

MINORITY RELIGIOUS COMMUNITIES AT RISK



“Advancing the Fundamental Human Rights of Freedom of Religion and Freedom of Conscience”

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MINORITY RELIGIOUS COMMUNITIES AT RISK

A report prepared by the First Freedom Center

“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.”

(Universal Declaration of Human Rights, Article 18)

“Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.”

(Universal Declaration of Human Rights, Article 30)

“In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”

(International Covenant on Civil and Political Rights, Article 27)

“All human rights are universal, indivisible, and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic, and cultural systems, to promote and protect all human rights and fundamental freedoms.”

(World Conference on Human Rights. Vienna Declaration and Programme of Action Paragraph 5)



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American University photo

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(Photo Credit: USCIRF)



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Foreword

The turn of the New Year came against a background of violence in northern Nigeria, of continuing change in North Africa and the Middle East, and of nascent reform in Burma/Myanmar. In Russia, officials at Rostov on Don were rendering the decision to replace a memorial plaque to Jews killed in the Holocaust with one which mentions neither Jews nor the Holocaust. The implications of these and other currents in human events for minority religious communities are the subject matter of much of what follows. Our five expert analyses, together with updates in our regional assessments and in our portraits of “communities most at risk,” make clear that none of these changes has reached an end-point. Yet, as 2012 dawned, at least one thing was already clear. Now as ever, threats to religious minorities arise largely either in authoritarian states or in states with overtly discriminatory policies concerning religion – or in states which combine both of these characteristics.

Among the world’s authoritarian states and beyond, there was during the preceding year considerable interest in “the Chinese model,” which purports to combine market-oriented economics with discretionary, unaccountable, and centralized power. Many religiously discriminatory states continued to focus on constitutional and statutory instruments for favoring one faith over another. The “Turkish model” (for the coexistence of Islam and democracy) and the “Iranian model” (for Islamic governance) loomed over processes of constitution drafting and reform in several Islamic countries. In economics, authoritarian countries like China and Russia strengthened the roles of state-owned and state-controlled firms. In the administration of religion, they tightened the government’s control of all aspects of religious life. States with overtly discriminatory religious policies – from Hungary, through Egypt and Iran to Pakistan – also tightened controls, whether on behalf of registration systems which favor large, traditional communities or on behalf of an overall, Islamic identity.

The First Freedom Center sees no “model” as a guarantor or embodiment of religious freedom. While we find our own mandate and point of origin in Jefferson’s 1786 Virginia Statute for Religious Freedom and in the First Amendment to the U.S. Constitution, we are far from advocating to the world any specifically “American model” for freedom of the individual conscience. Rather, it is the progression of those American guarantees through the 1948 Universal Declaration of Human Rights and other universally accepted documents into the realm of human rights generally which commands our loyalty and respect. The objective is and ought to be, we hold, rights and not models.

In January of 2011, the First Freedom Center issued its first report on *Minority Religious Communities at Risk*. Distributed widely in the United States and abroad, it had important impact in the fields of human rights generally and of freedom of conscience and freedom of religion in particular. It was the subject of discussions with bodies of the U.S. Congress and of programming at the National Press Club. It was quoted extensively in reporting and discussion of the subjects it addressed.

This succeeding 2012 edition updates that report and provides two new elements. Five Expert Articles by recognized authorities in our field assess major trends which affected the circumstances of minority religious communities during 2011. They offer the individual views of each author and do not necessarily represent those of the Editors or of the First Freedom Center. We also offer a carefully and exhaustively researched “representative list” of prisoners around the world sentenced (or merely imprisoned without charges) for exercising their religious-freedom rights under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights – or for advocating those rights. We hope that our readers and colleagues will find these features informative and useful.

Where the report discusses individual religious communities “most at risk,” it focuses on the same communities as it did last year. Our research shows them still vulnerable over the period of the decade ensuing from the first report, by virtue of political and cultural antipathy and/or issues of demography and resources.

Except as revised implicitly by any of the findings of our five Experts or by the contents of our updates of last year’s Regional Assessments, we stand by the identification of “Structural Impediments” to minority religious communities the first report contained. For that reason and by way of general reference, consumers of this year’s document may wish to keep the earlier report to hand. (It is available at www.firstfreedom.org.)

Most importantly, we stand fully committed to the definition of the universal rights we cherish and work to advance as contained in the Foreword to the first edition. This year as last, we start from the premise that nearly every country on earth is and remains fully committed to the rights anchored in the Universal Declaration’s guarantees that every citizen of every accepting state should enjoy freedom of religion and conscience, the right to change religions, and the right to manifest religious beliefs either alone or in communities. We assert once again our finding that, in subsequent votes on treaties, declarations, and other documents which specifically reincorporate the rights spelled out in the Universal Declaration, every country in the United Nations has reaffirmed these liberties again and again. We once more emphasize that, via the 1993 Vienna Declaration and Programme of Action and otherwise, states have specifically eschewed doctrines of cultural relativism.

Alas, our review of the intervening year convinces us that the gap between commitment and performance on the parts of many states around the globe is wider this year than it was the last. In order that we might encompass the entirety of calendar year 2011 in this year’s report, we have changed our reporting period slightly so that it incorporates the final two months of 2010 and all of 2011. (Our Experts have, in several of their articles, included evidentiary and other materials drawn from a wider time frame.) We thereby operate from a larger data base, but, even if that were not so, the actions taken by governments and regimes to the detriment of minority religious communities would have increased. Even where there has been progress in overall political and constitutional reform, there have been setbacks for religious communities. Egypt’s Copts continue unsure of their safety. Burma/Myanmar released some of its prisoners but continues brutally to suppress Rohingya Muslims and Kachin Christians.

In our Conclusion, we once again offer advice on actions which states and the international community might take to counteract this worrisome, downward slide. Whether upon our advice or otherwise, it is urgent that the slide be reversed. For that to happen, we believe that a strong leadership role on the part of the United States Government will be essential, and we strongly recommend new mechanisms, which we describe, for deriving greater leverage from the day-to-day conduct of American bilateral and multilateral diplomacy. Now as ever, the freedom of the individual human conscience remains the very bedrock and first point of origin of all human freedom. Without the securing of rights of conscience and belief, there can be no lasting peace in this world – and no meaningful prosperity.

Richmond, Virginia, March 15, 2012

Ambassador (ret.) Randolph Bell
President, First Freedom Center

Changes Affecting Minority Religious Communities

We asked five Experts/Practitioners for their views on factors which most affected the lives and fortunes of members of minority religious communities during 2011.

These are their contributions. Their views are their own.



Arab Spring
(Credit: *AP/LaPresse*)

IMPLICATIONS OF THE ARAB SPRING FOR RELIGIOUS MINORITIES

by Ambassador Akbar Ahmed

The Arab Spring has enormous short and long term implications. These include historic, political, and hopeful changes. In the short term: For the first time ever in the Arab World, there is a genuine revolutionary mass movement wanting fundamental changes. While we have seen mass movements in the Muslim World – Southeast Asia, with the creation of Pakistan in 1947, and Iran, in 1979 – here for the first time we saw a people’s uprising taking place throughout the Arab World.

However, it is too early to predict how this will end. Unlike the great revolutions that have shaped modern times, the Arab revolutions are different. The revolutions in Russia, China, and Iran were all led by charismatic leaders whose followers soon developed a cult of personality around them. They were monolithic in ideological and political terms. They had a clear-cut vision of the world and what they wanted from it. In contrast, we see no Lenin, Mao, or Khomeini figure among the Arab movements. On the contrary, there is a great deal of infighting for leadership and lack of clarity in terms of political objectives.

Nonetheless, these initial uprisings were encouraging for three reasons. First, they were led by idealistic young people who adeptly utilized social media and technology. Facebook, Twitter, and smart phones became the tools of revolutionaries who went up against despotic central governments. Status updates, tweets, and text messages served as lines of communication; these could be easily passed between friends and then on to the media, allowing for massive distribution in mere seconds. Second, there was little initial violence on behalf of those in revolt. While there was a public outcry for justice and an end to corruption, there were no real calls to march the leadership to the guillotines. This was critical to the legitimacy of the cause and to garner international support. Third, the quick success in Tunisia and Egypt allowed similar movements to spread like wildfire across the region. Populations in neighboring countries felt



Egyptian protesters on a military tank.

inspired, and almost overnight campaigns against the ruling elites in Libya, Yemen, Syria, and Bahrain emerged. The revolutions in these countries, which possess a more entrenched ruling class, have simmered more slowly. Where mere weeks saw the end of Mubarak, it took months and months and prolonged bloodshed before Qaddafi and Saleh were finally removed.

In the long term, it is important to remember that we are still in the midst of revolution –it isn’t over. Nascent governments must endeavor to establish truly democratic societies, where every minority, whether ethnic, religious, or tribal, has a voice and is represented. This includes defusing conflicts between Sunni and Shi’a, Christian and Muslim, tribe and state – and unless these different segments of society are included, the endeavor to create egalitarian change will dissolve into tit for tat clashes, and the underlying societal issues remain unresolved.

Ultimately, neglecting to ensure the growth of genuine democracy undermines the entire revolutionary movement and dishonors the names of those who died fighting for the cause. Sectarian, religious, and socio-economic tension will destabilize these countries and prevent them from becoming active, vibrant players on the world stage. Without acknowledging both the legitimacy of minorities to exist and participate in the

public sphere, and the necessity of their inclusion, these new governments are little better than the dictators they deposed. We are still witnessing terrible fighting within Syria, and violent unpredictability in Yemen and Bahrain. If protestors achieve regime change, they must remember that their marginalization sparked revolution, and they cannot then marginalize any portion of the population as they rebuild the state.

In Tunisia, where the Arab Spring began, day to day life has been fairly calm over the last 13 months. While the religious party al-Nahda won 40% of the seats in Parliament, it is not of a radical frame of mind. President Moncef Marzouki is a secularist. The main problem Tunisia faces is restoring its economy, and in particular its tourism industry. Tunisians all feel this imperative, and could serve as a success story for the region if they continue to work together to achieve their goals.

Egypt has recently been in the news for the violence against Coptic Christians. Both a lack of effective public security measures and long standing hostility between the Muslim majority and Christian minority have contributed to these unfortunate and unacceptable instances. As the Muslim Brotherhood won elections in Egypt, Copts expressed a sense of helplessness and a fear of marginalization. The Brotherhood has promised to protect its religious minorities, and it must hold firm to this vow. While the military still holds power, it too must pledge to protect the rights and interests of all Egyptian citizens. Egypt will not be accepted as a true democracy if it does not provide for its minority communities.

In the short term we have watched unprecedented change, which serves as a symbol of hope for a better and more equitable world to come. In the long term, however, we see a looming question mark. The graphic images of Qaddafi's bloody corpse, which were plastered all over the media, serve as a troubling indicator of the barely contained anger and frustration which continues

to seethe in Libya. In Bahrain, violence erupted on the anniversary of the Arab Spring, as little has changed for the Shi'a citizenry. There is vast potential to completely reform the Middle East with these revolts –as long as they serve as vehicles for democracy, inclusiveness, and tolerance. Young leaders who now find themselves in positions of power cannot allow old enmities and prejudices to overshadow their decisions and discolor the spirit of the Spring.

Inevitably the Arab World will get there, and it must bear the burden of experiencing its growing pains under the scrutiny of modern times. The world, and specifically the US, must step back to see the situation clearly, and at that point unambiguously declare that they stand behind those who believe in democracy, human rights, religious freedom, tolerance, and compassion.

America cannot afford to vacillate on these values. It is in the spirit of our Founding Fathers, the Declaration, and the Constitution that we must communicate this to the world –and now is the time to do it. While direct military intervention is highly unlikely, the US must encourage its own and world media to continue its piercing coverage of successes, failures, and obstacles reformers encounter. It is only by keeping the trials and tribulations of those striving for change in the forefront of the collective world consciousness that we ensure human rights abuses are combated and avoided. Without a firm commitment of support, atrocities as we have seen in Syria will rage on, rights will be violated, and democracy will stagnate. Unfortunately, religious minorities will be the first victims. The only way to help all religious minorities in the Arab World is to bring them into clear and unambiguous democracies that give them a voice and a position all their own. The burgeoning democracies will not spring fully formed into existence overnight, and will require assistance and support from the international community.

THE PROBLEM OF IMPUNITY: RELIGIOUS MINORITIES NEED HUMAN RIGHTS PROTECTION

by Felice Gaer

The incidents and trends outlined in this study that threaten minority religious communities evoke some basic questions: what sustains intolerance and violence against minorities, and what can bring such problematic behavior to an end and prevent its recurrence? Such questions could easily lead us to a study of cultures, or into psychological research and philosophical as well as theological questions. Indeed, many such issues are already discussed in this and last year's studies by the First Freedom Center. A human-rights approach offers a structured response. It mandates attention to codification of legal norms, a system that enforces the norms, and measures that can be taken to correct the practices that result in violations of those norms and prevent their recurrence. In a human-rights approach, there is also a focus on accountability – i.e., identifying those responsible for breaching the norms – in this case, guaranteeing freedom of thought, conscience and religion, non-discrimination, and non-abuse of others – and if they are proven responsible in a fair proceeding, ensuring the perpetrators are punished appropriately.

Looking at the inter-religious and communal violence that has plagued so many countries in the last year, it becomes clear that the absence of an effective human-rights approach has been a prevailing reality in many such cases. There may be lip service to human-rights norms in such instances, but there is no effective enforcement of them. Instead, there is impunity for abuses and the culprits face no punishment or sanction. In addition to a failure to investigate and prosecute, there are often other factors. For example, reconciliation meetings and conflict resolution approaches have sometimes been resorted to as so-called 'healing' methodologies – such scenarios routinely downplay or bypass human rights. This needs to be changed.

RECENT EXAMPLES

Two examples that commanded attention during the past two years merit special consideration: Egypt and Nigeria.

At the beginning of 2011, the world expressed shock over the suicide bombing of the Coptic Orthodox Church in Alexandria, Egypt – and the death of more than 20 people. As 2012 began, it was a series of bombings on churches in Adamawa and elsewhere in northern Nigeria – including a series of coordinated attacks – that resulted in more than 100 deaths. And then another series of attacks in Kano brought on at least another 185 deaths and many more injuries. These focused attention, for a time, on the prevalence of religiously-targeted violence in that troubled country. While both events merited condemnation because of the resort to violence and loss of life, both actually share a strangely similar context: the context of impunity. The word impunity comes from the Latin *impunis* which means free from/without punishment. [OHCHR Study on HRTB's Jurisprudence and Findings in Light of OHCHR's Thematic Priorities, p. 62.]

The loss of life in Egypt and Nigeria may have been denounced by the leadership of each country, but the culprits surely felt they risked nothing by such acts. Indeed, in both Egypt and Nigeria, as in many other places around the globe, incidents of mass violence and communal killing were treated more as problems to be discussed (rather like natural disasters) than as crimes to be investigated and prosecuted, and for which perpetrators will be punished. Egypt has tended to hold "reconciliation meetings" among the residents in affected communities and has only rarely brought people to trial for such loss of life. Yet, during 2011, Egypt saw about 100 deaths in such conditions – more persons killed in sectarian or communal clashes than in the past ten years combined.



The United Nations (UN) has sent a strong signal that impunity for serious human rights violations will not be tolerated.

(Credit: *Land Times*)

This problem is even more severe in Nigeria, which has seen at least 14,000 killed in religious clashes since 1998, according to the US Commission on International Religious Freedom (USCIRF). Rather than prosecuting those responsible, Nigerian leaders have counseled calm over such “sensitive” clashes and in general temporarily detained the suspects involved without pressing charges, and eventually released them. Although Nigerian officials claimed to USCIRF last year that five persons had been convicted for their actions in the January 2010 sectarian clashes in Jos, details on these and other cases have not been forthcoming when requested. The past year brought a substantial increase in such violence, with more than 800 people killed in April 2011 in violence following the Nigerian presidential elections, and numerous other incidents throughout the country. Indeed, the Christian Association of Nigeria reported that more than 430 churches were burned or destroyed. These countries did not develop “impunity” overnight. Such incidents have been occurring for years, but they have taken place within a context and a culture of impunity, which reflects not just incapacity or lack of will on the part of the police to begin investigations and of the government to pursue prosecutions, but also ultimately a lack of respect generally for human rights themselves.

WHAT IS IMPUNITY?

The United Nations has addressed impunity, adopting Principles in 2005 that have been endorsed by consensus

in the 193-member General Assembly. The first principle explains clearly that impunity is a failure of action by governments – a failure to investigate, prosecute, punish, and provide redress to victims for injuries. [*Impunity arises from a failure by States to meet their obligations to investigate violations; to take appropriate measures in respect of the perpetrators, particularly in the area of justice, by ensuring that those suspected of criminal responsibility are prosecuted, tried and duly punished; to provide victims with effective remedies and to ensure that they receive reparation for the injuries suffered; to ensure the inalienable right to know the truth about violations; and to take other necessary steps to prevent a recurrence of violations.*] Set of Principles for the Protection and Promotion of Human Rights through Action To Combat Impunity, United Nations Commission on Human Rights, 2005.]

But as any scholar of politics knows, inaction is not merely failure to act – it is and can often be a deliberate action. Impunity does not result simply from inability or incapacity – there is often a lack of will on the part of a government and even a willful decision *not* to investigate or pursue those responsible that results in “impunity.” Moreover, governments have the obligation to take action to investigate and prosecute crimes by private or non-state actors, and since the failure to do so constitutes a violation of their human rights obligations, which in turn further fuels a climate of impunity.

The Committee against Torture, a UN human-rights treaty-monitoring body, has explained to State Parties to the Convention Against Torture that official inaction actually *encourages* further violations. In its General Comment 2, the Committee stated that “since the failure of the State to exercise due diligence to intervene to stop, sanction and provide remedies to victims ... facilitates and enables non-State actors to commit acts impermissible under the Convention *with impunity, the State’s indifference or inaction provides a form of encouragement and/or de facto permission.*” [*Emphasis added.* Committee Against Torture, General Comment 2, paragraph 18.]

It is this sense of encouragement – of providing de facto permission to conduct violent attacks on minority religious communities – that has enabled killings to recur all too often in countries such as Egypt, Nigeria and elsewhere. Clearly, the State has a parallel obligation to prevent and punish such acts.

WHERE IMPUNITY IS FOUND

Both private and governmental bodies have identified impunity as a serious element impairing respect for freedom of religion or belief. The most recent annual State Department International Religious Freedom Report (published September 13, 2011, and covering the period July through December, 2010, available at www.state.gov. – hereafter referred to as “IRF Report”) has identified a number of countries and regions where “impunity” problems are noteworthy. Explaining that there are numerous ways that governments can “violate” religious freedom obligations, it cites both “active state repression and impunity.” The report goes on to mention “failure to prevent and prosecute societal violence and discrimination” and explains that merely adopting laws on non-discrimination is not an adequate measure in itself to meet a state’s international obligations to protect freedom of religion or belief and/or religious minorities. “...Many states that have laws guaranteeing religious freedom still fall short in protecting minorities by failing to take steps to curb intolerance, attacks, or harassment,” the State Department reminds us, and “...such impunity can exacerbate sectarian violence and empower those who attack religious minorities.” [*Executive Summary*, IRF Report, September 13, 2011.]

A number of states are identified by the IRF report as displaying impunity – including our two examples above: Nigeria (“Local political actors stoked sectarian violence with impunity, occasionally using religion as a catalyst”) and Egypt (“The government failed to prosecute perpetrators of violence... and contributed to a *climate of impunity* that encouraged further assaults.”). Similar language was used to describe Pakistan (“The

government of Pakistan rarely prosecuted perpetrators of extremist attacks, deepening the climate of impunity... The government did not take adequate measures to prevent these incidents or undertake reform measures to prevent the abuse of the blasphemy laws.”)

For a range of African countries, the IRF report acknowledged something called ‘official impunity’ (Algeria, Cote D’Ivoire, Togo, Burkina Faso, Sao Tome and Principe, Sierra Leone, Equatorial Guinea, but for others, it pointed only to “police impunity” (Cape Verde, Solomon Islands). Albania, too, suffered from “police impunity” but otherwise, for East European countries, the word “impunity” was not utilized. At the same time, it has been clear, with regard to hate crimes, ‘vandalism’ and anti-Semitic and anti-Islamic incidents in Russia, that there is a tendency to dismiss such crimes perpetrated by private actors as “hooliganism” rather than as human rights abuses. The State Department has acknowledged this for example in Russia by remarking: “Authorities rarely prosecuted or sentenced those arrested for attacks and vandalism against religious minorities, and they often failed to bring hate-crime charges even when religious bigotry was clearly involved. ...” – but the term “impunity” is never mentioned. Similarly, with regard to Hungary, “Between July 1 and October 31, the police closed investigations in 136 cases of vandalism or burglary in Jewish or Christian cemeteries” and Moldova, where “Jehovah’s Witnesses reported they were frequently treated aggressively and occasionally physically attacked. They filed reports with the police, but those responsible have not been punished.”

The IRF report spoke differently regarding India, and it is worth quoting the report at greater length: “Some state and local governments ... limited ... freedom by not efficiently or effectively prosecuting those who attacked religious minorities. The government [of India] provides minorities strong official legal protection, although at times its weak law enforcement, lack of trained police, and overburdened court system played a role in not

addressing communal tensions as swiftly as possible. Despite government efforts to foster communal harmony, *some extremists continued to view ineffective investigation and prosecution of attacks on religious minorities as a signal that they could commit such violence with impunity, although numerous cases were in the courts at the end of the reporting period.*” (*emphasis added*)

Many extensive cases of violence and inter-religious communal violence – and follow up – are described in the IRF chapter on India – as is the slow action of the courts, and the large number of acquittals in some of the fast-track courts set up for Kandmahal – but the State Department has concluded that, taken together, lengthy procedures and some acquittals don’t add up to ‘impunity’ when a substantial number of cases end in convictions. They have in the Orissa cases, and substantial restitution has also been provided to victims there.

IMPUNITY AND INTERNATIONAL TRIBUNALS

Recently, US Ambassador Rosemary DiCarlo, speaking at the Security Council Debate on international justice and rule of law (Feb 19, 2012) pointed out that “the international community has signaled that impunity for the most serious crimes will not be tolerated...” and has therefore created a series of international and mixed tribunals, commissions of inquiry and fact-finding mechanisms.”

