 January 2002 which would allow the government to ban all unregistered religious groups. The Lower House had approved the law on 17 January and it went through the Upper House unchanged. It is presently before Kazakhstan's President, Nursultan Nazarbayev, for signature. If signed, as expected, the new law would also require religious educational activity to be licensed, require all missionaries to be registered, and would deny legal registration to all Muslim organisations outside the framework of the Spiritual Administration of Muslims of Kazakhstan.

According to *Christian Solidarity Worldwide*, “Kazakh officials have justified the move by citing an increased security threat from extreme religious groups.” This article goes on to note, however, that the “real target of the law is believed to be non-traditional religions other than Sunni Islam and Russian Orthodoxy.” Approximately 47% of the population of Kazakhstan is Muslim and 44% is Russian Orthodox.

Reportedly, the *Organisation for Security and Co-operation in Europe* (OSCE) has objected to the proposed law and set out nine points of concern where changes were required to comply with international standards related to freedom of religion or belief.

Pakistan

In a move that was praised by religious minorities, the government of Pakistan announced on 16 January that the system of separate electorates for minorities would be abolished and that elections would be held on a joint electoral basis. *The Centre for Legal Aid Assistance and Settlement (CLAAS)*, which has campaigned for this change for a number of years, welcomed the development, which will give religious minorities more of a voice in the political system. Since 1985, religious minorities have been barred from casting a vote for general elections and were only allowed to cast their votes for limited reserve seats. The new changes will go into effect in elections scheduled for October 2002.

Despite these advances, criticisms are still raised by human rights groups over Pakistan’s controversial blasphemy laws which allow the death penalty or life imprisonment for directly or indirectly defiling “the sacred name of the Holy Prophet Mohammed.” While no person has been executed by the state under these provisions, *The Institute on Religion and Public Policy* notes that authorities have used these laws to “threaten, punish, or intimidate Ahmadis, Christians, and even Orthodox Muslims.” *The U.S. Commission on International Religious Freedom* has asked US President Bush to press President Musharaff to change the country’s blasphemy laws to “limit and eventually eliminate the numerous instances of their wrongful use against members of minority religious communities and Muslims alike.”

Turkey

A Christian news service called *Compass* reported in early February that the Turkish Interior Ministry had issued orders to local authorities in nine provinces in Turkey to “launch judicial proceedings questioning the legality of designated places of worship used by some 40 small Protestant church groups across the country.” Reportedly, the directive cites the Turkish Penal Code which regulates religious education and public meetings and which prohibits use of “apartment flats, shops and detached buildings” to be used as places of worship. The directive references such practices by Protestants, Bahá’ís, and Jehovah’s Witnesses.

Notifications have been delivered to a number of congregations declaring that their meeting places are in violation of municipal building laws, i.e. that they are being held in places not officially zoned for religious use. The reasoning behind these developments is unclear, although the *Barnabus Fund* notes that recent media reports against Christianity have perhaps contributed to this recent crackdown. The majority of Turkey’s population is Muslim.

Turkey’s Religious Affairs Directorate was reported to have cited government findings late last year that 81 percent of the mosques under construction in the country

had obtained no license. Existing zoning practices also allow Muslim prayer houses. If that is the case, and based on the Turkish Constitution's guarantee of religious freedom, the discriminatory actions against the house churches would appear to have little legal backing.

Hungary

An independent proposal has been introduced in the Hungarian Parliament to establish an Inter-Ministerial Committee "for the co-ordination of social self-defense against spiritual influences endangering fundamental freedoms." In what is essentially an antisect-law, the committee would be entrusted with the tasks to examine new or 'novel' religious movements and to safeguard citizens against risks represented by the 'sect phenomenon'. In its reasoning for establishing the committee, the proposal notes that, since its democratic transformation, Hungarian society has been "flooded by novel, often destructive, negative influences endangering human rights." The proposal is thus intended to "further the social measures and government-level co-ordination against this negative tendency."

Concerns such as those above raised by the Hungarian Government have led to the recent initiative launched by the *International Association for Religious Freedom* (IARF) on developing a Voluntary Code of Conduct for Religious and Belief Communities. While work on such a code will be a lengthy process, a drafting committee will start work this spring. In the interim, IARF's European regional co-ordinator, Ilona Orbok, has worked with Peter Buda of *Human Rights without Frontiers* to ensure that the law proposed in Hungary does not prevent undue discrimination against new religious communities. The *Council of Europe* and the *European Parliament* encourage the efficient use of already existing legal means against potentially illegal activities. Hence, the development of a new level of state control over religious organisations is potentially problematic, as demonstrated by the widespread opposition to controversial measures adopted by France last summer (see Spring 2001 update).

The United Kingdom

Language outlawing incitement to religious hatred was taken out of an Anti-Terrorism, Crime and Security Bill under pressure from the House of Lords in December 2001. The *Weekly Telegraph* reported that "the proposal to criminalise incitement to religious hatred was defeated by 240-141 in the Lords." In opposing the bill, Lord Strathclyde, Tory leader in the House of Lords, noted that making "hasty law touching on freedom of belief" was risky. Other critics noted that such important issues should not have been buried in an emergency bill related to terrorism.

Despite these views, a labour MP has since called on the supportive government of Tony Blair to re-introduce a bill to combat religious hatred. Disappointed by the defeat in the House of Lords, the *Muslim Council of Britain* added in a statement, "We shall continue to urge the Home Secretary to introduce comprehensive legislation banning religious discrimination as soon as possible. Recent events have highlighted the extent to which faith groups remain unprotected by current legislation. It is imperative that this shortfall is corrected."

In a related move, *The Scotsman* reported in early February that a new law on sectarianism, "which would make religious hatred an aggravation of existing criminal offenses" has been put to the Scottish parliament by Liberal Democrat MSP Donald

Gorrie. Mr. Gorrie has noted widespread support for his “consultation document” from police, church leaders, and campaigners.