



Center for  
Religious Liberty

# CRIMINALIZING CONSCIENCE:

The Status of Apostasy, Blasphemy,  
and Anti-Conversion Laws  
Around the World

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## APOSTASY, BLASPHEMY, AND ANTI-CONVERSION LAWS

There is unprecedented religious persecution around the world. In recent years, the Pew Research Center has found increasing governmental and social hostility toward religious believers worldwide. The global level of government restrictions on religion reached an all-time high in 2018, the most recent year studied. Pew found that 56 countries have “high” or “very high” restrictions on religion.<sup>1</sup>

While the specific threats to religious freedom vary in type and intensity, one common source is the legal and cultural support for apostasy, blasphemy, and/or anti-conversion laws, which often threaten the freedom to choose and/or change one’s faith.

- Apostasy laws punish people who “apostasize” and convert away from Islam. Across much of the Muslim world, apostasy laws—backed by social pressure—are used to deter apostasy and sometimes punish even allegations of the crime. These laws prevent Muslims from freely choosing their faith—whether Christianity or anything else.
- Blasphemy laws generally prohibit insults to religion and are the most widespread of these three types of laws. In many places, while still on the books, such laws are no longer enforced or even used. But in other places, again in many Muslim-majority countries, they are often abused when allegations of blasphemy are made against religious minorities—often with no evidence—to settle unrelated disputes and vendettas.

- Anti-conversion laws, quite simply, prohibit people from converting to another religion. Primarily in place in parts of the Hindu and Buddhist world, anti-conversion laws are used by governments to maintain a majority of the population within their preferred religion.<sup>2</sup>

While threats to religious freedom arise from other sources, these three types of laws and the cultural support behind them are major threats to the freedom to *choose* one’s faith—and thus to religious freedom worldwide.

Punishment for those convicted of violating such laws can include marriage annulment, property confiscation, prison sentences, or death sentences. Additionally, a mere allegation of a violation often results in intense social hostility from one’s community and family members, who retaliate with anything from slight harassment all the way up to violence resulting in death.

Drafted out of the ashes of the Holocaust, the Universal Declaration of Human Rights (UDHR) proclaims in Article 18 that “[e]veryone 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” (emphasis added).<sup>3</sup> The laws listed and described here, and the social acceptance behind them, are a direct threat to religious freedom as articulated in the UDHR.



The following publication is a list of countries that have apostasy, blasphemy, and/or anti-conversion laws on the books, though not all such laws are still actively used. Moreover, some are not likely to be used or are effectively nullified by other legal measures or constitutional rights which take precedence. However, for purposes of understanding where these laws have been or are in place, they have been left in this publication.

Examples of enforcement and cultural impact are provided for some of the countries where these laws are still enforced or have influence. When we understand how these laws work, and how they serve as obstacles to religious freedom around the globe, we can better advocate for the freedom of all people worldwide.<sup>4</sup>

## **SUDAN: A VICTORY FOR RELIGIOUS FREEDOM**

Since Family Research Council released its initial version of this report in April of 2019, the country of Sudan became a major success story by repealing its notorious apostasy law which has long endangered religious minorities.

For years, Sudan had topped lists of worst violators of religious freedom in the world. That began to change in the spring of 2019 when the military overthrew the longstanding President Omar al-Bashir.<sup>5</sup> Since then, the joint military-civilian Sovereign Council has been steadily enacting reforms to improve religious freedom conditions.

In July of 2020, the government repealed Article 126 of Sudanese criminal law, which prohibited apostasy and required the death penalty as punishment if the accused did not repent.<sup>6</sup> Sudan is the only Islamic-majority country to repeal an apostasy or blasphemy law in the last two years.

The Sudanese government is to be commended for repealing this unjust law that was used to oppress religious minorities, and human rights advocates should be encouraged by this progress. Yet, while this move toward embracing religious freedom is worth celebrating, it also reminds us that apostasy laws are still on the books in many countries.

Sudan's example proves change is possible, and it should encourage us to advocate for the repeal of laws oppressive to religious liberty everywhere they remain.





# COUNTRIES WITH APOSTASY LAWS

Apostasy laws prohibit and punish the act of “apostasizing”—almost exclusively with regard to punishing Muslims who wish to embrace another faith. These laws are therefore an obstacle to Muslims being able to freely choose their faith—whether Christianity or anything else. Many of the countries below expressly prohibit and punish apostasy, sometimes under threat of death. Many others, while not expressly prohibiting apostasy, have laws which aim to prevent Muslims from converting to other faiths. Still others, while not having any such laws, have a culture which opposes and punishes apostasy.

Some laws listed below may seem like anti-conversion laws, our third category of laws listed in this publication. While there is overlap between apostasy and anti-conversion laws (they both aim to prevent a change of faith in some instances), countries with laws which might seem like anti-conversion laws on their face—but which are driven by Islamic teaching on apostasy, and thus aim to specifically prevent Muslims from converting—are listed here. Such laws are distinguishable from the anti-conversion laws listed in the last category, which ostensibly bar people from being tricked and “induced” into changing from any faith to any other faith.