Which crimes are “the most serious” merits deliberation, as this judgment, too, has changed. Years ago, international jurists seemed to approach the matters of rape and sexual violence against women as private or personal acts rather than abuses of power or violations of human rights/humanitarian law. In a series of cases in the recent past, jurists have reexamined these abuses using a gender lens. So-called “honor killings” are an example of a crime mainly directed against women whose perpetrators have benefited from state-sanctioned mitigating sentences – or, more often, from impunity reflected in a failure to investigate or prosecute when claims of “honor” are presented as an explanation of the homicide.



UN wants laws protecting women enforced.
(Credit: *Daily Outlook Afghanistan*)

“Crimes committed against women in the name of honor” are commonly murders directed against female members of the families by spouses or other male relatives. Many have linked such crimes to countries where the Islamic tradition is preminent. Countries have adopted discriminatory legal provisions that provide for lenience and sentence reductions for such crimes. The UN General Assembly has described such “honor crimes” as manifestations of violence against women, deeply rooted in discriminatory and traditional behavior. In its chapters recommending that Iraq be designated a “Country of Particular Concern” for religious freedom violations, USCIRF has expressed concern about violence against women in the form of “honor killings” in that country. Indeed, the CEDAW (the treaty body that monitors compliance with the convention on women’s human rights) has called upon the Iraqi government to condemn and eradicate “honor killings” and ensure that they are prosecuted and punished in the same way as other crimes, and it has used similar language for Turkey and other countries.

The Committee on the Rights of the Child, another treaty-monitoring body, complained in 2003 and again in 2009 about Pakistan’s “widespread and increasing” phenomenon of “honor killings,” the reluctance of the police to arrest perpetrators, who then receive at most token punishments, as well as the need for a range of measures to educate and change social attitudes, and the

need for more effective measures to combat honor killings. [Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Pakistan*, UN Document CRC/C/15/Add.217 (27 October, 2003) at paragraphs 34-35; Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Pakistan*, UN Document CRC/C/PAK/CO/3-4 (15 October, 2009) at paragraphs 37-38.]

Women continue to draw attention to the problem that this impunity – for honor killings – is actually provided for by law in many countries – so the state’s action to ignore or forgive such murders is quite clear. In such cases, there is often also inaction – a failure to report, investigate, prosecute or punish such crimes in any way. As with other forms of impunity, the failure to prosecute ‘honor killings’ is believed to lead to repetition of the practice and more than that, seems to give a free license – and encouragement – to those who would choose to engage in this kind of abuse.

THE WAY AHEAD

Human rights methodology offers some pointers for progress in addressing the problem of impunity. First, the problem needs to become visible – naming

the pattern as “impunity” helps, but pointing to the situations where it prevails is also needed. As the scant survey of the State Department’s own comprehensive religious freedom report shows, there are many situations where impunity can be identified. The Office of the UN High Commissioner on Human Rights in Geneva has indicated that some treaty bodies have referenced impunity in their concluding observations – it identified 92 countries about which one or more treaty monitoring bodies have raised concerns about one or another form of impunity. Of these, 28 of them are in Africa, 21 in Eastern Europe, 19 in Latin America, 15 in Asia and 9 in Western European and other countries. [OHCHR Study on HRTB’s Jurisprudence previously cited, pp. 191-2.] Examining the ways in which states and their agents all over the world fail to take measures to investigate, prosecute, and punish perpetrators and to prevent recurrences of the abuses will require considerable additional effort. Far more will be needed to reverse the trends which actually encourage individuals to engage in communal violence and carry out killings in the name of ‘religion’ or ‘community.’ Key to this is recognizing that so-called state inaction is not merely the result of incapacity. A human-rights approach will help pinpoint the way forward.

NEW LIFE FOR OLD ANTI-SEMITISM

by Daniel S. Mariaschin

B’nai B’rith shares with the First Freedom Center the perception that circumstances worsened for many minority religious communities in 2011. Jews have been a violently mistreated minority for thousands of years. In the Middle East, the Jewish homeland Israel constitutes a tiny religious minority in a region of Muslim majorities. Against a background of change in that region, Israel’s Public Diplomacy and Diaspora Affairs Ministry issued a monitoring report in January 2012 which stressed the increase in anti-Semitic violence in the Middle East during 2011. The report found that, “while the popular

uprisings in the Arab world do not represent a general change in attitude towards Israel, Zionism, and the Jews, it seems that the anti-Semitic discourse and incitement have become more violent...Charges of an international Jewish conspiracy have been a central motif in the anti-Semitic propaganda that has accompanied the Arab Spring uprisings.”

The Israeli government was not alone in tracing a disturbing trend. Human Rights First has been tracking a steady increase in anti-Semitic violence in Europe and

North America since 2000. The organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights acknowledged in its annual report on hate crimes that anti-Semitic incidents and crimes continue to threaten the security and stability of the OSCE region.

Reporting on the Arab Spring has highlighted a number of anti-Semitic incidents. In September, a violent and threatening crowd attacked the Israeli Embassy in Cairo, pulling down the Star of David flag. In Libya in October, just before Yom Kippur, Dr. David Gerbi, who had returned from exile in Italy, was shocked when his peaceful efforts to clean rubbish and dead animals from the abandoned Dar Bishi Synagogue provoked the assembly of an angry mob shouting "we have no room for Zionism." Also in October, the Jewish Museum of Berlin cancelled a traveling exhibition in two eastern German towns after the display triggered an anti-Semitic onslaught in the form of student comments such as "no more Jew-blabbering." And on July 11, anti-Semites firebombed a synagogue in Moscow with six Molotov cocktails.

Words and deeds infuse the world of anti-Semitism, and the two are related. The European Union Monitoring Centre's working definition of anti-Semitism, which the U.S. State Department and Civil Rights Commission have also adopted, terms it "a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities." The language incites the violence, and because of the inseparability of the Jewish state from Jewish life, worship, and thought world-wide, anti-Israeli rhetoric all too often figures in the incitement, however much the world may debate about the dividing line between "legitimate" and "illegitimate" criticism of Israel.

Anti-Israel invective – the most popular expression of anti-Semitic hatred today – is spreading with particular

alacrity among Arabs and Muslims, in the Middle East, Europe, and the Americas. Anti-Semitic literature and media reportage is a common feature in the Arab and Muslim world, as well as in Western countries with large Arab and Muslim populations. In Europe, these communities readily absorb the predictably one-sided, inflammatory coverage of the Arab-Israeli conflict offered by Arabic-language cable TV networks like Al Jazeera; print publications; and Internet sites. These outlets employ primitive Jewish stereotypes in service of their anti-Zionist message, often borrowing symbols and motifs from Nazi propaganda so as to evoke the vociferous anti-Semitism of *Der Sturmer*. Thus, one sees images of Jews as ghoulish, even satanic, caricatures with misshapen noses, festooned with dollar signs or carrying money-bags, and of Israelis bearing swastikas or drinking the blood of children. Meanwhile, book stores in Europe's capitals sell Arabic editions of *Mein Kampf* in steady abundance.

In Iran, where President Ahmadinejad has uttered a series of outrageous pronouncements vilifying Israel and minimizing the Holocaust, a viciously anti-Semitic series called *Zabra's Blue Eyes* aired on national TV. Filmed in Farsi and dubbed into Arabic, the series depicted Israeli doctors posing as United Nations medical workers whose true purpose is to harvest bodily organs from Palestinian children. In Egypt and Syria, anti-Semitic and virulently anti-Israel content abounds in the press. The government of former Egyptian President Hosni Mubarak long maintained that it advised journalists and cartoonists to avoid anti-Semitic themes, but anti-Semitism was and still is nonetheless found in both the state-sponsored and opposition media. In April 2011, thousands of fans at an Egyptian soccer match chanted "One nation for a new Holocaust" while displaying an immense banner with this hateful slogan. Meanwhile, Syrian school textbooks not only contain rabidly anti-Semitic material; they teach children that Zionism is more egregious than Nazism, that Israel's very existence is intolerable, and that the Jewish state must be destroyed.

In the West, a contemporary version of Holocaust denial has emerged, as Israel's detractors claim that Jews are worse than Nazis and that Israel is perpetrating a "Holocaust" upon the Palestinians. Rhetorical attacks on Israel often feature phrases such as "ethnic cleansing," "forced transfers," and "human rights violations." Claims that Jews are exploiting the Holocaust to collect reparations money or that they have used the Holocaust to justify the creation of an "apartheid" state also serve as troubling examples of the misuse of the Holocaust for political purposes. Professors at two of the United States' most prestigious universities published a paper that trucked in anti-Semitic stereotypes, claiming, in a sweeping manner reminiscent of the *Protocols of the Elders of Zion*, that Jews control universities, the media, and U.S. foreign policy.

The pronounced ideological radicalization of Europe's Arab and Muslim population has played a disquieting role in the rise of anti-Semitism. France alone has five million inhabitants with roots in the Maghreb region of North Africa; much of the rampant anti-Jewish violence in France has been committed by individuals who count themselves among this population. This trend has dovetailed with the rise of the far right, whose standard-bearers are generally anti-immigrant and anti-Muslim. Their nationalist rhetoric has also often featured what many consider to be anti-Semitism, however, and their message of opposition to European enlargement and integration is threatening to Jews, who, like other ethnic and religious minorities, are considerably discomfited by the parochialism and xenophobia of these movements.

Even as right-wing extremism inspires fear among European Jews, the far left is creating further apprehension with the intensification of its own anti-Israel vitriol. Many left-oriented politicians and journalists have joined labor unions, non-governmental organizations, and human rights activists in polemical assaults on Israel that exceed the sort of legitimate policy critiques normally expected in democratic societies. Their narrative, reflexively embraced by much of Europe,

begins with the premise that in the Middle East conflict the Palestinians are the perpetual victims and Israel their brutal persecutor. This view has led to calls for boycotts, divestment, and sanctions against Israel – what has become known as the BDS movement.

Evidence of rising or sustained levels of anti-Semitism continues to manifest itself around the globe in recent years. For example:

- Emad Hajjaj, a Jordanian Palestinian who provides editorial cartoons for Abu-Mahjoob Creative Productions, regularly sketches blatantly inciteful anti-Semitic images, crudely caricaturing Jews as bloodthirsty monsters and equating Israel with the Third Reich. Abu-Mahjoob's clients include United Nations agencies such as UNICEF and major corporations like Visa and Siemens. In July 2011, Richard Falk, the UN's Human Rights Council Rapporteur for the Palestinian territories posted an anti-Semitic, anti-American Hajjaj cartoon on his blog.



Anti-Semitic editorial cartoon by Emad Hajjaj.

- *Zayzafuna*, a children's magazine distributed by the Palestinian Authority and regularly featuring anti-Semitic material, received funding from UNESCO prior to December 2011. A letter from U.S. Ambassador David Killion to UNESCO Director General Irina Bokova prompted the cut-off of financial support.

- Five leaders of the Greek Jewish community stood trial in February 2012 on charges of “aggravated defamation.” Their offense: accusing right-wing extremist author Konstatinos Plevris, a self-declared anti-Semite, of insulting the Jewish community, after he had written that Jews are “sub-human.”
- In Venezuela, the Jewish community lives in constant fear as the regime of President Hugo Chavez continues to vilify Israel in the harshest terms. In May 2011 Broadcaster Cristina Gonzalez openly promoted the anti-Semitic forgery “The Protocols of the Learned Elders of Zion” on a state-controlled national radio station.
- In September 2011 in Cairo, a group of Egyptian protesters set out to tear down the wall that had been built by Egyptian police to protect the Israeli Embassy. With hammers and broken poles in hand, the crowd destroyed the barrier while burning Israeli flags. They also broke into the embassy, rummaged through the documents and threw some of them into the streets, and assaulted an Israeli employee.
- Arsonists in Gabes, Tunisia set fire to a synagogue in February 2011, burning Torah scrolls contained within. Nearby police did not stop the attack.
- BBC Radio 3 suspended a live broadcast of an Israeli Philharmonic concert in London’s Royal Albert Hall in September 2011 following protests by pro-Palestinian groups. Four musicians of the London Philharmonic Orchestra also advocated for cancellation of the concert.
- Following a year of relentless criticism by the Turkish government of Israeli policies, Turkish state-run TV in January 2010 aired an episode of the popular soap opera “Valley of the Wolves: Ambush” that depicted Israel’s Mossad as kidnapping Turkish babies and taking hostage the Turkish ambassador in Tel Aviv and his family.
- At the University of California, Irvine, where Jewish students have been physically and verbally abused for years against a backdrop of intense anti-Israel criticism on campus, Israel’s ambassador to the United States, Michael Oren, was booed off the stage when attempting to give a speech in February 2010.

Tragically, the demonization and delegitimization of the Jewish state has become a daily occurrence, as the Holocaust recedes further into history and the world’s comprehension of why the existence of a Jewish state is crucial continues to erode as new generations step forward. Israel’s enemies abuse historical analogies by repeatedly accusing the country of being a Nazi-like occupier and an apartheid state that disenfranchises the Palestinians. Falsehoods about Israel are repeated so often that they become widely accepted in the popular culture and sometimes impact government policy. The effort by Israel’s relentless critics to denigrate the Jewish state is not only evidence that anti-Semitism is alive and well in the 21st Century – this new variation of judeophobia actually threatens Israel’s security by intensifying the country’s international isolation.

Over the past decade, the OSCE has taken up the urgent struggle against rising anti-Semitism. High-level conferences in Vienna in 2003 and Berlin in 2004, as well as later conferences in Cordoba, Bucharest, Astana, and Prague have focused a needed spotlight on this and other forms of intolerance. One can feel encouraged by the many positive developments that have resulted from these gatherings, even though much more work remains to be done.

The historic 2004 Berlin Declaration, which provided a series of important recommendations for governments to follow in combating anti-Semitism, specifically addressed the growing problem of anti-Semitic attacks being committed by opponents of Israel’s policies. The passage stating that “international developments or political issues, including those in Israel or elsewhere

in the Middle East, never justify anti-Semitism” still represents a bulwark stance by the OSCE against attempts by opponents of Jews or Israel to rationalize their hatred.

Furthermore, the Berlin Declaration issued a series of recommendations for the governments of Europe, North America, and the former Soviet Union to follow in combating anti-Semitism, including an informal exchange of “best practices” between nations; government support for anti-hate programs; systematic data collection on anti-Semitic acts; assistance in facilitating the prosecution of anti-Semitic crimes; and the promotion of academic exchange and educational programs.

In the tradition of the OSCE Berlin Conference, governments everywhere should comply with their moral and legal obligations to combat anti-Semitism and other forms of intolerance:

- States should compile comprehensive statistical information relevant to hate-motivated crimes; too few governments have done so until now.
- Governments should adopt and fully enforce domestic legislation aimed at curbing intolerance, as well as implementing effective monitoring procedures.
- States should develop Holocaust education programs that underscore the distinct nature of anti-Semitism and link the historical struggle against Nazism to the contemporary battle against anti-Semitism.
- Ministers should convene multilateral gatherings to share best practices and to pressure other governments to comply with their obligations in combating intolerance.

- Public officials must forcefully denounce and stigmatize anti-Semitism and other forms of intolerance and underscore the principle that political events in the Middle East or elsewhere never justify anti-Semitism.

Governments and non-governmental organizations must join together to facilitate progress in these fields and to further the vision articulated by the Berlin Declaration. They should establish frameworks for multilateral cooperation on matters related to anti-Semitism and hate crimes. And governments should actively support the important work of the International Task Force on Holocaust Education.

The critical lesson learned from the experience of those who perished in the Holocaust is that indifference to the suffering of others is itself a crime. It is therefore imperative that people of good will aggressively confront every form of racial, religious, or ethnic hatred. The post-Holocaust generations must raise their collective voices on behalf of all groups, anywhere in the world, who are subjected to discrimination and persecution, or who are threatened by annihilation.

George Washington – the first U.S. President to publicly oppose anti-Semitism – famously wrote to the Hebrew Congregation of Newport, Rhode Island in 1790, “The government of the United States...gives to bigotry no sanction, to persecution, no assistance.” Washington’s message of tolerance has been a glowing inspiration to American Jews for more than 200 years, as they have drawn steady comfort from the knowledge that the U.S. government, in the earliest years of the country’s history, took a clear stand against anti-Semitism and warmly offered America’s Jewish community a level of support and protection that, sadly, Jews in many other countries have never enjoyed. Sixty-seven years after the Holocaust and 12 years after the rise of the current wave of global anti-Semitism, world Jewry still require such assurance.

THE SPREAD OF AUTHORITARIANISM

by Tad Stahnke

During 2011, the perennial problem of authoritarian governance, with its inherent tendencies both to limit the freedoms of members of minority religious communities and to repress religions generally, continued to worsen in numerous countries. This report usefully emphasizes the extent to which this was true in a number of former Soviet republics, in China, and elsewhere. At the same time, 2011 was the year during which Egypt, Tunisia, and other authoritarian Arab states started to open their systems, albeit unevenly, and during which Burma began its tentative outreach to the West. States with accountable, democratic governments sought for ways usefully to react to these positive trends. In what follows, I offer an assessment of the problem of authoritarianism as 2011 ended, together with some recommendations for dealing with the human-rights and religious-freedom challenges it poses.

In 2001, the State Department, in one of its first Annual Reports on International Religious Freedom, had this to say about the relationship between authoritarian governments and the protection of freedom of conscience and religion:

Totalitarian and authoritarian regimes are defined by the high degree to which they seek to control thought and expression, especially dissent. It is not uncommon for such regimes to regard religious groups as enemies of the state because of the content of the religion, the fact that the very practice of religion threatens the dominant ideology (often by diverting the loyalties of adherents toward an authority beyond the state), the ethnic character of the religious group, or a mixture of all three. When one or more of these elements is present, the result often is the suppression of religion by the regime.

As the First Freedom Center's current report amply demonstrates, this dynamic continues to undermine the protection of religious freedom and other human



Buddhist monks protest in Burma.
(Credit: BurmaPartnership)

rights, including of members of minority religious communities, in authoritarian countries. The trend is a negative one, with many regimes tightening their grip on religious practice and political dissent. A particularly disturbing trend discussed in the report is the increasing ability of authoritarian regimes to use the Internet and other advances in communications technology to spy on, instill fear in and control their populations.

The authoritarian impulse is to control individuals and communities in order to retain power and privilege, and to maintain the web of governance, economic, media, information and patronage structures that are necessary to hang on to power. Antithetical to this impulse are the practices that support the protection of human rights and individual freedom, including democratic governance, the rule of law, an independent judiciary, religious pluralism as well as open debate through a free media and a vibrant civil society.

From the point of view of relations between religion and the state, the authoritarian state seeks to control religious organizations and communities to ensure that these entities do not become alternate sources of political ideas, objects of citizen loyalty or engines to mobilize

political opinion (i.e. dissent). The recent events of the Arab Spring – where protest movements were infused with fresh energy each week following Friday prayers in Egypt, Tunisia and Syria – illustrate one sort of danger that religious activity can pose to authoritarian regimes. The protests of Buddhist monks over the last several years against repression in Burma and Tibet are another example.

Each of these examples concerns the need to control the religious institutions and activities of the majority of the population, which makes sense given that in many authoritarian countries the most pressing threat comes from mobilization of the majority. This is true regardless of the religion involved: Buddhists in Burma and Vietnam, Roman Catholics in Cuba, Sunni Muslims in Saudi Arabia, Egypt and Uzbekistan, Russian Orthodox in Russia, Shi'a Muslims in Bahrain.

The methods that the state employs to control the religious institutions and activities of the majority, however, differ from situation to situation. In some cases, religious institutions are maintained as state structures or as reliant on the largesse of the regime. For example, in several former Soviet Republics, communist-era security and regulatory bodies that control religion have been maintained or revived. Saudi Arabia is one of several predominantly Muslim countries where religious institutions are essentially creatures of the state. In other countries, religious leaders may be paid by the state or may be forced to operate under strict rules as to what they can say and do. In yet others, the control is more subtle. The incentives may be lined up in favor religious leaders and institutions cooperating with the state and not making waves with the political elite, such as in Russia where the Orthodox Church benefits in economic and other ways from a close and cooperative relationship with the Kremlin. The Church in recent years has sought to mobilize public opinion against human rights activists and other civil society groups that threaten increasingly authoritarian rule in Russia, branding such movements as trying to undermine traditional values.

Members of minority religious communities typically don't fare any better than the majority in authoritarian countries. Indeed, in several countries implementing the dominant political ideology results in the suppression and strict control of all religions – whether the majority or minorities. China, North Korea, Cuba and Turkmenistan all fit this pattern. Elsewhere, religious minorities fare far worse than the majority because the instruments of control regularly employed by the state to control minorities are more direct and brutal: fear, violence and persecution.

Nationalism, religious chauvinism and ethnic rivalries are all manipulated by the state to suppress and persecute religious minorities, sometimes with disastrous results for those communities. The report abounds with examples. In Eritrea, hundreds of Jehovah's Witnesses and Evangelical Christians have been imprisoned and tortured as their religious adherence does not fit into "traditional" Eritrean religious groups. It does not help the plight of Jehovah's Witnesses that they refuse military service in a highly militarized regime.



Eritrea's persecution of believers turns gold into blood money.
(Credit: *JW News*)

The combination of ethnic and religious differences can be a potent one in fueling persecution by authoritarian governments. Ethnic Rohingya (Muslims) and Kachin and Chin (Christians) in Burma have been locked in long-running battles with the government for greater autonomy in their respective territories. The religion

of these groups – one facet of their difference from the dominant culture – has been targeted by the regime as one of several methods to repress these groups. One can hope that a greater measure of democracy in Burma could bring those battles to a peaceful end by welcoming all groups a stake in the future of the country, although repression of minorities in Burma continues as of the writing of this report. Primarily Protestant Hmong and Montagnard ethnic groups in Vietnam are marginalized politically and economically, and control over religious activities and the ability of these communities to receive outside support are used as tools of repression. In the last year, the Vietnamese government has ramped up its repression of these groups, including violence and imprisonment.

The authoritarian state also works to sow religious divisions among the population, seeking to mobilize public opinion or violent extremist groups against religious minorities in order to support ongoing repression. The legitimacy of the authoritarian regime with key sectors of the population may be increased by such treatment of minorities. Examples include Baha'is in Iran, Ismaili's in Saudi Arabia and Mandaens and Yezidis in Iraq. Religion is manipulated for political gains in other countries as well, such as against Methodists in Fiji or Robert Mugabe punishing Anglicans in Zimbabwe for not being suitably loyal to the regime. Finally, religious conflict and violence targeting vulnerable minorities can be promoted by the state in order to deflect attention from the failures of authoritarian governments, as in the case of violent attacks on Jewish and Catholic and other Christian communities in Venezuela and recent incidents of incitement of violence against Christians by agents of the ruling military council in Egypt. Promotion of religious intolerance by the state creates a mutually reinforcing cycle with disastrous consequences: greater public intolerance and hatred leads to increased calls for repression which pushes governments to take even harsher measures to live up to their promises. It's difficult to jump off such a cycle without radical political change.

A final variation on this theme is the manipulation to xenophobia by the authoritarian state. The connections – actual or merely perceived – that religious minorities have to co-religionists in foreign countries offer special opportunities for authoritarian governments to control these groups. Their loyalty can be more easily questioned and suspicion against them can be more easily sowed in the general population. Chinese Roman Catholics and some Protestants, Uighur Muslims in Western China, Vietnamese Catholics, Shi'a Muslims in Saudi Arabia, Armenian Christians in Iran, Jews in many countries of the Middle East are all branded by the state as loyalty risks because of historical or other connections to “foreign” countries or religions. In a particularly striking example, Christians in Iraq following the U.S. invasion were derided as tools of the Christian West, while at the same time the United States did not want to be seen to be helping Christians because they thought that such assistance would worsen their plight.

The dynamics of persecution of religious individuals and communities by authoritarian regimes present formidable obstacles to promoting freedom of religion or belief in those countries. Unlike in democratic states, there are few independent checks on political power from elected parliaments or courts or human rights activists free to conduct their work or a free media. Wherever the independence of these institutions can be strengthened, the international community should seek to do so especially in those countries committed to some form of democratic rule, e.g. Nigeria, Mexico, Russia, Pakistan, and Indonesia. Direct attention should be given to increasing access to these institutions by religious minorities, human rights groups and legal aid providers. This approach is particularly important in Arab countries undergoing political transition – Tunisia, Egypt and Libya – where the stakes for democratic change and religious minorities are extraordinarily high.

But in the hard-core authoritarian countries, like China, Vietnam, Uzbekistan and Saudi Arabia – even more indirect and long-term strategies must be employed.



Saudi Arabia's Sunni Muslim authorities have allowed small Shiite religious celebrations.
(Credit: Reuters)

Three prongs of such an approach are as follows:

- Democratic countries are often in security and economic dialogue with authoritarian governments where mutual interests exist. Security and economic arguments in favor of freedom of religion and just treatment of religious and other minorities should be promoted by democratic governments in these dialogues. Private companies can also demonstrate the importance of non-discrimination by adhering to the standards of their home countries in their dealings with private and state-owned enterprises in authoritarian countries. Mixed messages by democratic governments and companies undermine efforts to promote freedom of religion.
- Future generations of political, military, business, civic and religious leaders in authoritarian states should be identified and exposed to the workings of freedom, democratic governance, religious pluralism, anti-discrimination efforts and organized joint action by people of different faiths and different religious institutions. Governments, international institutions and private foundations and NGOs all have mechanisms to do this. It will certainly not be successful in all cases – and we know of celebrated

cases where exposure to freedom and democracy has only hardened the attitudes of future political figures. But the benefits outweigh the potential costs, as having a positive influence on even one person can prove crucial during a moment of crisis or political transition.

- Government officials and business, religious and civil society leaders should seek out opportunities to speak directly to the people under authoritarian rule and use every opportunity to speak directly to the people of authoritarian countries to deliver messages on the benefits of fundamental freedoms, the protection of human rights and the practice of religious pluralism.

Dramatic human rights improvements are rarely achieved except during moments of rapid political change. The rejection of authoritarian rule is one of those moments. A readiness to seize the opportunity to bring about change at those moments by political, social and religious forces within a country – supported by international actors – will determine the future extent of protection for human rights and religious freedom for all, members of the majority and religious minorities.

WE HAVE BEEN LEFT!

by Canon Andrew White

(Editor's Note: This plaintive, eloquent assessment of the greatest change of 2011 in Iraq records the sentiments of Canon Andrew White who, in his ministrations at an Anglican Church, incorporates, protects, cures, and nourishes members of a large variety of minority religious communities. Canon White received the First Freedom Center's 2012 International First Freedom Award.)

We Christians in Iraq feel that we have been left behind, and that we have nothing. Recently, President Obama declared, "We are leaving behind a sovereign, stable and self-reliant Iraq, with a representative government elected by its own people." But reality is swiftly contradicting the President's words.



Iraqi Christians face the unknown.
(Credit: *AsiaNews.it*)

None of us thought there would be any change here after the U.S. troops left. I myself had long felt it would make little difference to us if the Americans left. The troops had not been seen on the streets for two years. But we had always known where they were when we needed them. Then, from the day the U.S. military left, Christians felt themselves in total disarray. Violence related to religious sectarianism increased. We could not enter the Green Zone, as any badges issued by U.S. officials were no longer valid, and new badges were simply not being issued.

Political chaos worsened, especially as the Prime Minister issued a warrant for the arrest of the Vice President, Tariq Al Hashami, the most senior Sunni political leader in the country. He was accused of terrorism, and, sadly, there was evidence to suggest that the charge was warranted. With this action, it became apparent that Prime Minister Nouri Al Maliki is Shi'a, and Vice President Al Hashami is Sunni. Violence targeting the Shi'a began in force.

There have also been coordinated attacks on institutions of state, including the Foreign Ministry, which is close to St. George's Anglican Church. The arrest warrant for the Sunni Vice President signaled that the fragile coalition government is fracturing along sectarian lines. Events in Iraq continue to escalate. There have been attempts to ransack both al Hashami's office and that of al Maliki. There has been a car bomb in the supposedly secure Green Zone.

As a result, Iraqi Christians and other religious minorities feel great fear. They say, "at least under the old regime we were protected; now we have nothing. Those who set us free from an evil dictator have left us, and we have nothing."

What is this "nothing?" It is the absence of security. Previously, Christians as a minority were protected. The evil regime of Saddam represented a man who was Sunni, not an adherent of the larger Shi'a group. When foreign troops were here, we may not always have seen them, but they came if we needed them. Now there are times when we Christians face great danger. Our people

have been slaughtered, massacred and murdered, and we have nowhere to turn. The Iraqi government has tried to do what it can, but we do not live as a confined people. Christians are found across Iraq, especially in Baghdad and Nineveh/Mosul. Twenty-seven hundred years after Jonah, Nineveh is still the place where all Iraqi Christians came from. Now we and all other minorities may be less safe than ever before.

Meanwhile, finding employment is very difficult, especially for Christian women. No employment means no money and no ability to buy food, to pay rent, or to find proper health care. Indeed the healthcare system in Iraq has collapsed. Hospitals are falling to pieces, and many leading doctors have been killed or kidnapped, or have fled Iraq.

I may be the leader of a church, but after services each week I must give all of my 4000-plus people food for the week. We have had to establish a large clinic with doctors, dentists, a laboratory, specialist units and a pharmacy. All treatment is totally free, not restricted to Christians, and totally open to all. In addition to these services, we have built a school to provide excellent education for many children. It is fortunate that we can provide this service for our people. We did not envision that so long after 2003 we would have to do this, but we do. Iraq is an insecure place, where people have nothing.

While things are difficult for all Iraqis, for religious minorities this is especially the case. In addition to the violence, we have another huge problem. Iraq may be one of the most corrupt nations on earth. Corruption is so great that we do not know whom we can trust.

When the Coalition Provisional Authority took control of the nation in 2003, I remember telling one of the diplomatic leaders that we needed to deal with the issue of religion in order to prevent religious sectarian violence. I was told that this was not an issue in Iraq. First, I heard

that water and electricity needed to be dealt with. It was only a few weeks later that this diplomat came to me and said that he could not even deal with water and electricity because religion kept getting in the way.

During the Second World War, Archbishop of Canterbury William Temple observed that “When religion goes wrong, it goes very wrong.” Sadly, that is what has happened here. Religion here is now not a tranquil means of relating to the Almighty but rather a means of contending for the priority of one’s own, a fight that often involves violence. The violence that recently arose between Sunni and Shi’a was a symptom of this.

But if religion is the cause of violence, it must also be the cure. That is the work of the High Council of Religious Leaders in Iraq that we established in 2004. After many had been killed or injured, we as religious leaders began an urgent process to reduce sectarian violence. We met in Najaf, the holiest city of the Shi’a. For the first time, we brought some of the Sunni religious leaders there. A few days later, we produced an Islamic Fatwa (injunction) against Sunni killing Shia.

Much of the diplomatic world fails to see that this problem, of “religion gone wrong.” The problem has to be dealt with by religion itself. That is why we are here, and that is what we try to do.

Sadly, this radical sectarianism is no longer restricted to Iraq. The so-called “Arab Spring” has greatly increased the risk of sectarian violence across the region. Will there now be more minorities saying: “We have nothing?” I lack personal experience of religious minorities in Afghanistan but have maintained close relations with protagonists there, who report that, in the absence of international engagement, a similar downward spiral of security may make an already dangerous Afghan situation even worse.

Regional Assessments Update

On the pages which follow, we catalogue principle events and developments in each of the regions we assessed last year. For reference, we also recall in the boxes at the outset of each regional offering the “structural impediments” which our detailed analysis yielded in the previous report. As several of our Editors have stressed, the reader should by no means conclude that the severity of violations of religious freedom affecting minority communities is the same in each region.



The Legacy of Silence – the remains of murdered children.
(Credits: blog.undergradresearch.northwestern.edu)

SUB-SAHARAN AFRICA

Geographic Reach: All the countries of the African continent south of those along the Mediterranean littoral, not including Western Sahara. The region includes Madagascar.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Impunity:** *Failure to rein in, investigate, prosecute, or punish those who perpetrate violence against religious communities is often at the heart of Africa's most violent conflicts.*
- **Authoritarianism:** *Both secular and religiously-oriented authoritarian regimes abound in the sub-Saharan region.*
- **Repression of communities advocating human rights reform:** *Minority communities associating with human-rights advocacy face repression.*
- **Low status of indigenous religions:** *Animist and other indigenous religious groups in many cases lack the legal status accorded other groups, and often fall outside official registration regimes. These groups often contend with negative public attitudes and heavy-handed government treatment for their practices.*
- **Government opposition to "cults":** *Numerous governments are prone to crack down on "non-traditional" religions.*
- **External influences on indigenous Islamic Communities:** *Saudi, Wahabi, and Islamic fundamentalist protagonists from abroad have attempted to impose their own views, often violently, on long-established Muslim cultures.*
- **Lack of adequate intergovernmental human rights framework:** *Existing organizations, including the African Union, need to strengthen monitoring and enforcement of religious-freedom rights.*

In the majority of countries in this region, minority communities fared reasonably well during the reporting period. Where they did not, however, their sufferings were notable. Violence perpetrated principally against Nigerian Christians by adherents of the Boko Haram group, whose name encapsulates its opposition to Western education, was widespread. As the year ended, it was on the increase. Against the backdrop of the secession of Sudan's southern territories, the authoritarian, avowedly Sunni government of President Omar Hassan al-Bashir continued its gross oppression and mistreatment of Islamic and Christian minority communities in Darfur

and in and around Khartoum. The Al-Shabaab Islamist movement holding effective power in much of Somalia reportedly espoused and sought to implement a program for physical extermination of known Christians while, in neighboring authoritarian Eritrea, hundreds of Jehovah's Witnesses and Evangelical Christians languished in prisons. Robert Mugabe's government in Zimbabwe and the country's courts, despite a visit by the Archbishop of Canterbury, continued to discriminate against Anglicans. There were instances of violence against Christians in predominantly Muslim areas of Ethiopia.

KEY DEVELOPMENTS

In Nigeria during the last quarter of 2011, perpetrators claiming the mantle of Boko Haram launched a series of attacks, including bombing the United Nations office in Abuja. Soon thereafter, militants killed 67 people in shootings and bombings in the country's north. Persons speaking in the name of Boko Haram claimed credit for a major bomb blast outside a Christian theological college.¹



Bombed church in Damaturu, Nigeria.

Assailants bombed a Catholic church in Abuja on Christmas day, killing 26 people, after 72 persons died in fighting between security forces and self-described Boko Haram adherents in Damaturu on December 22.² That proved the most destructive so far of a lengthy series of attacks on Christians and their places of worship. As 2011 ended, the BBC noted, more than 90,000 Nigerians had been displaced by Boko Haram militancy.³ Christians declared their determination to defend themselves. Major Muslim leaders condemned the violence and Western analysts questioned the reality of a large and integrated Boko Haram network, but Christian spokespersons insisted that neither the overall Muslim response nor actions on the part of the Nigerian government had been adequate.⁴ Members of the United States Commission on International Religious Freedom complained that there had been few arrests of perpetrators and none on any charge directly related to abuses of religious freedom.⁵

Bigoted religious intolerance and violence characterized also the actions of the Al Shabaab extremist group holding effective power in much of Somalia. In this Report's section on Communities Most at Risk, we convey accounts of Al Shabaab consciously denying food aid to Christians. International Christian Concern reported in August that at least 18 Christians had been starved to death. It noted that some 1,000 Christians were known to have died in Somalia since the inception of the country's period of lawlessness in 1991 and, like other Christian groups, ascribed to Al Shabaab a conscious policy of physical extermination of Christians.⁶ The New York Times confirmed that Al Shabaab was challenging and interfering with drought-relief operations.⁷ Not infrequently, as was the case with a seventeen-year-old youth, discovery of Christian identity resulted in beheading.⁸

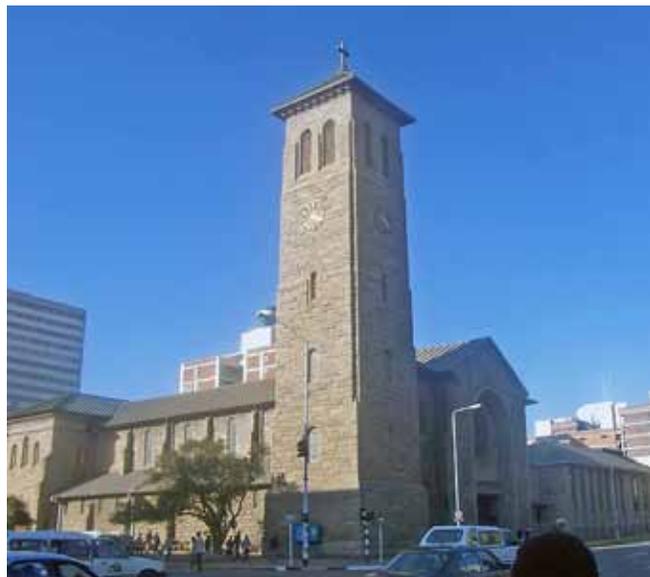


Eritrean Witnesses in prison.

Several authoritarian governments oppressed – or at least did not effectively defend – minority religious communities. The United States government has repeatedly declared Eritrea a Country of Particular Concern because of its widespread and arbitrary detention of members of minority communities, especially Jehovah's Witnesses and Evangelical Christians. The Ecumenical Canonical Orthodox Church Worldwide reports that there are also some 2,000 to 3,000 Orthodox Christians in Eritrean prisons.⁹ In Zimbabwe, where Robert

Mugabe's government had helped to cause a schism of the Anglican Church over questions of political loyalty, a High Court Justice awarded the property of the Diocese of Harare to the schismatic, excommunicated Bishop, thereby prospectively denying numerous Anglican priests and their congregants access to churches, rectories, and other facilities.¹⁰ It was unclear whether Archbishop of Canterbury Rowan Williams' October visit to Harare, during which he resoundingly criticized the Mugabe regime at an open-air appearance, helped or hindered Zimbabwe's Anglicans. Williams handed Mugabe a file documenting abuses of religious freedom in Zimbabwe.¹¹ In western, predominantly Muslim districts of Ethiopia, there was sporadic, sometimes large-scale anti-Christian violence. In November of 2010, ten Christian homes were burned. In March of 2011, some thirty Protestant Christian churches were burned. In both cases, there were arrests, and, in the first, nine perpetrators received prison terms. Nevertheless, Christian observers complained of inadequate protection.¹²

Sudan, whose government combines authoritarianism and religious extremism, trampled notably upon religious minorities and their rights. In July, the country was divided. South Sudan adopted a constitution assuring religious freedom. President Bashir avowed that (north) Sudan would adopt an "Islamic" constitution, prospectively applying it to all Sudanese, which would "strengthen Islamic law." That approach would affect Christians, who expressed fears of becoming "dhimmis," or second-class citizens, as well as a large number of Muslims who never voted for their current political leaders and would presumably not favor the new constitution. Christian churches were burned, and Christian civil-servants and private-sector workers were laid off. Christian groups reported that Sudanese Christians were drafted disproportionately into the military and forced to fight against southern sympathizers in South Kordofan and Blue Nile states. Christians feared for their safety, and church attendance declined.¹³ In October,



Harare Anglican Cathedral in Zimbabwe.
(Credit: Damien Farrell)

Sudanese officials announced their intention to destroy Khartoum's Episcopal, Roman Catholic, and Church of Christ church buildings.¹⁴ Elsewhere in this Report, we note the continuing demographic pressures and violence affecting Muslim Masalit and other minority communities in Darfur.

In most other sub-Saharan countries, minority communities fared reasonably well. South Africa, for example, continued to take religious freedom extremely seriously. South African Constitutional Court Justice Zakeria Mohammed Yacoob was the keynote speaker at the Brigham Young University Law School's Eighteenth Annual International Law and Religion Symposium.¹⁵ Zambian police arrested twenty-six Protestant Christians in November, 2010 when they refused, on religious grounds, to participate in the country's census, and Zambian president Michael Sata proclaimed in September that the country would be governed "according to the Biblical Ten Commandments."¹⁶ Still, Zambia, like most sub-Saharan countries continued in the main to ensure and provide religious freedom to minorities.

ASIA AND OCEANIA

Geographic Reach: South, Southeast, and East Asia, Australia, New Zealand and Oceania.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Authoritarianism:** *The region is home to an unusually large number of authoritarian states.*
- **Civil wars:** *Several ongoing intra-national conflicts create refugee crises as well as the curtailment of legal processes.*
- **Proliferation of Islamic extremism:** *Violent extremists intentionally foment unrest. Measures to combat them often abridge religious liberties for other, unassociated groups.*
- **Inter-communal violence:** *Many parts of South and Southeast Asia have a significant history of violence between and among religious communities.*
- **Impunity:** *Impunity is a hallmark of much large-scale inter-religious violence in the region.*
- **Banning:** *Entire religions are banned as blasphemous and their followers thereby stripped of legal protections.*
- **Strictures on speech and action; anti-defamation measures:** *To protect government sponsored majority faiths, governments enforce anti-blasphemy laws against members of other faiths, thereby severely restricting religious speech and expression.*
- **Tensions arising from traditional cultures:** *Resistance by traditional believers to "new" minority faiths leads to widespread discrimination.*

The climate for minority religious communities in this region worsened markedly during the reporting period. Authoritarian China increased its disruption and harassment of Christian and Falun Gong communities and the arrest of their leaders and members. China's violent crackdown on Tibetan Buddhists and Xinjiang Uyghurs aroused world-wide concern. Authoritarian Burma began an uncertain series of reforms which led to the release of some of the country's prisoners – including, by year's end, a few monks – but it continued its violent crackdown on Muslim Rohingya and Christian Kachin minorities, even as circumstances for the Karen, the Chin, and other minorities began to improve. North Korea continued its extreme violation of all human rights, including religious freedom, and maintained an estimated 50,000 religious prisoners. Authoritarian governments in Vietnam, Laos, and Fiji dealt summarily

and unjustly with Christian and ethnic minorities. In India and Indonesia, impunity, ineffective administration of justice, and poor leadership allowed violence and bigotry to make significant gains at the expense of religious minorities. Most pervasively, however, increasing and often violent intolerance of religious minorities, especially in Pakistan and Afghanistan, grew palpably worse. China, Vietnam, and Burma in particular clamped down on Internet openness and functionality in part, at least, to inhibit communication among minority-community adherents and among advocates of religious-freedom rights.

KEY DEVELOPMENTS

This Report's section on Prisoners and imprisonment makes abundantly clear that authoritarian China incarcerates more religious prisoners than does any

other country on earth. (Our Prisoners section conveys an estimate of 50,000 religious prisoners in that country, where some two-fifths of them face probable death from starvation.) Arrests and detentions continued at a brisk pace throughout the year. On August 24, 21 Protestant leaders were arrested in Wuhai, Inner Mongolia, in a continuing series of detentions of House Christians.¹ On September 21, U.S. Assistant Secretary of State Michael Posner noted that, in 2011, respect for religious freedom declined in China and offered as an example of the country's repression of religious freedom frequent accounts of the detention and forced medication in mental facilities of members of unrecognized religious communities, including especially Christians and Falun Gong.² Tension over China's handling of Tibetan regions and Tibetan Buddhists increased late in the year. A "crackdown" on Tibetan monasteries, reported by Human Rights Watch, triggered violent protests.³ On November 10, a Tibetan monk burned himself to death in protest against Han Chinese treatment of Tibetan Buddhists and as an appeal for the return of the Dalai Lama.⁴ Other self-immolations followed. Hundreds of Tibetans later marched to a police station where the monk's body had been taken in a massive demonstration. Monasteries and other Buddhist facilities remain under severe police control and monitoring. China Aid founder and President Bob Fu told the European Parliament on November 30 that religious freedom in China is "non-existent" and "at the lowest point since the 1989 crackdown on Tienanmen Square."⁵ Many analysts ascribe China's ever-heavier hand to its leaders' fear of the popular revolutions that have occurred in Arab countries.

Other authoritarian governments also repressed minorities heavily. On March 31, Human Rights Watch urged the State Department to return Vietnam to its list of Countries of Particular Concern because of Vietnamese leaders' increasing clamp-down on minorities. HRW mentioned as an example the sentencing of 350 Montagnard Christians to lengthy prison terms.⁶ On May 1, Vietnamese Hmong Christians



Refugee family in Rohingya refugee camp in Bangladesh.
(Credit: *Dr. Habib Siddiqui blog*)

assembled in Dien Bien to mark the beatification of John Paul II and to demonstrate regarding their grievances. In breaking up the gathering, police reportedly killed several participants.⁷ Later, just across the Laotian border, Vietnamese troops joined the Lao People's Army in shooting four fleeing Hmong women and reportedly raping two of them.⁸ On September 30, HRW called on Vietnam to end its crackdown and to free 15 Redemptorist Catholics who had been arrested and imprisoned.⁹ Among the Redemptorist churches Vietnamese authorities dealt with the most summarily was Thai Ha Church in Hanoi, where several parishioners and clergy were arrested on December 2 for demonstrating against the government's seizure of part of the church's grounds for the construction of an adjacent sewer plant.¹⁰ In December, officials in the Laotian province of Savannakhet announced the seizure of the fifty-year-old Nadeng Church and made clear that they considered only five of the thirty churches in the province legal and free to operate.¹¹

Numerous press accounts have focused on the actions of authoritarian governments in Asia – especially those of China, Vietnam, and Burma – aimed at cracking down on the openness and functionality of the Internet, lest it facilitate coordination of events and views among adherents of minority religious communities and advocates of their rights.

The Pew Forum, in connection with its survey of restrictions on religion, reported in August that Malaysia imposes “very high” restrictions on religious minorities, including “deviant” Shi’a and Wahabi Muslims, whom Malay authorities forcibly “retrain” in specially-established training centers.¹² A bill under consideration in the Malaysian parliament at year’s end would grant police discretionary authority to permit or not permit – and to determine the duration of – all public assemblies, including religious services.¹³ Fiji’s coup-originated authoritarian government chose during 2011 to ban all meetings of the Methodist Church other than Sunday morning worship because of Methodists’ association with political opposition.¹⁴ In Burma/Myanmar, Nobel laureate Aung San Suu Kyi encouraged American and other officials to engage with the country’s new leadership as it undertook initial, tentative reforms. Even as it did so, however, the Burmese leadership continued brutally to repress Rohingya Muslims and Kachin Christians.

This Report contains an expert-drafted chapter on the problem of impunity. The failure of political leaders, police, courts, and prosecutors to provide investigation and punishment of violence and other acts inconsistent with the requirements of international law has had a depressing impact in India. The United States Commission cited India’s climate of impunity in ascribing the country to its Watch List.¹⁵ On October 13, India’s National Solidarity Forum, a civil society organization which seeks justice for victims of violence, held a two-day conference in New Delhi to explore the problem.¹⁶ Much violence against Christians in India during 2011 arose in connection with conversions, which, especially among “untouchable” Dalit, are widespread.¹⁷ On August 5, Muslim extremists disrupted a prayer meeting in the home of a woman who had recently converted to Christianity. They threatened to burn her house down if she did not return to Islam.¹⁸ In April, at the Calvary Bethel Church in Nandi Taverre village, police detained clergy and forced them to sign pledges against holding any further services after Hindu extremists had disrupted morning worship and torn up Bibles.¹⁹ Outbreaks of anti-Christian violence occurred

with frequency in Tamil Nadu, Karnataka, Andhra Pradesh, and elsewhere.²⁰ The national parliament, in response to continuing attacks, considered a Prevention of Communal and Targeted Violence Law, but at year’s end it had not been passed. More worrisome are the numerous laws passed by Indian states to regulate and deter conversions, requiring, typically, that conversion to a “non-native” religion such as Christianity be upon express approval of officials.

It is important to note that, in the eyes of many observers – including members of the United States Commission who dissented from their colleagues’ decision to place India on the Watch List – there has been a qualitative and quantitative improvement in prevention, investigation, and prosecutions in the wake of large-scale violence and as the Indian Supreme Court has asserted leadership. While recognizing that the courts have been slow and that local and state bodies have not been as responsive as the federal bodies have urged, these observers point to material developments. They stress the creation at the national level of new review structures to address past cases related to violence in Orissa, Gujarat, and elsewhere; statistics offered in January, 2011 by the Indian National Human Rights Commission, according to which 279 persons in 56 cases had been prosecuted in special courts; and Indian leaders’ emphasis on the country’s overall strong traditions in the rule of law and in democratic accountability.

Indonesian authorities were also lax in their treatment of religious minority rights. On February 6, Muslim residents of the Cikeusik district in Banten province killed six Ahmadiyya. At the perpetrators’ trial, prosecutors asked for light, seven-month sentences on the grounds that the Ahmadi Muslims had “provoked” the attack and had filmed it and distributed the film, thereby worsening intercommunal relations. Amnesty International’s Asia-Pacific Deputy Director Donna Guest, commenting on the trial, spoke of Indonesia’s “continued failure” to protect “religious minorities from harassment and attacks and to hold perpetrators accountable.”²¹ In October, local authorities ordered the

complete closing of the Indonesia Pentecost Church in Sumedang.²² Political analysts have sometimes looked to Indonesian President Yudhoyono's political reliance on Muslim parties as a reason for the government's laxity. Certainly, current government initiatives show no determination to improve a worsening climate. A draft "Religious Tolerance Bill," opposed by minority communities, would perpetuate the restriction of official government recognition to five faiths only (see the First Freedom Center's 2011 Report).

Horrendous acts of intolerance and the policies and laws which encourage them were the year's most worrisome aspect in this region. 2011, after all, began with the assassination in Islamabad of Salman Taseer, Governor of the Pakistani province of Punjab, by a member of his own security force. Taseer had become known for his opposition to the country's infamous blasphemy law. In March, a group calling itself "Taliban Al-Qaida" assassinated Pakistani Minister of Minorities Shahbaz Bhatti outside his mother's home. The only Christian in the Pakistani cabinet, Bhatti had been a vocal critic of the blasphemy law. Still unresolved throughout the year was the fate of one of the law's victims, Asia Noreen Bibi, an illiterate Christian woman who is appealing her sentence of death by hanging.

These cases have been widely reported. Less known are other incidents involving violence and hatred like the mob attack on April 30 on Christian homes in Gujranwala, home to some 50,000 Pakistani Christians, with its Christian-run schools and service centers. The incident was not the first to occur there and stemmed from charges of blasphemy leveled against a Christian pastor and his son arising from the finding of torn-out pages of the Qur'an in front of their home. Their release prompted massive reactions.²³ In June, Maulana Abdul Rauf Farooqi and other leaders of the Samiul faction of the Jamiat-Ulema-e-Islam political party began an unsuccessful public campaign to ban the Bible in Pakistan. If Pakistani courts did not respond, Farooqi averred, he and his followers would begin burning



Citizens protest the assassination of Shahbaz Bhatti in Pakistan.
(Credit: citizensfordemocracy.wordpress.com)

Bibles themselves.²⁴ In Pakistan's ever-more-tense atmosphere of religious intolerance, Christians have become more fearful. The killing of Osama bin Laden in Abbottabad and the attacks on insurgent targets by American drones have reportedly strengthened popular perceptions that Christians are disloyal and are "agents of the Americans."²⁵

There were also attacks on Pakistan's Shi'a population. On September 19, Sunni militants shot 26 ethnic Hazaras and wounded six more.²⁶ On October 4, thirteen Shi'a were killed in Balochistan, and six others were wounded in a separate incident there.²⁷ In both cases, the victims were traveling religious pilgrims.

Rank intolerance also marked the year in Afghanistan where, in 2010, the last Christian church in the country had been closed.²⁸ In the Maldives, where any sight, sound, symbol, literature, or other evidence of any religion other than officially-promulgated Sunni Islam is illegal; an Indian school teacher was arrested when a purportedly Christian video was found on his hard drive. He had not, to be sure, shown the video to anyone.²⁹ On November 27, Islamic organizations in the Maldives called for the arrest of United Nations High Commissioner for Human Rights Navi Pillay when she visited the country and discussed its circumstances.³⁰

Sadly, the Maldives' absolutist approach to the regulation of religion does not stand out in a region which includes a large number of authoritarian and intolerant regimes.

EUROPE

Geographic Reach: All of Europe west of the former Soviet Union, plus the three Baltic Republics and Turkey.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Differentiated systems of registration:** *Registration systems are nearly universal, many of which are effectively discriminatory.*
- **Differentiated systems of state support:** *Many governments raise tax revenue for officially sanctioned faith communities to the detriment of minority groups, whose members sometimes receive unequal benefit in return for their taxes.*
- **Systems of religious instruction in public schools:** *In numerous countries, public-school instruction concerning majority faiths effectively discriminates against minorities.*
- **Discriminatory property restitution:** *Governments continue to resist the resolution of restitution regarding properties illegally seized during prior conflicts.*
- **“Sect” and “cult” monitoring:** *In several countries, official agencies and/or commissions monitor and publicly warn about “non-traditional” communities designated as “cults” or “sects.”*
- **Impunity:** *Concerns over terrorism and migration fuel acts of violence against minorities and destruction of their property. Many of these acts go uninvestigated or are downplayed as common vandalism.*
- **Regulation of religious symbols:** *Government banning of religious symbols, including minarets, headscarves, and burqas, lends profile to public antipathy toward Muslims.*
- **Legislation concerning “hate speech” and “incitement”:** *Criminalizing hate speech in some cases fuels antipathy towards the very groups it has been meant to protect.*

The most resonant theme in Europe during 2011, with respect to minority religious communities, was violence against Christians, especially in the Middle East. (While this focus was upon minorities beyond Europe, it served to strengthen the sensitivity of Europeans and their institutions to the needs of religious minorities everywhere.) A rash of anti-Coptic violence in Egypt and attacks against Assyrian Christians in Iraq at the turn of the year ushered in a broad-sweeping public and institutional focus of the problem, which brought the issues of religious freedom generally and of religious minorities specifically into sharp focus. Significant legal changes in Hungary, which radically restricted

registration of religious communities, and Turkey, which undertook partial restitution of minorities' communal property, drew widespread attention. There were manifestations of anti-Semitism and anti-Islamicism, and there were actions taken to counter such trends. The European Court of Human Rights continued making decisions of material significance for religious minorities, as did national governments and courts. The issue of hate-speech remained controversial. As the strength of fundamentalism in European Islamic communities grew, prospects for Muslim feminists to gain influence on behalf of improved safeguarding of the religious and other human rights of Muslim women diminished. They

and other well-integrated Muslims showed a degree of understanding for European governmental actions in the areas of dress and elsewhere as proactive measures intended to secure choice for Muslim women. The violations of religious freedom this Report discusses in its assessment of Europe are much less severe than are those in several other regions.

KEY DEVELOPMENTS

Both immediately before and in the broader course of change in North Africa and the Middle East, sporadic acts of violence against Christians drew enormous attention in Europe. The Council of Europe, the European Union, the European Parliament, the Papacy, the German Bundestag, and a host of other institutions issued pronouncements, resolutions, and declarations on the subject, frequently couched in the wider contexts of religious freedom and minority rights. Party groupings across the spectrum in the European Parliament urged that religious freedom become better integrated into EU foreign policy. Pope Benedict XVI declared 2011 the year of religious freedom and dwelt on the plights of Christian and other minorities in his October address to the Diplomatic Corps.

The still-ambivalent attitudes both of European-Islamic populations and of majority cultures toward Christian-Islamic integration colored legislation, decision-making, journalism, and popular reaction. In June, vandals defaced a mosque in southern Denmark with the slogan “Muslims go home” and with caricatures of the Prophet.¹ In November, the offices of the French satirical weekly *Hebdomadaire* were fire-bombed when the publication distributed an issue purportedly “guest edited” by the Prophet Mohammed, whose picture appeared on the cover, challenging readers to “a thousand lashes if you don’t die laughing.”² Islamic sentiment continued to be offended and enraged in France with the passage, at the government’s instance, of a law banning prayer in the streets. Even for the majority of French Muslims in whose lives the *niqab* did not figure, continued enforcement of France’s 2010 law banning the wearing of the *niqab*



Egyptian Coptic Christians held a mass in central Cairo’s Tahrir Square as a show of solidarity with anti-government protesters in the country. (Credit: *bikyamasr.com*)

rankled. In June, German Interior Minister Hans-Peter Friederich drew extensive Muslim-community criticism when, instead of stressing the resolution of problems of integration, he called on Muslim parents to monitor their children’s activities lest they fall prey to radicalism.³ In an editorial in *The Guardian*, satirist Viktor Navasky commented, “For many French Muslims, religion has become a cultural identity, a refuge in a troubled society where they don’t feel accepted.”⁴ The observation could well have applied to Muslims all across Western Europe.

Against these negative reactions must be weighed the perceptions of many Muslim women and men, often well-integrated into European cultures, that the actions of governments with respect to dress and other matters in fact constituted proactive measures intended to make certain that Muslim women have choices and the right to decide for themselves how to dress, act, work, and speak. By availing themselves of such choices, they would simply be seeking appropriate measures to modify or abolish, as the UN Convention of the Elimination of Discrimination Against Women requires, “customs and practices that constitute discrimination” and to pursue women’s rights, as human beings, to autonomy and equality.

Much as this is so, it is equally clear that there are European Muslim women who choose, in the context of their own faith and culture, of their own free will to cover their heads in accordance with their faith

traditions. Hence, in Europe and in the wider world, bans on religious garb remain highly controversial as a means of achieving equality. European Christians, secular representatives and Muslims have stressed that banning women from wearing specific elements of religious garb, even as Sikh and Orthodox Jewish men and other people of faith are free to wear their unique religious garments and insignia, has less positive impact on the establishment of equality than it has negative impact on religious-freedom rights as specified under Article 18 of the Universal Declaration of Human Rights and associated rights in a free society. In the context of debate over whether the European approach to bans – or the absence of such measures in North America – better promotes integration, critics of bans have stressed that they have arisen more out of antipathy toward Muslims than out of respect for equality. That promoting the bans has been the cornerstone of campaigns by far-right political candidates underscores this concern.

Real efforts at mutual accommodation progressed alongside turbulence. New mosques arose in Strasbourg, Cologne, and elsewhere. When animal-rights activists pressed for legislation in the European and Dutch Parliaments curtailing or banning ritual slaughter, there was push-back from religious-freedom advocates, and, at the very least, the words “halal” and “schechita” disappeared from draft texts (though Muslims and Jews continued to feel singled out by this initiatives).⁵ Although, in September, a French court fined two Muslim women for wearing the *niqab*, a magistrate in Brussels refused to enforce Belgium’s law.⁶ When an administrative judge in Leipzig refused to permit Islamic prayer in a Berlin public school because of violence which had surrounded it, he nevertheless stressed that, absent that circumstance, religious-freedom provisions would have upheld it. In the give-and-take of daily existence, Europe’s Christians and Muslims made valuable progress learning to construct a common life.

Mitigating against greater accommodation were changes within Muslim communities themselves. Across the



Bans on religious garb remain highly controversial as a means of achieving equality in Europe.

(Credit: varvara.wordpress.com)

continent, fundamentalism grew more influential in mosques and among Muslim youth, not infrequently in response to funding, assistance, and counsel emanating from Islamist entities in Muslim-majority countries. As fundamentalism waxed stronger, Muslim and non-Muslim human-rights advocates heightened their sensitivity to honor killings, child marriages, and other extreme manifestations and worried lest these actions go unpunished.

Among the most dramatic, and worrying, developments of the year was the Hungarian parliament’s passage, on July 12, of a highly restrictive “Law on the Right to Freedom of Conscience and Religion, and on Churches, Religions, and Religious Communities,” which effectively legally disenfranchised 344 already-registered minority religious communities and restricted to 14 the number of communities officially recognized by the state.⁷ On December 19, Hungary’s Constitutional Court struck the law down on technical grounds, but the government promptly re-introduced it for passage just after the dawn of the new year.⁸

Equally notably, Turkish Prime Minister Recep Erdogan decreed in August that, under a complex procedure, communal properties expropriated from non-Muslim communities in 1936 under Turkey’s idiosyncratic interpretation of the 1923 Treaty of Lausanne and its effect on Turkish nationality would be restituted. The

decree would not affect several Christian bodies, such as the Roman Catholic and Anglican Churches, falling outside the Lausanne regime, but it stands to benefit the Ecumenical Patriarchate of Constantinople (which the Erdogan government denies is in any way “ecumenical” and describes as “Greek Orthodox”), Turkish Jews, Armenian Orthodox Christians, and a few others. Where actual restitution cannot be made, compensation, as determined by the Turkish Finance Ministry, is to be made.⁹

The decree has elicited favorable comment, and it does indeed represent a major change in Turkish policy. But religious-freedom advocates and legal experts have been quick to observe that it falls well short of rectifying Turkey’s highly deficient climate of freedom for minority communities – or even of creating a suitable legal framework for their functioning.¹⁰ These authorities look to prospective broad revisions of the Turkish constitution in hopes that the effort will encompass more general reforms, perhaps eliminating the constitutional standing of the *Diyanet*, which maintains a strangle-hold on every aspect of Islamic life. The *Dinayet* prevents the accommodation of the country’s Alevi Muslims (about a third of the population). Human-rights advocates also hope that revision will attenuate the constitutional enshrinement of Turkey’s *laiklik* doctrine of secularism, which has often injured religious minorities.¹¹ As matters stand even after the August decree, legal registration and normal functioning far eludes Protestant and other communities in Turkey, and the country has simply failed to implement a series of decisions of the European Court of Human Rights in favor of these minorities. In February, Council of Europe Commissioner for Human Rights Thomas Hammarberg called on Turkey to take a series of major steps for the improvement of its treatment of minority religious communities.¹²

Throughout the year, the European Court of Human Rights handed down decisions materially affecting the lot of religious minorities in Europe. In *Ercep v. Turkey*, the court decided in favor of a Jehovah’s Witness plaintiff

seeking relief for his imprisonment and punishment for failure, as a conscientious objector, to report for military service. Despite rulings of the Court and findings of the Council of Europe, Turkey still adamantly refuses to make provision for alternative military service.¹³ In *Ligue des Musulmans de Suisse and others v. Switzerland*, the Court, to the surprise of many, found that plaintiffs effectively had no standing to seek relief from Switzerland’s 2010 constitutional amendment banning the construction of minarets.¹⁴ In *Association des Temoins de Jehovah v. France*, the court decided in favor of the Jehovah’s Witness plaintiffs to the effect that demanding back taxes in the amount of 57.5 million euros violated Article 9 of the European Charter of Human Rights concerning religious freedom.¹⁵ Perhaps most controversially, in *Laatsi and others v. Italy*, the Court found that the mere “physical presence” of crucifixes on the walls of public school rooms was “essentially passive” and not detrimental to non-Catholic pupils.¹⁶

Greek mistreatment of religious minorities – especially Protestants – continued to elicit comment. A Pentecostal plaintiff obtained an ECHR judgment in his favor when he appealed a four-month jail term and an 840 euro fine ascribed to him for “proselytizing” during a trial wherein a prosecutor reportedly mocked him as “having the peculiar enlightenment of the Holy Spirit” and admonished him against sitting in coffee houses “sharing his faith.”¹⁷ Muslims both inside and outside

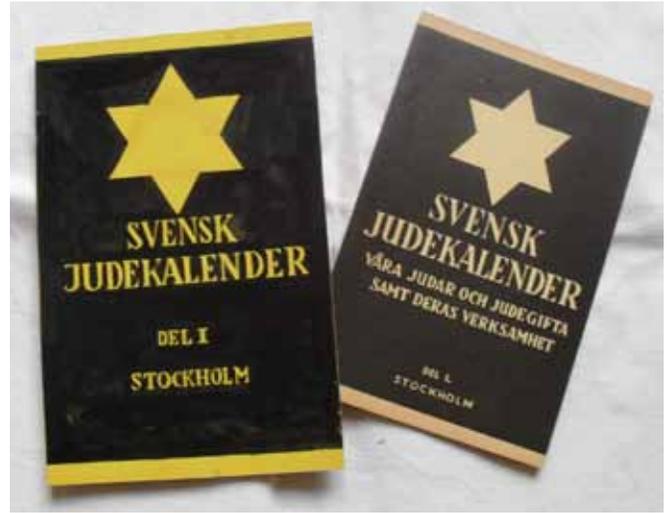


Muslims both inside and outside Greece continued to espouse the difficult circumstances of Thracian Muslims.
(Credit: Wikipedia)

Greece continued to espouse the difficult circumstances of Thracian Muslims who, under the now-repealed Article 19 of the Greek Nationality Code, had become stateless.¹⁸

Monitors of anti-Semitism expressed concern about several developments, including the burning of a synagogue in Corfu in April, the continuing exodus of Jews from several countries where anti-Israeli sentiment is strong, including especially Sweden, and the publication in December by the City of Warsaw of a promotional calendar containing an early-twentieth-century poster encompassing virulently anti-Semitic symbolism (including rats with temple-locks and skull caps). When the matter was brought to their attention, Warsaw authorities apologized and blocked further distribution of the calendar.¹⁹ Jewish and religious-freedom advocates were pleased to observe the proceedings and results of a conference in March hosted in Prague by the Organization for Security and Cooperation in Europe (OSCE) on means of confronting anti-Semitism in public discourse.²⁰ Reaction was positive also to the February 27 convening in Rome of a session of the Catholic-Jewish Liaison Committee for Interreligious Consultation, which issued a strong call for Catholic-Jewish cooperation on behalf of religious freedom worldwide.²¹

Ambivalent reactions to legislation concerning hate speech and its implementation surrounded both prominent and obscure court cases. In June, at the conclusion of his second trial for incitement of violence against Muslims, Dutch parliamentarian Geert Wilders was acquitted. The decision drew criticism from



Anti-Israeli sentiment is strong, especially in Sweden.
(Credit: www.warrelics.eu)

advocates of reconciliation and understanding and praise from some free-speech advocates. An Austrian court judgment against Elisabeth Sabaditsch-Wolff, who was assessed a fine of 480 Euros when she made accusations against the Prophet Mohammed in connection with his marriage to a young girl, elicited criticism from civil libertarians.²²

There was progress in the restitution of communal properties seized from both majority and minority religious communities in two formerly-communist countries. In the Czech Republic agreement in principle was reached on 56 percent of the properties on a list earlier agreed among negotiators. (A final, binding decision on the matter came in early 2012.) In Lithuania, during November, Jewish negotiators made substantial progress on coming to terms with restitution and/or compensation with respect to an agreed list of Jewish properties.

LATIN AMERICA AND THE CARIBBEAN

Geographic Reach: All of the countries of the South American continent, Central America and Mexico, and the Caribbean.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Residual Catholic privilege:** *Six countries in the region maintain concordats or other agreements with the Vatican which enshrine discriminatory privileges for the Roman Catholic Church.*
- **Harassment of religious communities by central or regional governmental authorities:** *Active, oppressive governmental measures against religious communities are widespread in several regions.*
- **Onerous registration regimes:** *Registration regimes in several countries burden minority communities.*
- **Weak governance:** *Inability to enforce universal human rights particularly affects minority religious communities.*
- **Banning and official shunning:** *Specific minority communities in several instances are legally banned.*

Changes in the religious demography of the region continued, as did the overall, increasing embrace of freedom for religious minorities. In Brazil, for example, a number of Protestant minorities increased their ranks, and the country hosted major public events espousing religious liberty. Both Cuba and Venezuela continued to inspire concern. Majority and minority communities established new channels of understanding and cooperation in southern Mexico. At a session of the Latin American Parliament and elsewhere, representatives vowed to combat anti-Semitism, although Jewish communities continued to watch developments closely – especially the increasing embrace by populist governments of Iran and its leadership.

KEY DEVELOPMENTS

Minority religious communities continue to flourish in this region, and a “healthy competition” among religious communities for adherents is thriving. Roman Catholic leaders in Brazil, for example, looked forward to a 2013 Papal visit as an opportunity to strengthen Brazilian Catholics’ pride in their Church and tradition even as

change in the growth patterns of some Protestant bodies became evident. Growth of Pentecostal communities appeared to slow, while that of “traditional” Protestant bodies like the Baptist, Lutheran, and Methodist churches accelerated – as did the ranks of Brazilians leaving Christianity altogether.¹

During 2011, several major public events championed the cause of religious freedom, especially for minorities. On June 9, a Religious Freedom Symposium in Sao Paulo drew 200 religious leaders, lawyers, and activists. Organized by the Brazilian Association for Religious Freedom and Citizenship, the event was widely inclusive.² On September 18, religious leaders and the public participated in Rio de Janeiro’s fourth annual Religious Freedom Walk “against all forms of intolerance, against prejudice, and against hatred.”³ On July 16 in southern Mexico, a Religious Liberty Forum brought together Protestant, Catholic, and governmental leaders to spotlight local challenges to religious freedom, especially those facing minority communities.⁴ From December 3-5, high-ranking and influential participants in a B’nai

Birth Policy Conference in Montevideo discussed a range of issues important to Jewish communities. Addressed by former Chilean President Frei and other dignitaries, the Conference explored a wide range of topics touching on attitudinal and social development and the particular challenges facing the region's Jewish population.⁵

Religious-freedom and minority-community advocates found the most numerous and greatest causes for concern in Cuba, although some noted at least a few positive trends and developments there, as well. Visiting Creighton University in Omaha, Cuban Cardinal Jaime Lucas Ortega y Alamino stressed the value of Church-state dialogue as it had developed since the accession to power of Raul Castro. The dialogue, the Cardinal held, has allowed the Church increasingly to focus seriously on "humanitarian and public missions."⁶ Major American religious organizations hoped to make progress via strengthened engagement. The U.S. Conference of Catholic Bishops took a formal position in 2011 in opposition to the United States' long-held policies of embargo and travel restriction, and the U.S. National Council of Churches, visiting Cuba for consultations with the official Cuban Council of Churches, expressed a similar disposition.⁷

Representatives of religious communities awaited results of these and other efforts, and numerous religious-freedom and human-rights advocates remained unconvinced that there would be any. On December 3, despite appeals by former President Carter and others, the second anniversary of Jewish-American civil-society worker Alan Gross' imprisonment rolled around. A few religious-minority prisoners were released, including, in April, Dr. Oscar Biscet, who had served seventeen years of a twenty-five year sentence. Contrary to expectations, Biscet was not forced into exile and was allowed to continue his residence in Cuba.⁸ Apostolic Pastor Omar Gude Perez, released after three years of a six-and-one-half-year sentence, was denied permission to leave Cuba, although his family was given exit visas for the United States (of which they did not make use).⁹

Most minority-community representatives were still skeptical concerning prospects for positive change in Cuba. Advocacy organization Christian Solidarity Worldwide (CSW) reported that other Apostolic adherents in Gude's Camaguey home district were threatened with imprisonment, and that a Baptist pastor in Santa Clara province, Mario Felix Leonart Barroso, was placed under house arrest.¹⁰ CSW also reported that Cuban officials visited the large First Baptist Church in Holguin to announce that the Church's buildings were scheduled for seizure.¹¹ Most Protestant community leaders agreed that the Apostolic Church in particular has come under increasing pressure. Office of Religious Affairs Director Caridad Diego Bello reportedly specifically avowed the state's intention to clamp down heavily on Apostolic communities across the island.¹² In CSW's analysis, 2011 saw progress in state-Roman Catholic dialogue and in the registration and legalization of at least "some" of Cuba's many house churches. On the other hand, the organization noted, both registered and unregistered religious communities experienced a significant increase in visits from security, government, and Communist-party representatives, often urging that individual adherents who had incurred official disfavor be separated from communities.¹³ Minority community leaders are mindful of the state's many options for repression. The famed Ladies in White who have long demonstrated on behalf of political prisoners and prisoners of conscience have been the victims of well-orchestrated mob attacks in Santiago de Cuba and elsewhere, and minority communities and their leaders can easily suffer the same fate.

In Venezuela, several of the instruments created by the Chavez administration in earlier years continued to hang unimplemented over both majority and minority religious communities. While legislation creating "communal councils" would presumably empower them to oversee and investigate religious schools, they have not yet been known to do so. Legislation empowering the government to confiscate "historic" church property has also gone unimplemented.¹⁴ As the United States Commission on International Religious Freedom



The above graffiti in Venezuela reads: "Jews, I defecate on your star."
(Credit: heebonics.blogspot.com)

has reported, there have been no concrete results of investigations previously announced into 2009 attacks on the Tiferet Israel Synagogue in Caracas and on the Arch-Bishopal Residence.¹⁵ In June, Catholic bishops issued a seven-point statement concerning attacks, especially upon church sculpture, in Lara state and elsewhere, noting that they came in a wider and continual context of attacks upon both Catholic and other Christian "persons, places, and symbols."¹⁶

In Venezuela and elsewhere, shrinking Jewish communities continued to express misgivings about their prospects. B'nai B'rith, the Simon Wiesenthal Center, and other organizations joined the Jewish Community Federation of Venezuela in expressing alarm over the use of state media to spread anti-Semitic propaganda. On April 4, commentator Cristina Gonzalez of National Venezuelan Radio, in the course of her program, *La Noticia Final*, advised listeners to procure and read the fraudulent and anti-Semitic *Protocols of the Elders of Zion*. On October 26, the television program *ContraGolpe* aired an interview with Argentine Professor Saad Chedid in which he denied the historical veracity of the Holocaust

and excoriated Zionism.¹⁷ Venezuelan Jews continue to express concern about evidence of strengthening diplomatic and other ties between Venezuela and Iran. Bolivian President Evo Morales apologized to the Argentine Jewish community for inviting to Bolivia the Iranian Defense Minister, who also allegedly figured in the 1994 bombing of a Jewish Community in Buenos Aires.¹⁸ A poll conducted and published in 2011 by the Gino Germani Institute of the University of Buenos Aires showed that large segments of the Argentine public entertain very negative views of Jews as prospective neighbors, marital partners, or participants in political life.¹⁹

In Mexico, minority-community attention focused primarily on Chiapas and the country's south, where highly traditionalist officials and members of the public have directed violence against Seventh-day Adventists and Evangelical Christians. In September, Catholic, Protestant, and governmental representatives in San Rafael Tlanalapan signed an agreement concerning improved relations. The agreement came on the heels of threats to "lynch and crucify" Protestants, the gunning down of a Seventh-day Adventist family which was traveling to church, threats to expel Protestant families, arguments between minority communities and officials concerning water connections for churches, and other discord.²⁰

Economies in much of Latin America and the Caribbean performed better in 2011 than did economies in many other parts of the world, and middle classes strengthened and grew. Respect for the rule of law and the rights of religious minorities continued generally to improve, despite drug violence in Central America and Mexico and retrogressive effects of populist policies in some countries.

THE MIDDLE EAST AND NORTH AFRICA

Geographic Reach: The region encompasses Middle Eastern countries spreading westward from Iran (not including Turkey) and African countries along the Mediterranean littoral as far west as Western Sahara.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Constitutional establishment:** *Most governments have either constitutionally adopted a state religion or describe themselves in terms of a religious identity.*
- **Banning:** *Outright bans on various minority religions are common in the region.*
- **Impunity:** *Extensive violence committed against minority religious communities frequently goes unpunished.*
- **Religious identity as a basis for full citizenship:** *In numerous societies, a strong cultural association exists between full citizenship and religious identity.*
- **Strictures adversely affecting women and children:** *In a number of countries, marriage, divorce, and custody laws discriminate against women. Minority religious communities may face severe restrictions in trying to operate a school, import texts, or provide religious instruction to their children.*
- **Travel restrictions:** *Several countries restrict minority access to travel documents.*
- **Emergency legislation:** *Marshal law has prevailed for long periods in some countries, enabling authorities to undertake extra-judicial arrests and similar actions.*
- **Involvement of intelligence personnel in the administration of religious-community affairs:** *Intelligence officials in several countries monitor, detain, and harass minority-community adherents.*

The profound political, social, and cultural changes associated with the “Arab Spring” reverberated throughout the region. As the year ended, governments, majorities, and minorities all continued uncertain where the wave of change might eventually lead them. Minority religious communities, especially Christians, became fearful, especially following violence in October directed against Coptic Christians in Egypt. Many Christians in the region either emigrated or pondered doing so, and there was talk of a “litmus test” for the entire Arab Spring with respect to the fate of Christians. The rise of moderate Islamist political parties in several countries held ambiguous implications for minorities. Political analysts saw a shift in power in the region away from

authoritarian rulers who, ironically, had provided some measure of protection for religious minorities – even as they denied their citizens civil and political liberties – toward an alignment of regimes and organizations which reject Western culture and universalist human-rights doctrine. Iran continued its systematic and oppressive treatment of minority religious communities. Iraq, both before and after American military withdrawal, provided little protection for the country’s dwindling minorities. An especially striking aspect of a year of dramatic change in the region was the regression it saw in the rights of women – including their religious-freedom rights – as the reformers who initiated the process of change lost ground to Islamist parties.



“Pay attention! One blood, one nation!” – Tahrir Square protester.
(Credit: *Al Jazeera - English*)

KEY DEVELOPMENTS

In one of this Report’s Expert commentaries, Ambassador Akbar Ahmed provides his perspective on change in this region. The First Freedom Center’s own monitoring of trends showed, at year’s end, pervasive uncertainty among both protagonists and observers as to the overall, eventual impact and nature of the “Arab Spring.” Members of religious and ethnic minorities and analysts who follow issues of violent religious extremism feared a strengthening of Salafis and other hardliners at the expense not only of former dictators and their supporters but also of the secular reformers who had been so active in originating change.¹ The latter expressed increasing frustration and anger as 2011 wore on. Socialists and human-rights demonstrators in Libya denounced on November 2 the “high-jacking” of the Libyan revolution by Islamists and “U.S. militarism.”² *Le Monde Diplomatique* Editor Alain Gresh wrote, in a December article for London-based *Middle East Online*,

of a power shift toward “resistance” advocates like Iran and Hezbollah.³ Other analysts commented on the relative “loss of standing” of the United States, Europe, and Israel and saw in the realignment cause for concern about human rights and religious freedom. Elizabeth Prodromou of the United States Commission on International Religious Freedom emphasized that, with the fall from power of authoritarian rulers, the region’s overall lack of civil and political liberties made life for religious minorities uncertain.⁴

Elections in Egypt, Tunisia, and Morocco saw significant gains for Islamist parties – the Egyptian Muslim Brotherhood’s Freedom and Justice Party, Tunisia’s Ennahda movement, and Morocco’s (still minority) Justice and Development Party. Minority communities worried that these parties might enter into coalitions with – or otherwise make eventual common cause with – Salafists and other hardliners. They worried also as to the position these parties might eventually take on the role and nature of Shari’a law. Egypt’s Salfist Sheikh Shahat, for his part, worried that the Freedom and Justice Party was interpreting Islamic law and principles too loosely.⁵ Secular reformers and religious minorities also watched with some anxiety the evolving relationship between Freedom and Justice and Egypt’s transitional military rulers.

Although articulate Muslim feminists like *Al Hayat* columnist Raghida Dergham argued that the “Arab Spring” offered a unique opportunity to change fundamentally the standing of women in predominantly Muslim lands, they did not prevail. Islamist opinion helped to exclude women entirely from an Egyptian committee preparing amendments to the country’s constitution, and the efforts of Islamic women to secure guarantees of representation in parliaments largely failed. “Moderate” or not, rising Islamist political parties at year’s end had yet to offer convincing evidence that they had agreed to international standards of non-discrimination against women and minorities.

What change meant for Christians specifically was at the heart of the uncertainty. Archbishop of Canterbury Rowan Williams, addressing the House of Lords in December, said the region's Christians were "more vulnerable than they have been for centuries" and that their fate provided "a litmus test for the Arab Spring."⁶ His comments came in the wake of the killing of twenty-seven Coptic Christians in Cairo October 9 when they assembled to demonstrate against the burning of a Coptic church in Aswan. On October 16, in the Upper Egyptian town of Mallawi, Coptic Christian seventeen-year-old Ayman Nabil Labib was beaten to death by Muslim school-mates, possibly incited by a teacher. Following these events, Egypt's military leaders rushed through a new anti-discrimination law, but the lack of prosecutions of anti-Christian violence seemed to Copts to hollow the gesture.⁷ The Swiss-based Christian human-rights group Christian Solidarity issued a "genocide warning" for Christians and other minority religious communities in the Middle East. After Pope Benedict XVI spoke publicly of "a strategy of violence that has Christians as a target," Cairo's Al-Azhar Sunni Muslim Center broke off dialogue with the Vatican.⁸ Coptic Christians who had favored Mubarak's remaining in power shifted their loyalties to the secular Egyptian Bloc.

In Syria, where the outcome of protest and revolution remained undecided, the relationships among religious communities were unclear also. Syrian Christians appeared to want Bashar al-Assad to remain in office but democratize and reform. Assad's minority Alawite community found itself in increasingly violent conflict with Sunni Muslims, including those in the Free Syrian Army. Syria joined other countries in the region in clamping down hard on the use and reach on the Internet, mindful as its leaders are of the use of social media and e-mails by organizers of events in Tunisia and Egypt in early 2011.

Israelis watched change fearfully, mindful that groups like the Muslim Brotherhood have a long history of antipathy toward the Jewish state and that any change which threatens to empower Salafists might pose risks to

Israeli security interests. Following border confrontation with Egyptians near Eilat and the removal by mobs of the flag displaying the Star of David from the Israeli Embassy in Cairo, Israel's Jewish leaders worried increasingly about the survivability of negotiated agreements with the country's neighbors. The incident at the Embassy in Cairo, during which an invading mob posed a physical threat to the safety of Embassy personnel, focused Israeli public opinion. In a climate of increasing uncertainty, some hard-line Israeli leaders took nationalist positions concerning Israel's own composition, demanding "loyalty" from its Muslim Arabs. In January, Israeli Foreign Minister Avigdor Lieberman, head of the Yisrael Beteinu party, advocated stripping "disloyal" Israelis of their citizenship, and his formulations were taken by Muslim Arabs and many outside Israel as being directed toward Israel's Muslim minority. West Bank settlers and other Israelis challenged Israel's laws, police, and army with so-called "price-tag" attacks meant to respond to incidents and attacks against Israelis, including rocket attacks coming from Gaza. In October, a mosque in the northern-Galilee town of Tuba-Zangariya was torched and sprayed with graffiti declaring that the attack came in retaliation for the murder of Israeli Asher Palmer and his nine-month-old son. Jewish Israelis joined Arabs in demonstrating against the violence, which Prime Minister Netanyahu denounced.⁹ On December 14, vandals attacked a disused, twelfth-century mosque in Jaffa, a firebomb was thrown at a synagogue there.

Between the beginning of the Iraq war in 2003 and the withdrawal of American forces in December, some two-thirds of the country's Christians left. Minority communities under stress and rapidly depleting include Chaldean, Syriac, Assyrian, and Circassian Christians, Baha'i, and Sabian Mandeans. A Minority Rights Group International report issued in November stressed that these minorities lack proper access to employment, health care, education, and safety for the practice of their cultures and faiths.¹⁰ Chaldean Catholic officials, fearful after Christmas-time attacks in 2010 on Assyrian Christians, cancelled all Christmas Eve observances in



Followers of the Sabian Mandaean faith in Iran have been forced into exile as their religion is not recognized in the Islamic republic.

(Credit: Reuters)

Baghdad, Kirkuk, and Mosul.¹¹ Before and following American withdrawal, inter-communal and inter-ethnic violence in Iraq increased, and the country's Sunni minority became increasingly fearful that the Maliki government intended locking them out of proportional political representation.

Neighboring Iran's theocratic leaders worried intensively about the prospect of democratic and reformist change spreading into their land. They clamped down on religious minorities. The U.S. Commission and the Department of State singled out Iran in their reports on religious freedom as an egregious violator. Heiner Bielefeldt, United Nations Special Rapporteur on Freedom of Religion or Belief, noted that Iran's "systematic" persecution of Baha'i was among the world's most "extreme manifestations of religious intolerance and persecution."¹² Penelope Faulkner of the European Platform on Religious Discrimination and Intolerance told the European Parliament in May that Iranian Baha'i continued to "lose their rights, their livelihood, and, in many cases, their lives."¹³ This Report's section on prisoners makes clear the extent to which the country incarcerates minority adherents. It discusses the case of Christian convert Youcef Nadarkhani. Facing death for "apostasy," Nadarkhani attracted world-wide sympathy and attention. Iran's oldest faith community, the Zoroastrians, despite official recognition of their religion, faced continuing harassment. In a November CNN interview, Indiana University Professor Jamsheed

Choksy noted the continual disruption by Revolutionary Guard troops and others of Zoroastrian funerals.¹⁴ A June Amnesty International report noted Iranian oppression of Christian converts, Sunni Muslims, dissident Shi'a clerics, Al-e Haq, Dervishes, and Baha'i.¹⁵ In December, authorities in Ahwaz reportedly detained an entire Assembly of God congregation, including children attending Sunday school.¹⁶

Saudi authorities clamped down as well. In November, King Abdullah reminded Saudis of their "duty" to convert all non-Muslims to Wahabism.¹⁷ From January into June, two Indian Pentacostalists who had participated in a house church prayer meeting in Riyadh were reportedly imprisoned in difficult conditions before being expelled from the country.¹⁸ The U.S. Commission and others noted that, reform promises to the contrary, Saudi textbooks continue to teach hatred of non-Wahabi religions.

Change brought restiveness to Shi'a and other minority communities in Gulf States. Shi'a demonstrated largely peaceably in Kuwait. The "majority-minority" Shi'a of Bahrain demonstrated sufficiently extensively that Bahrain's leadership, assisted by Saudi forces, quelled their activities and arrested a large number of them – as well as doctors and other persons who provided them humanitarian or other assistance. The Bahraini government and Sunni population continued to harbor fears of Iran exerting influence through the Shi'a community.

In Lebanon, the season of change evoked Christian anxiety. Maronite Patriarch Beshara Rai expressed his fears for the fate of all Christians in the Middle East if the Arab Spring should bring "radical groups" to power.¹⁹ Further west in Libya, tiny Coptic and other foreign-Christian communities dwindled further still. The mostly Egyptian-Christian church in Benghazi shrank from about 1,000 persons to forty. Tripoli's Anglican Church weathered the season of change and the taking of the city by rebel forces.²⁰

NORTH AMERICA

Geographic Reach: The United States and Canada

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Denial of rights claims:** *Native Americans have persistently failed to prevail when they make legal claims regarding the protection of sacred lands and practices.*
- **Evolving concepts of church-state relations:** *Inconsistent court rulings have left a muddled understanding of some “free expression” accommodations.*

Our survey of developments concerning minority religious communities in North America during 2011 shows a continual evolution of the laws, norms, and regulations surrounding accommodation of minorities. In both Canada and the United States, much – but by no means all – of the focus has been upon Islamic minorities. In the United States, religious freedom advocates have engaged frequently on behalf of Islamic communities whose rights appeared to advocates to be at risk. In Canada, government actions and court cases have been defining the parameters of Islamic-community existence – often against a background of public debate. In both countries, there has been strong focus on the relationship between religious liberty and forms of marriage, including those associated with minorities, on religious symbols and activities in public space, and on the relationship between the religious freedom of minorities around the world and the conduct of foreign policy.

KEY DEVELOPMENTS

In March, Florida pastor Terry Jones inflamed opinion both in the United States and around the world when, wearing a judicial robe, he declared the Holy Qur’an “guilty of crimes against humanity” and ordered it burned. As the year ended, American media reported the decision of the Lowe’s hardware chain to remove its advertising from a cable reality program entitled

All-American Muslim, allegedly at the behest of the Florida Family Association, which felt that the program obscured “the Islamic agenda’s clear and present danger to American liberties and traditional values.”¹ The continued strengthening of popular ambivalence and antipathy concerning Islamic minorities in the United States figured in debates about proposed laws in Oklahoma, seeking to prohibit consideration of shari’a in judicial matters and, in the case of the Tennessee proposal, criminalizing the following of shari’a as a threat to homeland security. At year’s end, judicial appeal against the Oklahoma law was still underway, and the Tennessee law had not yet been passed. The Council for American-Islamic Relations urged that Tennessee and national Republican-party leaders demand the resignation of Tennessee State Representative Rick Womick for calling on Muslim-Americans to “go back to where they came from” if they failed to support his call for the removal of all Muslims from U.S. military forces.²

On September 21, organizers opened the doors of a portion of the proposed Lower Manhattan Islamic Center near the Ground-Zero site of the 9/11 attacks.³ Controversy and debate concerning the project continue. In November, the wider project became ensnared in a rent dispute threatening access to a portion of the proposed site.⁴ The Pew Forum on Religion and Public Life



Pastor Terry Jones has inflamed opinion by declaring the Qur'an should be burned.
(Credit: www.dailytitan.com)

reported in September that it had documented thirty-seven proposed mosques and Islamic centers around the United States which had encountered community resistance during the preceding three years.⁵

The American Civil Liberties Union identified nine major areas of concern in conjunction with its efforts to preserve the religious freedom of Islamic minorities. These included attempts to ban *shari'a*, opposition to the opening of mosques and community centers, police and law-enforcement infiltration of religious communities, discrimination based on appearance and clothing, legislative hearings on the “radicalization” of American Islam, violations of the Constitution in the administration of the “No-Fly List,” FBI mapping of communities and businesses based on ethnicity, and invasive questioning at borders.⁶ On November 25, Ibrahim Hooper of the Council for American-Islamic Relations formally requested that the FBI investigate threats to kill Muslim Americans and to destroy mosques, which had appeared on the anti-Islamic website *Bare Naked Islam*.⁷

The Toronto District School Board came under criticism for its decision to allow an Imam to conduct Friday prayers in a public school that is 80-90% Muslim.⁸ Opponents of that accommodation contrasted the extent to which Canadian courts and officials across the country had acted to prevent the conduct of specifically Christian or other religious instruction or worship in schools and public places. On December 12, Canadian

Immigration Minister Jason Kenney rendered a binding decision that, during naturalization proceedings, at the point of taking the oath of loyalty, women uncover their faces, including those wearing the niqab as a voluntary religious practice.⁹ On December 8, the Canadian Supreme Court heard oral arguments in a case, *R v. N.S.*, which turns on the desire of a victim of sexual abuse not to remove her *niqab* during testimony. Defendants in the case have argued that the right to a fair trial, including confronting the facial expressions of a prosecution witness, outweighs considerations of minority religious freedom.¹⁰

Courts in both countries rendered important decisions in cases involving the practice of polygamy among members of the Fundamentalist Church of Jesus Christ of the Latter Day Saints (FLDS). On August 4, a rural Texas jury convicted Warren Steed Jeffs, President and Prophet of an FLDS community on two counts of child sexual assault, despite his argument that prohibiting polygamy would violate his religious-freedom rights.¹¹ The case intensified public discussion of putative relevance of decisions regarding same-sex marriage to polygamy, and vice-versa. California U.S. District Judge Vaughn R. Walker’s August, 2010 decision that a state constitutional amendment banning same-sex marriage was contrary to the Federal Constitution because it was premised on “religious” considerations had already stirred arguments that permitting same-sex marriage would ultimately remove barriers to the recognition of polygamous marriage. Following the Jeffs decision, several commentators argued that, eventually, pressures for the decriminalization of polygamy would prevail. Public debate intensified further after the Obama Administration announced that it would no longer defend in U.S. Courts the Defense of Marriage Act.¹² On November 23, British Columbia Chief Justice Robert Bauman ruled that Canada’s anti-polygamy law should stand and is consistent with the Canadian Charter of Rights and Freedoms. His decision came in a case brought by two FLDS bishops who complained that the law violated their religious freedom.¹³

In the United States, majority religious communities complained that their rights were being eroded and that, by implication, those of all other religious communities – including minority communities – were being weakened as well. The United States Conference of Catholic Bishops complained that American religious freedom is being “whittled away” by policies on same-sex marriage, abortion, and health care. It drew attention to a New York town clerk who faced legal action because, following that state’s legalization of same-sex marriage, he refused to officiate at a single-gender wedding.¹⁴ In October, the Supreme Court heard oral arguments in *Hosana Tabor v. EEOC*, in which the Evangelical Lutheran Church as petitioner argued that its rights under the “ministerial exception” were being curtailed because it was being denied freedom of employment choice in cases of “called” teachers approved for its religiously-denominated school by the entire congregation.¹⁵

Both countries concerned themselves with the issue of religious activity and expression in public space. A Marine Corps ruling on the matter of a memorial cross (or rather a third replacement memorial cross), to which a community of atheists and free-thinkers have objected, is expected in early 2012.¹⁶ To accommodate Wiccans and other “earth-based” believers, of which there are three registered among its student body, the United States Air Force Academy constructed a stone-circle worship facility on Academy grounds, in addition to the Academy’s non-denominational chapel, at a cost which critics estimated at \$80,000. On November 4, the City of Montreal fined a Catholic lay leader \$144.00 in consequence of the lay group’s rental two years earlier of a public hall, where they viewed an inspirational video and thus, in the City’s view “inappropriately” conducted a worship service in public space.¹⁷ Having invited two representatives the World Sikh Organization to make presentations before the Quebec National Assembly, officers of the legislature expressed embarrassment when parliamentary security officials denied them access to the chamber because their religious costume encompassed ceremonial daggers.¹⁸

In both Canada and the United States, governments and legislators struggled with the institutionalization of issues of minority-community rights in the conduct of foreign policy. Canadian Foreign Affairs Minister John Baird announced that the Foreign Affairs Department would set up an Office of Religious Freedom. Panels and expert witnesses participating in the implementation of that initiative drew attention to controversies which had arisen out of actions undertaken under the aegis of the United States’ International Religious Freedom Act, to which critics had on occasion imputed a pro-Christian or pro-Evangelical bias. An internal briefing memorandum prepared for Minister Baird counseled that, during discussions of the initiative with Pope Benedict, he should avoid “controversial” Canadian subjects, such as the pending court case examining whether Roman Catholic parents in the Province of Quebec may withdraw their children from compulsory *Ethics and Religious Culture* instruction. Both critics and proponents of the office counseled that Canadians and their government would need clearer concepts of religious freedom and minority rights, including in Canada itself, if it were to function efficiently.¹⁹ In the United States, financial authorization enabling the United States Commission on International Religious Freedom lagged in the Senate until the issue was folded eventually into a Continuing Resolution on behalf of funding for the entire United States Government.

In both countries, demographic and cultural change continued to influence attitudes toward religious freedom and the rights of religious minorities. Younger Americans and younger Canadians continued their disassociation from established religious bodies. Among younger North Americans, religious affiliation became increasingly diverse and transitory. Some analysts asserted that these trends may be shifting public-policy focus away from religious-community rights and toward consensus building and mutual acceptance. Critics of that view stressed that rights remain universal and their strengthening critical and that the weakening of domestic support for freedom of religion and conscience threatened to weaken it world-wide.

THE FORMER SOVIET UNION

Geographic Reach: The region includes all now-sovereign states which were formerly constituent republics of the USSR, with the exception of the three Baltic States.

Structural Impediments

(These factors impinging negatively upon the circumstances of minority religious communities were identified in the First Freedom Center's 2011 Report.)

- **Discrimination against “non-traditional” religions:** *Official distinctions between “traditional” and “non-traditional” faiths create wide disparities between the two categories in legal, property, financial, and educational privileges.*
- **Controls on interaction with foreign co-religionists:** *Most countries exercise severe controls on the granting of visas to foreign religious workers, on travel abroad for religious purposes by adherents to religious communities, on the flow of funding for religious communities from foreign sources, and on the importation and distribution of religious literature.*
- **Restrictive and arbitrary registration regimes:** *Registration regimes are becoming more restrictive and unwelcoming for minority communities.*
- **Discrimination against religious “extremists”:** *Minority religious communities which authorities and publics disfavor are made subject to anti-terrorism and anti-“extremism” laws and policies.*
- **Soviet-era regulatory and monitoring bodies:** *Lineal descendants of Soviet-era security and regulatory organs and/or analogous, newly-created bodies often oversee the affairs and the suppression of minority religious communities.*
- **Lack of clarity and consistency in property matters:** *Restitution of previously nationalized communal religious property has been uneven.*
- **Rejection of international obligations and/or views of international organizations:** *Most countries in the region either re-interpret or ignore human-rights obligations encompassed by the Universal Declaration of Human Rights and related conventions.*
- **Impunity:** *Acts of violence, harassment, theft, and intimidation against minority communities and their adherents often go unprosecuted.*
- **Banning:** *Many religious communities are specifically banned.*
- **Controls on religious indoctrination of children:** *Several countries severely control the involvement of minors in religious activities.*
- **Officially tolerated hate speech:** *Public warnings from government leaders and official media about “sects” and “foreign religions” cast minority religious communities in an extremely negative light.*

Countries of the former Soviet Union regressed noticeably during the reporting period in their treatment of minority religious communities. Concerted efforts, both in legislation and in implementation and policing, to strengthen state regulation of what people believe, express, and share with respect to matters of religion and conscience made manifest the direct correlation between such authoritarian tendencies and severe weakening of the rule of law. Several countries which come under the purview of the Council of Europe and the European Court of Human Rights showed strong tendencies to ignore the court's rulings. Somewhat encouragingly, the Russian Supreme Court instructed prosecutors to construe the country's laws against "extremism" narrowly, but there was little evidence by year's end that the instruction had had impact. Somewhat more encouragingly still, an amendment to existing Georgian law on religious communities made possible the official registration and legalization of any religious community recognized by any other member government of the Council of Europe.

KEY DEVELOPMENTS

The climate for minority religious communities grew palpably worse in 2010 in all of the former Soviet republics save Georgia and the Baltics. The most powerful and influential of them, Russia, provided a paradigm. In a November analysis in *The Christian Century*, Jonathan Luxmore highlighted increasing police raids against communities, ever-expanding use against communities of laws against "extremism," coordination of approaches to minorities with leading figures of the Russian Orthodox Church, and a decline in the international community's willingness to hold Russia to account for its lapses as major points of origin for the current tightening of the state's grip.¹ Central Asian states also regressed. In a detailed review of religious freedom in Tajikistan prepared on the eve of the UN Human Rights Council's October Universal Periodic Review of that country, Forum 18 News Service found that proposed, pervasive new restrictions on religious activity by persons under 18 years of age



Woman being baptized by a Russian Orthodox priest in Sevastopol.
(Credit: 02warvara.wordpress.com)

(since passed into law), the targeting for prosecution of all religious activity on the parts of Muslims, Christians, Jews, Jehovah's Witnesses and others not expressly pre-approved by the state, wide-spread demolitions and closures of places of worship, outright bans on several communities, increasing limitations on the right to share beliefs, and tightening censorship – among other factors – had helped to worsen the climate for communities.²

To be sure, Tajik authorities confronted real terrorism, including a spate of actual terrorist bombings and clashes with militants, but, in Tajikistan, Russia, Belarus and elsewhere, laws intended nominally for the constraining of political terrorism provided an all-too-convenient mechanism for the repression of cultural and religious non-conformity. In the Caucasus, both Armenia and Azerbaijan tightened controls as well.

Growing authoritarianism translated into derogations from the rule of law in key areas:

- **Abuse of due process:** Police and security personnel across most of the region – sometimes specifically-designated anti-terror and anti-riot units – entered premises, searched places of worship, offices, and homes, and seized equipment, funds, and literature – without warrants. Sometimes during these raids, personnel reportedly resorted to unwarranted violence. In February, when Russian police arrested

Azeri national Rashid Abdulllov for reading the banned works of Islamic writer Said Nursi in Ulyanovsk, they reportedly committed violence against others, including children.³ Even considering that some evidence suggests that Nursi readers have in some instances been associated with separatism, the actions of security personnel in dealing with them seem difficult to justify. Some arrests were carried out without citation of an existent statute. Also in February, an Armenian prosecutor charged a Pentecostal clergyman with “obstructing the lawful professional practices of a journalist” when the pastor asked an inimical television crew which had invaded Sunday services to leave the premises.⁴ In July, Kazakh police arrested Protestant pastor Yerzhan Ushanov for “hypnotizing by prayer” a sick parishioner.⁵ In numerous instances, members of minority communities were informed of fines and punishments levied against them following court proceedings of which they had not been notified.

- ***Falsification of evidence:*** In Uzbekistan in August, defense attorneys offered extensive evidence and testimony as to the outright fabrication by the state of evidence alleging financial irregularities on the part of a Baptist community, to no avail.⁶ In the course of at least two raids on Jehovah’s Witnesses’ homes during the year, Kyrgyz police reportedly planted DVDs containing Islamic terrorist content, one featuring statements by members of the outlawed Islamic terrorist group Hizb-ut-Tahir.⁷
- ***Arrest without charge:*** According to the Russian human-rights center Memorial, Russian authorities increasingly during 2011 simply kidnapped without charge ordinary Muslims from the North Caucasus in order to demonstrate effective action against “extremists.” While it was unclear whether the victims caught the authorities’ eyes by virtue of their religion or of their ethnicity, the two appear to have become more or less conflated.⁸

- ***Threats to attorneys and contracting parties:*** According to Forum 18, Russian authorities “quietly” threatened defense lawyers with adverse actions affecting their careers during April cases involving Jehovah’s Witnesses and Nursi readers.⁹ In several instances, businesses providing services to minority communities in Russia and Central Asia were pressed by authorities to cease doing so.

Other questionable practices to which authorities reportedly made frequent recourse involved forced self-incrimination (e.g., requiring communities to complete questionnaires reporting how they had combated “extremism” within their own ranks, to call authorities at regular intervals for the same purpose, or to submit to police interviews without the filing in advance of charges and without benefit of counsel), the widespread denial of prison visitation rights, including by clergy (especially in Belarus), denial of medical care to persons imprisoned for religious “offenses,” the imposition of restrictions on travel and other activities of persons who had been acquitted of charges brought against them, and disproportionately heavy fines in multiples – sometimes as high as 100 – of the legal minimum monthly wage.

Overall worsening of conditions in most of the region arguably bespeaks a growing indifference to outside opinion. Russia began the year by attempting unsuccessfully to influence the Council of Europe to accept a Russian-created, twenty-five-point “Road-Map” document which would have closed out all outstanding COE concerns about religious freedom in the country.¹⁰ Like other countries in the region, during the ensuing year Russia effectively ignored several decisions of the European Court of Human Rights, views and recommendations of the Council of Europe and its Venice Commission for Democracy through Law, the Organization for Security and Cooperation in Europe and its Office for Democratic Institutions and Human Rights, and other bodies. Armenian officials promised during the year to take Venice Commission and ODIHR comments into account in revising

proposed, restrictive amendments to the country's laws on religion but apparently did not do so.¹¹ Russian authorities took no actions to comply with European Court of Human Rights decisions in favor of Jehovah's Witnesses and Scientology communities seeking registration and redress from heavy fines. In a major ECHR case involving the conscientious-objector status of Jehovah's Witness Vahan Bayatyan, the court decided that Armenia was in violation of its international obligation to provide alternative service. Armenian authorities claimed that draft regulations would remove alternative service matters from the control of the military, but human-rights advocates were not satisfied that they promised to do so.¹² Authorities in Azerbaijan appear to have ignored entirely an ECHR decision in the Jehovah's Witness conscientious objector case of Farid Mammedov.¹³

Russia, Kazakhstan, Azerbaijan, Armenia, and other countries in the region framed new laws and regulations during 2011, significantly increasing restrictions on minority communities. Russian draft legislation severely restricted the acquisition and distribution of religious literature, as did a new law in Tajikistan.¹⁴ The new Kazakh Law on Religion required re-registration of all previously-registered communities under restrictive circumstances requiring, for example, a minimum membership of 5,000 for recognition at the national level. The law restricts distribution of religious literature, the opening of places of worship, and the entry into the country of foreign religious workers. It requires that the founders of successfully-registered communities be/have been Kazakh citizens and bans communities which "encourage citizens not to carry out legal obligations."¹⁵ A new Azeri law may have been aimed at halting a re-registration process mandated and begun in 2009 and beginning it all over again. The law stipulates that, to qualify for registration, religious communities must show that they have fifty adult "founders."¹⁶ A new Tajik Law on Parental Responsibility bans participation in any religious activity except funerals by persons under 18 years of age.¹⁷



Tajik children may be banned from attending mosques and churches.
(Credit: centralasiaonline.com)

Without recourse to new legislation, Uzbekistan stood out as a major abuser of religious-minority rights. Authorities cracked down on everything from Bible imports to sales of previously-tolerated religious CDs and pamphlets. In their efforts to extirpate readers of works of the Turkish Sunni theologian Said Nursi, they expelled Turkish businesses and closed Nursi schools. They put hundreds of Muslims on trial without evidence and imprisoned more of their citizens for religion-related reasons than did officials of any other country in the region.

Both in practice and in legislation, countries in the post-Soviet region targeted the conditions and the process of registration as a means of controlling and stifling minority religious communities. Kazakh President Nursultan Nazarbayev made clear the objective of restricting and delaying registrations when he spoke during a public address of "one nation, one religion" and the need to create "order." Nazarbayev has referred to "sects" and "destructive religious movements" in his characterizations of minority communities.¹⁸ Russia's Human Rights Ombudsman, who reportedly believes that his country's criminal and administrative approaches to religious communities violate citizens' and organizations' rights, points to the failure to register the New Generation Church in Blagoveshchensk, among others, as an example of a violation.¹⁹ Azerbaijan has

so severely restricted registration that, by 2011, only some 150 individual religious communities in the entire country were registered.²⁰ Across the region, Council of Churches Baptists reject the validity of any registration requirement and refuse to apply on the principle that, under both international and individual-country norms, registration is an option for the procurement of legal personality but not a requirement for exercise of rights.²¹ This posture has gained individual Baptist communities little or no headway in fending off repression.

Denied registration, often despite pervasive and repeated efforts, not a few communities faced outright closing. Minority and majority communities in Kazakhstan saw the closing of prayer rooms in prisons, hospitals, and social institutions.²² Ahmadi facilities across Kazakhstan faced closing.²³ In Azerbaijan, the Turkish mosque in the Nakichevan enclave was first closed and then given to a Shi'a community. Other closings in the country involved places of worship with long and well-established histories.²⁴ Large-scale closing of mosques and churches took place throughout the year in Tajikistan.²⁵

Governments also, both in the legislative initiatives described above and otherwise, tightened their grips on religious literature. Russia effectively criminalized possession and distribution of all Jehovah's Witnesses literature.²⁶ Azerbaijan provided for five-year prison sentences for transgressions against the restriction of religious literature.²⁷

Anti-Semitic sentiment and actions remained pervasive. In Russia, at Rostov on Don, local authorities took a



Thousands of Jamat-ud-Dawa and Sipah-e-Sahaba militants participated in the anti-Ahmadi rally in Rawalpindi.
(Credit: *Pakistan Blogzine*)

decision late in 2011 to replace a memorial plaque to Jews killed in the Holocaust with one that mentions only “peaceful citizens of Rostov on Don and Soviet prisoners of war.” In May, in Dnipropetrovsk in Ukraine, vandals daubed a swastika on a monument to Holocaust victims in the city’s Yuri Gagarin Park. There were sporadic acts of anti-Semitic violence in Russia and elsewhere.²⁸

It has been the premise of this Report that treatment of minority religious communities provides an unusually accurate measure of countries’ and societies’ overall human-rights climates. The severe and increasing restriction in post-Soviet states of the rights of majority and minority faith communities and repression of their individual members during 2011 clearly delineates the overall growth of authoritarianism and movement away from universal human-rights norms in the region.

Prisoners

This year, we offer the innovation of a “representative list” of religious prisoners.
Most are members of religious minorities in their own lands.



Uzbek religious/political prisoners.
(Credit: *myspace.com*)

PRISONERS

No advocacy or monitoring organization – and, to our knowledge, no government – maintains or attempts to maintain a representative list of persons in prison because of their exercise of rights guaranteed under the United Nations Charter, the 1948 Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, or other binding international documents, as confirmed by the Vienna Declaration and Program of Action – or for advocating those rights. As a practical matter, it is not possible accurately to ascertain the totality of persons wrongfully imprisoned, especially in countries like North Korea and Somalia or, for that matter, to obtain complete and reliable information about those who have been released from confinement. Suffice it to say that hundreds of thousands of persons around the world are imprisoned for religious-freedom-related reasons and that, because of the vast extent of this phenomenon, it represents one of the most grievous human-rights outrages on earth.

Imprisonment remains widespread, however, and in some countries – certainly in China and in Iran – it is on the increase. One cannot argue, or even illustrate effectively, by simple analogy, but it is at least interesting to contemplate the Committee to Protect Journalists' 2011 finding that there had been a twenty-percent increase in the imprisonment world-wide of journalists, year-over-year, since 2010.¹

The First Freedom Center, mindful that it is the individual circumstances both of minority religious communities and of their individual members which most concretely illustrate deficiencies in the performance of governments and regimes, has compiled a representative list of persons who, according to available evidence, have been imprisoned because they exercised internationally guaranteed rights – whether of free exercise of religion or of advocacy of minority human rights. We by no

means consider it exhaustive. Nor, given the difficulties we and our sister organizations experience in amassing and analyzing data, do we assert that it is unfailingly accurate in all of its details. We do, however, believe that imprisonment is an especially important indicator of overall oppression and denial of rights. Governments and regimes (such as the al-Shabaab network exercising effective authority in much of Somalia) resort to imprisonment first and foremost to deter the exercise of rights by minorities and to instill fear among their wider populations. By so doing, they demarcate their own distance from compliance with international human-rights obligations.

We divide our list into two parts: prisoners in authoritarian countries and prisoners in culturally and religiously intolerant countries. The categories overlap, but the motivations for imprisonment and oppression differ between the two. Burma/Myanmar is an authoritarian country with a Theravada Buddhist majority, possibly engaged in a process of reform. We adjudge its motivations in imprisoning opponents, the most prominent of whom have themselves been Buddhists, as authoritarian. Iran is a largely authoritarian country organized as an Islamic state. Its widespread imprisonment of Baha'i and Christian Iranians who do not participate in political activity arises, we believe, primarily out of religious intolerance.

Sources for information concerning prisoners and imprisonment are uneven in quality. They vary from well-established human-rights monitoring organizations like Amnesty International and Human Rights Watch to denominational monitors to blogs. We have scrutinized sources to the best of our ability and, in most cases, have been able to verify the assertions of sources we cite with at least one other report available to us either on the Internet or by other means.

PRISONERS IN AUTHORITARIAN STATES

ARMENIA

Armenia has, as a member of the Council of Europe, several times espoused the objective of bringing its practices in the matter of conscientious objection into compliance with decisions of the European Court of Human Rights and with recommendations of the Council's Venice Commission



Andranik Makvetsyan

for Democracy through Law. It has not yet done so, and the Armenian government's treatment of Jehovah's Witnesses, both in the matter of military service and otherwise, remains problematic. On November 28, a court in Yerevan sentenced **Andranik Makvetsyan**, a Jehovah's Witness, to six years in prison on a charge of "disrespectful behavior against the Armenian Church and Armenian Society," arising, apparently, out of the accused's public preaching activities.²

Azerbaijan stands in a comparable posture with respect to Witnesses and the findings of pan-European bodies to which it is subject. In March, an Azeri court sentenced **Farid Mammedov** to nine years imprisonment for failure to meet his military service obligations.³

BAHRAIN

Bahrain's response to unrest among its Shi'a populace during 2011 resulted in numerous detentions, notably of health workers, lawyers, and demonstrators. Among the



Dr. Abdul Jalil Al Singace

most prominent was that of **Dr. Abdul Jalil Al Singace**, an advocate of Shi'a rights and a spokesperson for the Bahraini human-rights organization Haq, who was arrested in August following his return from a conference in the British House of Lords on human rights in Bahrain. Accused of leading "sabotage cells," he awaits in prison a determination as to whether he will face the death penalty.⁴

BURMA/MYANMAR

Released after the close of the reporting period for this report, **Ashin Gambira**, Buddhist Monk and a leader of the 2007 "Saffron Revolution," endured solitary confinement, sleep and food deprivation, beatings, and other mistreatment during his imprisonment at the Insein Detention Facility. He advocated the rights of all Burmese, including those of the Rohingya Muslim and Kachin Christian ethnicities.⁵

CHINA

Chinese arrest, harassment, and imprisonment of both secular and religious dissidents increased markedly during 2011. For the outside world, the continuing detention of Nobel laureate human-rights and



Liu Xiaobo
(Credit: Voice of America)

religious-freedom advocate **Liu Xiaobo**, a key drafter of the Charter '08 human rights manifesto and author of more than 800 essays on the rights of Chinese citizens and believers, was of enormous interest. Christian dissident **Yu Jie**, Mr. Liu's good friend, was under house arrest and confinement until, after the New Year, he was released for travel to the United States. He reportedly experienced beatings, cigarette burns, and other forms of physical abuse. Mr. Yu recalls a December, 2011 conversation with a state security officer who claimed that there were no more than about 200 "intellectuals" in the country who oppose the Communist Party and that the state can "capture them all in one night and bury them alive."⁶

The Cardinal Kung Foundation and other Roman Catholic organizations reported the continuing imprisonment of prelates and parish priests unrecognized as such by the government because of the prisoners' acceptance of Papal authority. Bishops include **Shi Enxiang** of Yixian and **Su Zhimin** of Baoding. Priests include **Father Huo Junlong** of Baoding, **Father Jiang Yanli** of Qing Yuan,

Father Liu Hong Geng of Baoding, **Father Lu Genjun** of Baoding, **Father Ma Wuyong** of Baoding, **Father Pang Guangzhao** of Baoding, **Father Wang Quanjun** of Baoding, and **Father Wang Xiongwei** of Qing Yuan.⁷ To these, the Vatican added, in its January, 2012 appeal to Chinese President Hu Jintao, **Monsignor James Su Zhimin**, underground Bishop of Baoding, **Monsignor Cosma Shi Exiang**, underground Bishop of Yixian, **Father Joseph LU Genjun**, underground Vicar General of Baoding, and six other priests arrested since 2004. The first two prelates on that list have been in detention nearly continuously for several decades.⁸

In the wake of continuing unrest among Muslim Uyghurs in western China, detentions continue. Sons of the “Mother of All Uyghurs,” Rebiya Kadeer (resident in the United States) **Ablimin Abdureyim Kadeer** and **Alim Abdureyim Kadeer** languish in Urumqi Autonomous Region Prisons 3 and 4.⁹ **Gulmire Imin**, reportedly arrested in July of 2009 on a charge of “splitism” for advocating on his blog Uyghur demonstrations on behalf of political, cultural, and religious rights, is serving a life sentence.¹⁰

Tibetan Buddhists are also collecting in China’s jails and prisons. As far as the outside world knows, the Eleventh Pachen Lama, **Gedhun Choekyi Nyimas**, arrested at the age of 6 in 1995, remains in confinement, although he has not been seen since the time of his arrest. **Kunga Tseyang**, whose pen name Gangyi means Son of the Snow, was a monk at the Labrang Monastery until his arrest in 2009. Kunga Tseyang is an environmentalist, blogger, and film producer, and his essay “China Must Apologize to His Holiness the Dalai Lama” especially irritated security personnel.

Migmar Dhondup, serving a fourteen-year sentence for “collecting intelligence concerning the security and interests of the state and providing it to the Dalai clique,”



(Credit: Panchen Lama Association)

refused to disavow the Dalai Lama and worked openly for the Kunde Foundation. **Jigme Guri**, a Tibetan monk, was arrested August 20, 2011 at a hotel in Kanlho. He remains in prison. Police seized his possessions, including thirty images of the Dalai Lama. Monks **Gyatso Ratsa and Lobsang Gendun** were arrested November 21 at the Kitri Monastery, where a recent series of self-immolations began.¹¹

Arrest and imprisonment of House Church Christians also continues. **Pastor Almu Jiang Yimiti**, a convert from Islam to Christianity, received a fifteen-year sentence from the Xinjiang Uyghur Autonomous Region People’s Court for “revealing state secrets to overseas groups.” He reportedly was present when a foreign journalist discussed documents from a Religious Affairs Bureau file on another person.¹² **Shi Enhao**, sentenced by police without trial in July to two years in a labor camp for “organizing illegal religious gatherings,” was Deputy Chairman of the country-wide Chinese House Church Alliance.¹³ **Fan Yafeng**, founder of Christian Human Rights Lawyers of China and of the Beijing Shengshan Church, *Newsweek* magazine’s 2005 “Person of the Year in Asia,” was placed under house arrest on November 1.¹⁴ **Jian Tianyong**, a Christian lawyer and tireless advocate of religious rights, was seized and imprisoned on unknown charges February 19.¹⁵

Falun Gong organizations estimate that there may be as many as 100,000 mostly unknown Falun Gong prisoners in China. During 2011, reports continued to circulate that Chinese authorities were conducting organ harvesting among that prison populace, a matter on which the United Nations Committee on Torture had requested an investigation in November of 2008. Three Falun Gong prisoners, **Qin Yueming**, **Yu Yungang**, and **Liu Chungjiang** reportedly died in violent circumstances during a lock-down at Jiamusi Prison



Yu Yungang

in Heilongjiang Province in February and March.¹⁶ The whereabouts of attorney **Gao Zhisheng**, who defended Falun Gong and Christian clients before his disappearance and presumed imprisonment in 2009, remain unknown.

CUBA

Cuban authorities released some prominent prisoners of religious conscience during 2011. **Alan Gross**, however, a Jewish American contractor administering a USAID-sponsored project to assist the Cuban Jewish community achieve Internet access, remained in prison despite appeals by former President Jimmy Carter and former New Mexico Governor Bill Richardson.

EGYPT

Concerned about continuing demonstrations and unrest, both the Mubarak regime at the beginning of 2011 and the interim military government, thereafter, detained and imprisoned Egyptian citizens for activities associated with religion as well as with politics. **Kareem Amer**, accused of “atheism,” was reportedly arrested in January in connection with posts on his blog deemed “anti-religious and insulting to President Mubarak.” Released on November 17, he was reportedly subsequently once again detained and imprisoned.¹⁷ **Maikel Nabil Sanad**, was sentenced to three years imprisonment reportedly in connection with a blog post on Facebook deemed insulting to Islam.¹⁸

ERITREA

Eritrean authorities continue arresting and detaining Evangelical Christians and Jehovah’s Witnesses. As of October 14, Witness monitors counted 51 of their co-religionists and dependents in Eritrean prisons at the Sawa Camp, the Metir Camp, in Serejjeba, and at the Fourth Police Station facility. They ranged in age from the 4-year-old girl **Yocabed Natnael Ghebreyesus** to 77-year-old **Asfaha Haile**. Most were arrested during a broad sweep of detentions of Witnesses in 2008 and 2009, but three, **Paulos Eyassu**, **Isaac Mogos**, and **Negede Tekelmariam** had languished in deplorable conditions

since September 24, 1994.¹⁹ Amnesty International estimated as of 2009 that there are approximately 2,000 Christians in prison in Eritrea.²⁰

NORTH KOREA

In its 2011 report, the human-rights group Open Doors estimates that there is some 50,000-70,000 Christians imprisoned in North Korea, mostly in labor and concentration camps.²¹ Amnesty International human-right advocate Sam Zaaifi told CBN News in August that “These are places where, based on what we understand, two out of every five prisoners die due to malnutrition....Food is very scarce, they work at least ten hours a day, seven days a week.”²²

RUSSIA

Russian authorities continued to apply extremism laws in ways which the Russian Supreme Court itself found questionable (see the Regional Update on Former Soviet Union countries in this report.) This pertained especially to readers of the texts of early-twentieth-century Turkish Muslim scholar and Quranic commentator Said Nursi. **Elshan Gasanov** and five other Russian citizens were sentenced on October 11 by a Nizhny Novgorod court to one-year sentences for possessing and reading the works of Nursi, actions which the court construed as running a “home madrassah.”²³

TURKMENISTAN

Forum 18 reported that eleven Jehovah’s Witnesses and one Evangelical Pastor remained in detention at Seydi Labor Camp. Witnesses **Dorvan Matyakubov**, **Sunet Japbarov**, **Dovlet Byashimov**, **Akhmet Hudaybergenov**, **Mahmud Hudaybergenov**, **Matkarim Aminov**, and **Dovran Matyakubov** are serving eighteen-month to two-year sentences. Pastor **Ilmurad Nurliev** of the Light of the World Protestant Church in the town of Mary, reportedly denied medication for treatment of his diabetes, is serving a four-year sentence for “swindling funds,” a charge of which his parishioners say he is innocent.²⁴

UZBEKISTAN

Uzbek authorities continued detaining and imprisoning active and dissident Muslims and at least one Muslim convert to Christianity. Two brothers, **Dilshodbek Amnturdiev** and **Rutsam Amnturdiev**, members of the banned Muslim community Hizb ut Tahrir, originally sentenced in 1999 and 2000 respectively and resentenced in 2008 following the expiration of their original terms under charges of “failure to obey the legal requirements of the institution,” remain in the Zhaslyk Penal Colony.²⁵ **Zulikhumor Khaddamova**, **Mekhriniso Khamdamove**, and **Shakhlo Pakhmatova**, three Muslim women who participated in prayer meetings at their local mosque, were sentenced in April to six-and-one-half to seven years imprisonment for “attempting to overthrow the constitutional order” and “posing a threat to public order.”²⁶ According to Amnesty International, a series of trials conducted against unnamed readers of the writings of Said Nursi on charges of the “creation of an illegal extremist order” reportedly resulted by 2010 in the sentencing of 114 persons to six to twelve years in prison.²⁷ According to the United States Commission

on International Religious Freedom, in the course of a “stepped up government crackdown” beginning in 2010, Uzbek authorities imprisoned for six years **Hainulla Hamidov**, a popular television journalist, and six other persons for organizing a banned “Muslim extremist” group. Hamidov’s broadcasts offered reflections on Islam.²⁸

VIETNAM

Long-imprisoned and continually harassed human-rights and religious-freedom activist **Father Nguyen Van Ly** was re-arrested in July, 2011 following a period of medical parole. The Roman Catholic priest, who reportedly had suffered three strokes and a brain tumor, was committed to Ba Sao Prison, five hundred kilometers from his home.²⁹ Buddhist dissidents **Nguyen Van Lia** and **Tran Hoaian**, arrested July 30, 2011, were sentenced to five and three years respectively for “abusing democratic freedoms to infringe upon the interests of the state” after briefing foreign diplomats and officials concerning restrictions on religious freedom and human rights in Vietnam.³⁰

PRISONERS IN RELIGIOUSLY AND CULTURALLY INTOLERANT STATES

ALGERIA

Algerian authorities reportedly focused importantly during 2011, as in previous years, on combating Christian proselytism. **Siagh Krimo**, a Christian convert, was sentenced to five years for “blasphemy” following his April 14 arrest, on the insistence of a Muslim neighbor in Oran, to whom he had given a CD containing Christian material. The neighbor reportedly failed to appear at the trial, and the CD reportedly was never presented in evidence, but the judge nevertheless invoked the maximum penalty.³¹

BANGLADESH

On January 21, 2011, Christian **Biblop Marandi** was arrested near the facilities of the Bishev Ijtema World Muslim Congregation, where he reportedly had distributed Christian booklets and tracts, on a charge of “creating chaos at a religious gathering.” He received, and has appealed, a one-year sentence.³²

GREECE

Pentacostalist Christian **Emmanuel Damavolitis** was sentenced in Crete in October to four months for “proselytizing” and is reportedly contemplating an appeal to the European Court of Human Rights.³³

INDIA

As in past years, Hindu nationalists in various locations exerted pressure during 2011 on police and court officials to prevent and punish conversions and those associated with them. Six Christians in Karnataka, identified as **Appachu, Sharanu, Ganesh, Mani, Raghu, and Mani**, members of the Full Gospel Church and laborers on a coffee plantation, were arrested for “forced conversions” and sentenced under Article 295A of the Indian Penal Code (“deliberate and malicious acts, intended to offend religious or class feelings”) to three-year prison terms for “forced conversions.”³⁴

IRAN

No country on earth, with the exceptions of North Korea and China, imprisons more people for exercising universal rights of freedom of religion and conscience than Iran, which is a narrowly-intolerant explicitly Shi'a Muslim state. According to the most recent reporting of Baha'i organizations, at least 103 Baha'i adherents are behind bars in Iran.³⁵ Most prominently, seven major Baha'i leaders were arrested in August of 2010 and remain in prison. Charged with “espionage for Israel,” “insulting religious sanctities,” and “corruption on earth,” they have been moved from Ervin to Raja'i Shahr Prison. Their case has been raised by United Nations Secretary General Ban Ki Moon and by the United Nations High Commission for Human Rights as a violation of the provisions of the International Covenant on Civil and Political Rights. They reportedly languish in poor circumstances in small cells with few if any visits. Iranian authorities made efforts to ban their lawyers from participation in their 2010 trials and have more recently reportedly arrested one of the defending attorneys. They include **Fariba Kamalabadi** of Tehran, a developmental psychologist and graduate of the Advanced Baha'i Studies Institute, **Jamoloddin Khanjani** of Tehran, a former factory owner and member of the National Spiritual Association of Baha'is of Iran, **Afif Naimi** of Tehran, a former factory manager and teacher at the Baha'i Institute of Higher Education, **Saeid Rezaei** of Tehran, a former agricultural engineer and active

Baha'i teacher and scholar, **Mahvash Sabet** of Mashad, a former school principal and Director of the Baha'i Institute of Higher Education, **Behrouz Tavakkoli** of Tehran, a former government social worker and member of the Baha'i Governing Council, and **Vahid Tizfam** of Tehran, an optometrist and former member of the Baha'i National Youth Committee.³⁵ Baha'i adherent **Sahba Rezvani**, imprisoned in 2008 with a sentence of three years and eight months, held in Ervin Prison, has reportedly been denied legally prescribed furloughs and medical treatment.³⁶

Arrests and imprisonments of Christians, a constitutionally recognized community in Iran, continue. In December, 2011, **Pastor Yousef Nadarkhani** learned that Iran's highest-ranking judge, Ayatollah Sadegh Larijani, had ordered that the death penalty invoked against him for converting to Christianity be held in abeyance for a year. The judge reportedly hoped to provide additional time for Nadarkhani to recant and “return” to Islam, a faith to which he maintains he never previously subscribed.³⁷ Azeri-speaking Christians **Vahid Rofegar** and **Reza Kahmamoei**, reportedly were arrested on July 24, 2011 in Kalibar for carrying Bibles and remain imprisoned despite promises of release. Their arrests figure in increasing pressures being brought to bear on Iran's Azeri-speaking Christians.³⁸ House Church Christians **Mustafa Shokrollahi and Khalil Yahrli** of Ahwaz, arrested January 15 and temporarily released in March, reportedly were to face charges of apostasy, punishable by death or imprisonment, when brought to trial.³⁹ **Mehdi Furutan**, a member of the Church of Iran transferred from a prison in Shiraz to an underground cell in Adelabad Security Prison during 2011, is serving a one-year sentence for “crimes against public order,” reportedly in connection with alleged proselytism.⁴⁰ **Pastor Benham Irani**, also of the Church of Iran, who had led a congregation in Karaj, began serving a five-year sentence in October, 2011 for “actions against the security of the country.” The text of his verdict defined him as an “apostate,” which poses the threat of his being assigned a death sentence.⁴¹ In December in Shiraz,

three additional Christian clergy, **Pastor Parviz Khalji**, **Pastor William Belyad**, and **Pastor Behrouz Sadegh Khandjani** were sentenced to two, five, and five years respectively for “crimes against public order.”⁴²

LAOS

Although monitoring organizations reported overall improvement in the treatment in Lao cities of religious minorities, improvements reportedly lagged in the countryside. In Nakoon village and Tonglar village in Hinboun District, for example, village authorities harassed and arrested Christian converts. Two, identified as **Pastor Wanna** and **Pastor Yohan**, leaders of House Churches, ran afoul of authorities for organizing Christmas celebrations. Both are currently imprisoned in Khamnouan Provincial Prison and are reportedly being pressed to recant their Christian faith.⁴³

MOROCCO



Jamaa Ait Bakrim

Moroccan authorities also continue trying to suppress Christian conversion, following their efforts in 2010 to expel from the country as many Christian religious workers as they could (see 2011 Report). **Jamaa Ait Bakrim** has served five years of a fifteen year sentence for “proselytizing.”⁴⁴

PAKISTAN

Pakistani authorities continue deploying their controversial blasphemy law against Christians. **Asia Noreen Bibi**, an illiterate agricultural worker, is, despite world attention and many external appeals on her behalf, still in the Sheikpura Women’s Prison awaiting the appeal of her death sentence. She contends that charges instigated against her by a Muslim co-worker of making disparaging remarks about the Holy Prophet Mohammed are false. Her husband and three children visited her on December 22. She maintains that no

investigative personnel have ever interviewed her concerning her own recollection of events and conversations underlying the charge against her.⁴⁵



Asia Noreen Bibi

(Credit: Christian Freedom International)

Two Christian prisoners charged with blasphemy died under uncertain circumstances during 2011. **Aslam Masih** died of an untreated case of dengue fever on September 9. **Qamar David** died in a Karachi prison in March. Prison authorities provided conflicting accounts as to whether his death occurred in the prison or in a hospital. He had long expressed fears for his life and, following threats against his lawyer, the latter had dropped his case.⁴⁶

Authorities also continue zealously enforcing the country’s discriminatory anti-Ahmadiyya law. **Tahit Ahmad**, arrested in 2010 for wearing a T-shirt bearing the word “Kalima” (Islamic Creed) – Ahmaddi are forbidden by Pakistani law to in any way identify themselves as Muslim – remains in prison in Mirpur Khas in Sindh. In the same locality, **Masood Ahmad Chandio**, **Abdul Razzaq**, and **Abdul Ghani** are serving three-year sentences at the instigation of two mullahs.⁴⁷

SAUDI ARABIA

Eritrean Christian **Mussie Eyob** is in Briman Prison facing a possible death penalty in Jeddah following his arrest in February, 2011 on charges of proselytism, reportedly arising from conversations he held near a mosque. At year’s end, Ismaili Shi’a Saudi **Hadi Al Mutif** had remained in prison for the past 19 years following a joke he told concerning Islam when he was a teenager, which led to his conviction for blasphemy. In 2009, he was given an additional five-year sentence for participation in a video interview smuggled out of the prison in which he criticized Saudi Arabia’s human-rights and religious-freedom record. (He was released in early 2012, subsequent to the period this Report covers.)⁴⁸

Communities Most At Risk

A look at what has transpired during the past year with regard to the seven communities we identified as being most at risk of extinction over the coming decade.



Refugee camp in Chad.
(Credit: miafarrow.org)

Last year's report listed and described seven minority religious communities "most at risk" of disappearing entirely by 2020, by reason of demographic change, political and/or cultural antagonism, violence, or other factors. Although in some cases, especially that of the Ecumenical Patriarchate of Constantinople, there were significant positive developments during the reporting period, the situations of these communities for the most part deteriorated further. The dire demographic circumstances of the Ecumenical Patriarchate continue to threaten its survival, and we find no grounds to remove any of the seven communities from our list. While brutality and oppression directed against religious minorities in many lands over the period since our last report has been heart-rending, we have added no new communities. We will, however, be looking further during the coming year at some individual communities or groups whose circumstances might warrant their inclusion. One is the Turkish Sunni community in the Nakhichevan enclave of Azerbaijan. That community's mosque, its sole facility, has reportedly been reassigned for use by a Shi'a community. We also remain watchful concerning Christians, Sikhs, and Hindus in Afghanistan.

KEY DEVELOPMENTS

The Ecumenical Patriarchate of Constantinople – In the section of this report updating our Regional Assessment of Europe, we discuss the decision of Turkish Prime Minister Erdogan to restitute a large number of religious properties. While this may benefit the Patriarchate materially in some measure and provide a basis for better cooperation between it and the Turkish government overall, it is far from clear that it will include the Patriarchate's former Halki Seminary, which remains essential to the community's survival. Although American and other officials have pressed for the return of the Halki facility, Prime Minister Erdogan has reportedly continued to demand that a "reciprocal"



Ecumenical Patriarch

gesture be undertaken by the Greek government with respect to Muslims in Thrace and elsewhere.¹

The Jehovah's Witnesses of Eritrea – We have discovered no information which would in any way incline us to believe that circumstances for Witnesses in Eritrea have improved. In July, Witnesses learned of the death in prison of Misghina Gebretinsae, a sixty-two-year-old Witness who reportedly had been confined solitarily in a metal hut.² Most of the Witnesses arrested and imprisoned without charge during a wide sweep of arrests lasting from July of 2008 through June of 2009 remain imprisoned, including at least two children.³

Jews in the Arab World – We refer the reader also to the article in this report by Ambassador Akbar Ahmed concerning change in North Africa and the Middle East, as well as to the updated Regional Assessment on that area.

The first of the large-scale demonstrations which threatened authoritarian regimes – in Tunisia – reportedly initially aroused anxieties among the country's remaining Jews,⁴ although these appear subsequently in some measure to have subsided. Some Tunisian Jews contemplated undertaking extended stays in France or immigrating to Israel, but few actually did so.⁵ There was an inimical demonstration by Salafists and other antagonists at the Grand Synagogue and an attack upon a Jewish wedding in Djerba.⁶ Tunisian Jewish leaders met with transitional and newly-elected political leaders, however, and received assurances of their safety and rights. President Moncef Marzouki called in December for the return to Tunisia of all Jews who had emigrated during the preceding 20 years.⁷ New Tunisian leaders reportedly took umbrage at Israel's encouragement of Jewish emigration.⁸

At the outset of large-scale demonstrations in Egypt, both demonstrators and the failing Mubarak regime accused one-another of being "stooges" of Israel.⁹ Unease



Rabbi Ovadia Yosef, the pre-eminent spiritual leader of Sephardi Jews around the world, greets a family of Yemenite immigrants.
(Credit: ISRANET)

among the country's few remaining Jews grew, especially as the political fortunes of the Muslim Brotherhood ascended. An August attack on the Israeli Embassy in Cairo and widespread praise for the demonstrator who ripped down the Embassy's Israeli flag aroused further anxiety, as did severe Egyptian reaction to altercations on the Israeli-Egyptian border near Eilat, in the course of which Israeli Defense Forces fired upon and killed Egyptian security personnel. Egyptian Jews watched carefully for signs that the interim military government or the Muslim Brotherhood might advocate abrogation of Egypt's peace agreement with Israel. In December, prominent Salafist cleric Yasser Borhami reiterated his pronouncement that Jews are "infidels."

Yemen's vestigial Jewish community, which saw its fortunes as being tied to those of President Saleh, watched events with concern, especially as, in the country's south, Salafist and extremist Islamists occupied territory. Despite some initial departures, however, few Jews left the country, and Jewish leaders called upon their followers to remain.¹⁰

There was little change in Morocco, where, during September, a large, government-sponsored exhibit on Moroccan Jewish historic sites and antiquities was expanded.¹¹

There were few if any reported instances of violence against Jews in Arab lands during the reporting period,

and a large number of Jewish leaders and community members expressed confidence that remaining in place was and is a desirable course for them. The slow and steady diminishment of these communities continued, however, and, in uncertain circumstances, seems like to proceed if not accelerate.

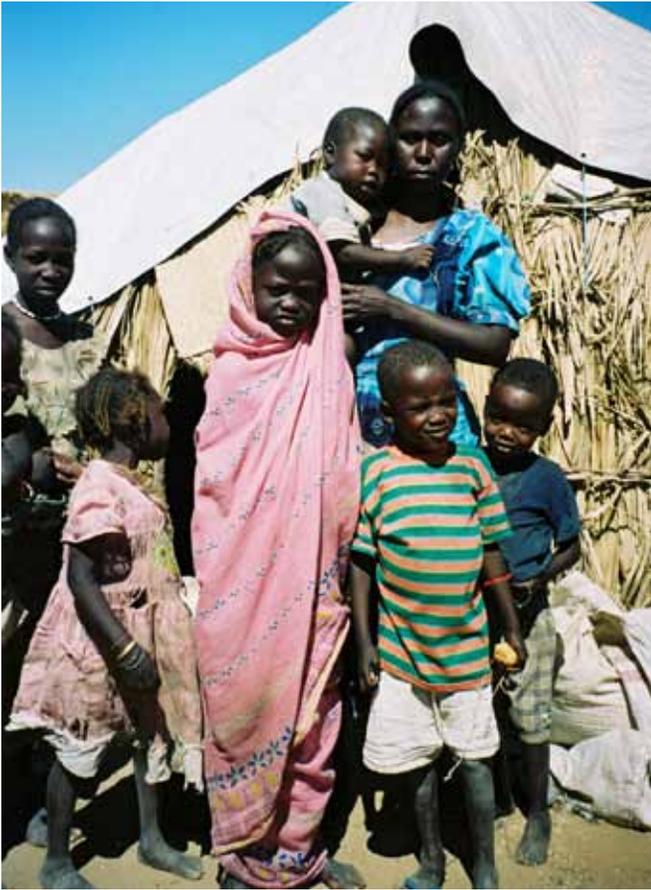
The Jews of Venezuela – Hugo Chavez' continuing close embrace of Iran and Ahmed Ahmadinejad aroused concern among Venezuelan Jews as did occasional anti-Semitic rhetoric directed at major opposition figure Henrique Capriles Radonski – a practicing Catholic but the grandson of Holocaust Survivors.¹² More



Henrique Capriles Radonski
(Credit: talcualdigital.com)

particularly, the airing on state radio in May of a commentary on *Protocols of the Elders of Zion*, which the commentator took at face value and recommended as an aid to understanding Jewish opinion, aroused formal protest both by the Jewish community's leadership and its friends abroad.¹³ During an autumn meeting with President Chavez, Jewish leaders provided a list of offensive statements and broadcasts and asked that the President make clear that his criticisms of Israel, with which they requested renewed diplomatic relations, were not intended to arouse anti-Semitism. Chavez undertook only to "study" these requests. Earlier in the year, after former Cuban President Fidel Castro had publicly foresworn anti-Semitism, Chavez had done the same.¹⁴ At the end of 2010, construction began on a new synagogue for the Jewish community under intense protective security.¹⁵ In general, while the exigencies of the community's life intensified its internal coherence, emigration continued, not least because of the overall violence of life in Caracas and in the country generally.¹⁶

The Muslim Masalit of Sudan – We placed the Masalit on our list because of the horrendous demographics of the Darfur conflict and the rapid dislocation of the



Displaced family in Darfur.
(Credit: *pieandcoffee.org*)

regions ethnic minorities. Although the Masalit were still numerous, displacement and emigration involved large numbers. That circumstance continued during 2011. Eighty-three thousand Darfuris, including Masalit, were internally displaced and pushed toward Chad during the first quarter of the year.¹⁷ There was an additional, overall destabilization of Darfur and of its living circumstances as the formal Doha peace process broke down and the parallel, sometimes-contradictory “Political Process” involving Sudanese government negotiations with a separate group of rebel leaders stumbled forward.¹⁸

The Nazarene Christians of Somalia – We placed this tiny community on our list because, according to several sources, the largest number of Somalis who converted to Christianity during the twentieth century cohered in the Evangelical Wesleyan Nazarene faith. There are reportedly only about 1,000 Christians in Somalia.

While there have been additional, individual conversions to Christianity, including during the current reporting period, numbers of Nazarene and other Christians continue to fall. In Al-Shabab-controlled territory and beyond, as in break-away Somaliland and Puntland, violence against Christians continued. At least two persons were arrested – and one jailed – for converting to Christianity in Somaliland.¹⁹ Reports indicate that a Christian convert was shot in Shalambad in April.²⁰ A seventeen-year-old Christian convert was beheaded in October, after the beheaded body of another had been found in early September.²¹ There were almost certainly numerous other attacks. International Christian Concern reported systematic starvation of Christian detainees.²²

The Sabian Mandeans of Iraq – The Mandaean Associations Union’s September *Human Rights Report* lists continuing instances of murder and robbery against Iraqi Mandeans. It stresses that, if the dispersed Sabian community is to survive at all, the diaspora will need to be collected and resettled somewhere outside Iraq, noting that more than eighty-five percent of Iraq’s former Mandaean population has already left the country.²³ The United Nations High Commission for Refugees reported the disenfranchising effects of Iraq’s Election Law, which permits Mandeans to elect a Mandaean representative in parliament only if they reside in Bagdad – neither their traditional home nor the temporary residence of any significant portion of the Mandaean community.²⁴ The law adds an additional dislocating pressure.



Mandaean Refugee Boy in Jordan
(Credit: *humanrightsinitiative*)

Conclusion



A protester carries a crate of Molotov cocktails near Manama, Bahrain.
(Credit: *Hasan Jamali/Associated Press*)

As the year turned, one of the hopeful signs among so many global worries was that integration of countries into wider communities can and does still lead to positive change. Because Hungary was failing to meet the standards of the European Union both in its financial and fiscal actions and in its adherence to democracy, the EU leadership in Brussels was able to exercise at least limited leverage. More dramatically, the new civilian government in Burma/Myanmar began taking action on prisoner release, the opening up of its electoral system, and other matters as it sought relief from sanctions and alternatives to its growing dependence on China. Sadly, there are many more examples of leaderships willing to ignore the protestations of democratic countries and human-rights monitors than there are of willing reformers. But where leverage exists, it is still a precious and valuable commodity, and where it does not, opportunities to strengthen it should not be overlooked.

It is the premise of the First Freedom Center that freedom of religion and freedom of conscience are, first and foremost, aspects of the rule of law as practiced in cultures of democratic accountability. Engagement of countries and leaders where these fundamental human rights are either deficient or non-existent is the sole promising means whereby leaders' interests can become enmeshed in processes which affect their human-rights performance. It is all well and good to monitor, to "name and shame," and to denounce injustice. But changing a country's human-rights performance means changing that country's overall culture, and that is a daunting task, fraught with the risk of failure, likely to provoke charges of "imperialism" and other misdeeds.

It is better, we would say, to be *for* something than it is to be purely *against* something. While we monitor and, in what follows, offer suggestions for improvement to the United States government as much as we do to any other, we reacted positively to American handling this year of the matter of "defamation of religion" in the United Nations General Assembly's Third Committee, where, as in years past, some countries sought to pit freedom of religion against freedom of expression, to the detriment of both. The United States and its partners were successful in advocating a resolution that did not

proscribe forms of critical speech, but their success rested on being open to undertakings which could strengthen best practices in combating hatred without restricting freedom of expression. The resultant Istanbul Process brought together experts from thirty countries and from international organizations to discuss practices for engaging religious minorities, training officials in religious awareness, and enforcing laws which prohibit discrimination on the basis of religion or belief. In the course of these discussions, leaders and officials who had been genuinely concerned about treatment of Islam in open media – and about instances in which they believed Muslims were being denied fair treatment – were able to air their misgivings and help design approaches in order at least in some measure to address them. (To be sure, the venture left unchanged the Organization of the Islamic Conference's view that speech bans are worthy of advocacy and adoption, and, for that reason, one of the Editors of this Report dissents from the perspective that the approach proved valuable.)

This achievement was an important example. It can be a pyrrhic victory to have the law – international or otherwise – on your side if you lose the culture. Proponents of the rights we work to advance need to make far better use of engagement on behalf of changing practices toward better adherence to the rule of law. And it is not as if there is a dearth of broad-based institutional frameworks in which to do so. In 2006, United Nations Secretary General Kofi Annan established the United Nations Rule of Law Unit, chaired by a Deputy Secretary General, for the purpose of coordinating what the UN's specialized agencies and other elements were already undertaking to encourage the rule of law and to identify further opportunities and objectives.

Beyond the UN, there are numerous, well-established rule-of-law organizations. The International Network to Promote the Rule of Law is a global, on-line community comprising 1,700 rule-of-law practitioners in 120 countries and among 300 organizations. Its Advisory Council includes senior Western experts like Paddy Ashdown and former U.S. diplomat James Dobbins, alongside such experts as Satish Nambiar of the Universal Service Institute of India and Yash Ghai of the

Constitution of Kenya Review Commission. The Hague Rule of Law Network, an enterprise of The Hague Institute for the Internationalization of Law, functions as a “networking vehicle” for all who are interested in rule-of-law improvements and issues. Its 180 academics and senior practitioners are readily accessible to governments and NGOs. Among its projects is the generation of Coordinated Procedural Guidelines for the International Criminal Court, the creation of a World Justice Project Rule of Law Index, and country-specific projects in India, Sierra Leone, and elsewhere. The Institute for International Law and Human Rights, which has developed out of the experiences of warfare and reconstruction in Iraq, has a special focus in its human-rights work on minority rights. There are many others. In the Organization for Security and Cooperation in Europe, the Council of Europe, the Association of Southeast Asian Nations, the Organization of American States, and elsewhere, there are institutional plug-in-points for engagement, discussion, and the crafting of common approaches on behalf of the rule of law.

What our assessment of all of these venues reveals, however, is that freedom of religion and freedom of conscience rarely if ever figure on their agendas. We could wish that that were otherwise. If the United States Government or any other government wishes to make progress in this crucially-important but notoriously difficult field, practical engagement in such broad-based fora could certainly provide additional opportunities for progress.

If governments are reluctant to raise freedom of religion in these organizations directly, they can at least work on matters which materially affect the circumstances of minority religious communities – especially police and judiciary training. We stressed the need for this in our Report last year. Many organizations have a well-established record of practical work and measures which could readily be related to freedom of religion and the treatment of minorities. The OSCE Strategic Police Matters Unit, as well as its Tolerance and Non-Discrimination Program, is available for work in all OSCE member states. It makes widely available its curricular and training products. ASEAN has begun

work on police training, focused for now primarily upon narcotics crime and other organized-crime issues. It held its first major conference on police training in Hanoi on December 10. If governments and organizations increased their exchanges with ASEAN on police training, they might broaden its focus to encompass issues like standards for search and arrest warrants and other practical measures which directly affect minorities.

Improving the standards and performance of courts and judges is also very much in the interest of minority religious communities. The International Organization for Judicial Training, established in 2002, promotes rule of law through judicial education. It conducts international and regional conferences and exchanges. Its five deputy-presidents combine expertise from Morocco, Spain, Chile, Australia, and the United States. The Commonwealth Judicial Educational Institute, based at the Dalhousie Law School in Halifax, Nova Scotia, reaches out to the entire Commonwealth and actively engages experts and personnel from Commonwealth countries. Judicial training figures importantly on the agendas several developing countries. With the assistance of the World Bank’s Judiciary Performance Improvement Project, Kenyan judiciary members and international experts gathered in Mombasa in June of 2008 to found the Kenyan Judiciary Training Institute. The OAS devoted prominent attention at its 2001 Second Summit of the Americas to strengthening justice systems and judiciaries, elaborating a recurring series of high-level meetings of justice ministers and attorneys general to identify practical measures for strengthening the work of judges, prosecutors, and other officials. When circumstances require, even some of the most egregious violators of religious-freedom rights request international assistance in judiciary training. Recently, when minority opposition figures were arrested in a political confrontation involving accusations about the influence of the State of Israel and of Christian clergy, the government of the Maldives asked the United Nations Human Rights Council for training assistance. Although, following the conclusion of our reporting period, political circumstances and the rule of law in the Maldives deteriorated significantly, the point remains valid that judicial training offered a mechanism for

discussion or courts and the roles of judges. Over the last fourteen years, at the request of the Chinese government, the British government and the Supreme People's Court of China have cooperated to provide judicial training for 79 Chinese judges, although Chinese authorities severely limited the focus and access of trainers.

We wander through the organizational topography of rule of law, police-training, and judicial-training structures for the purpose of underlining how vast a field of opportunities exists for doing the kind of thing the U.S. Department of State and other governments did in handling the defamation-of-religion issue during and after 2011's General Assembly. Engagement, something to be for as well as something to be against, opportunities to influence change – in laws, and in culture – is the chief and hugely unexploited mechanism for bringing about improvements in the lots of minority religious communities.

But a great deal will depend on the leading role of the United States government and the extent to which it is willing to perform it. As it has embraced the “Arab Spring,” the United States has had comparatively little to say about the instances in which that transformation has actually worsened – or at least not ameliorated – the repression of women. Those and other silences diminish the United States' ability to lead in matters of human rights and religious freedom. For that reason, in addition to urging engagement and dialogue as we have just outlined, we offer two further recommendations:

Internal Organization of the Department of State – During the past year, as legislation circulated for the purpose of re-authorizing the United States Commission for International Religious Freedom, there were efforts to re-locate the Ambassador-at-Large position in the Department of State devoted to religious freedom, specifically to the Office of the Secretary. We believe that Congress should entertain legislation to re-locate the position in the Office of the Under Secretary for Political Affairs. Moreover, both the Under Secretary and the Ambassador should be required annually to review the circumstances of Countries of Particular Concern as recommended by the Commission and

designated by the Department and report to Congress concerning what progress has been made in identifying and using available diplomatic and other leverage for improving those countries' freedom-of-religion performance. Locating the position and its function in the Office of the Under Secretary for Political Affairs, the senior official of the Department most responsible for the conduct of bilateral and multilateral relations, ties freedom-of-religion diplomacy directly to conduct of relations, which is the single most meaningful source of available leverage on its behalf.

Freedom of Religion Impact Statements – Congress should entertain legislation mandating that, when an Administration undertakes formal diplomatic engagement, in the form of consultation or negotiation, with a Country of Particular Concern, the Department should be required to submit to the Congress a Freedom of Religion Impact Statement no more than three months after the inception of such an initiative describing how that engagement has improved or sought to improve the country's performance in freedom of religion, especially its treatment of minority religious communities.

We are aware of the continuing proliferation of reporting requirements to Congress. Tying efforts on behalf of freedom of religion more directly to the day-to-day conduct of diplomacy seems to us the most effective means available for enhancing the United States' leading role. Broad engagement on behalf of rule-of-law issues directly affecting religious communities would provide additional enhancement.

For our own part, we do not customarily advocate improvements in freedom of religion and freedom of conscience primarily as a nostrum for combating terrorism and violence. Rather, as did Jefferson and as have many of the global protagonists of these freedoms whom we have honored over the years, we advocate rights because that is the right thing to do. If governments and citizens genuinely wish to increase stability and prosperity in a threatening world, then there is no more practical and promising avenue open to them than engagement and material accomplishment on behalf of these essential First Freedoms.

Notes



Unrest in Bahrain.
(Credit: *AP/Hassan Jamali*)

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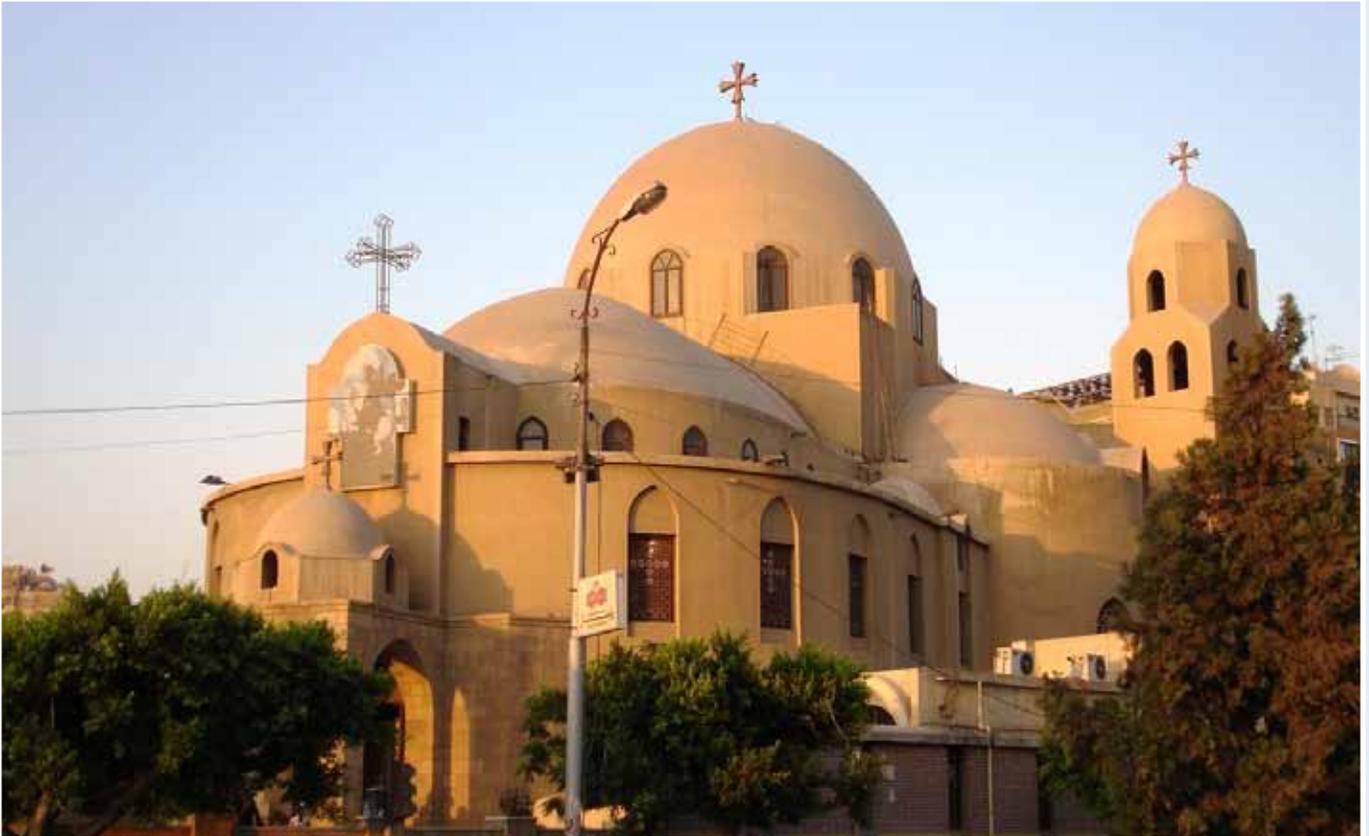
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