## AFGHANISTAN



Apostasy laws in Afghanistan are backed by significant governmental power and social pressure. The Afghani constitution declares Islam the official state religion. No law may contradict the beliefs and provisions of the official state religion.<sup>7</sup> Apostasy constitutes a *hadd* crime, which the 1976 Afghan Penal Code states shall be punished according to “the Hanafi religious jurisprudence.”<sup>8</sup> If the courts are presented with a case in which there is no law to address, courts are directed to apply Hanafi jurisprudence.<sup>9</sup> Hanafi jurisprudence in Afghanistan prescribes the death penalty for apostasy.<sup>10</sup> However, apostates have three days to recant their conversion before facing prosecution and/or various penalties.<sup>11</sup>

Additionally, the Hanafi religious jurisprudence prohibits “[p]roselytizing to try to convert individuals from Islam to another religion ...” Those in violation may face “death, imprisonment, or confiscation of property according to the Sunni Islam’s Hanafi school of jurisprudence” if they do not recant within three days.<sup>12</sup>

Example(s) of Enforcement:

- *In 2010, Christian converts Said Musa and Shoaib Assadullah were arrested for apostasy and were facing potential death sentences; they were released the following year “due to U.S. and international pressure.”*<sup>13</sup>
- *Since 2014, there have been “no reports of government prosecutions for . . . apostasy,” but converts “reported they continued to risk annulment of their marriages, rejection by their families and communities, loss of employment, and possibly the death penalty.”*<sup>14</sup>

### SPOTLIGHT

*Example of Enforcement*



**ABDUL RAHMAN**

In 2006, Abdul Rahman faced the death penalty for converting to Christianity. There was an international outcry, due in no small part to the fact that the United States and others had invested much in Afghanistan and the new constitution was supposed to protect religious freedom. Eventually, Rahman was released, ostensibly on procedural grounds. Yet Muslim clerics and others in Afghanistan still wanted him executed, and he had to flee to Italy.<sup>15</sup> The case demonstrated the seemingly untenable balance between a Western understanding of civil government and its protections for religious freedom, and Islamic law’s fusion with civil government and its requirement that apostasy be punished.

## ALGERIA



While there is no law specifically prohibiting apostasy, the law prohibits “incit[ing], constrain[ing], or utiliz[ing] means of seduction tending to convert a Muslim to another religion.” Those in violation face a fine of one million dinars (\$8,468 USD) and five years’ imprisonment.<sup>16</sup>

## BRUNEI



The Constitution of Brunei provides that the Muslim religion shall be the official religion of Brunei Darussalam, but the practice of other religions is permitted if they are practiced “in peace and harmony.”<sup>17</sup> The Sharia Penal Code Order, 2013, which was set to become effective in phases based on level of punishment starting in 2014, prohibits a Muslim from declaring himself as a non-Muslim. Those found guilty of this offence “shall be liable . . . to imprisonment for a term not exceeding 30 years and whipping not exceeding 40 strokes.”<sup>18</sup> Those sentenced can avoid punishment if they repent.<sup>19</sup> Implementation of the second phase was delayed, but the Islamic Religious Council and Sultan Hassanal Bolkiah signed off on its implementation on March 10, 2018.<sup>20</sup> Once all three phases are in effect, apostasy may be punished by death.<sup>21</sup>

The code also provides that it is illegal to “propagate[] religion other than the religion of Islam ...” or persuade or encourage Muslims or persons with no religion to convert from Islam or convert to anything other than Islam. Those convicted face a fine up to \$20,000 USD and imprisonment up to five years, or both.<sup>22</sup>

## COMOROS



“Whoever divulges, propagates, teaches Muslims a religion other than . . . [Islam], will be punished by imprisonment for three months and a fine of 50,000 to 500,000 [Comorian] francs” (\$116–\$1,163 USD).<sup>23</sup>

### Related Cultural Impact:

- *“There were reports that communities unofficially shunned individuals suspected of converting from Islam to Christianity. Societal abuse and discrimination against non-Muslim citizens persisted, particularly against Christians or those who were converts from Islam.”<sup>24</sup>*

## EGYPT



While there is not a specific law prohibiting apostasy, Islam is the official religion of the State and “the principles of Islamic Sharia are the main source of legislation” according to the Constitution.<sup>25</sup>

### Related Cultural Impact:

- *While there are no laws that prohibit apostasy or proselytizing, in July of 2016, a Christian convert “was brought to police by family members” as an apostate. The police told him to “disappear” after interrogating him for four hours. He was later “summoned [] to NSS headquarters where they detained and interrogated him for several nights.”<sup>26</sup>*
- *Marwa Ahmed, a mother of two, was killed by her own Muslim family for marrying a Christian man, converting to Christianity, and having children with him. The 26-year-old’s father reported the crime to the police; however, the family members who committed the crime fled the area. The authorities reportedly told the Christian family to “sell their property and flee the town forever.”<sup>27</sup>*



## IRAN



Iran's constitution provides that laws and society shall be based on "Islamic criteria."<sup>28</sup> Muslim citizens may not "chang[e] or renouc[e] their religious beliefs."<sup>29</sup> According to the penal code, the punishment for apostasy is death; however, "the application of the death penalty varies depending on the religion of both the perpetrator and the victim."<sup>30</sup> The penal code also prohibits "proselytizing and attempts by non-Muslims to convert Muslims," the punishment for which is death.<sup>31</sup>

### Example(s) of Enforcement:

- *Originally arrested on apostasy charges in 2010, Pastor Youcef Nadarkhani was ultimately acquitted of those charges two years later. At the time of his acquittal, however, he was "convicted of evangelizing Muslims, given a three-year sentence, and released with time served." Though free, he was later re-arrested "to serve 45 days remaining from the three-year sentence."*<sup>32</sup>
- *William Mehrvarz was born to a Muslim family, but converted to Judaism as a young teenager. When his family found out about his conversion, his parents admitted him to a psychiatric hospital at age 15. Mehrvarz eventually sought asylum in the United States for fear of being prosecuted under Iran's apostasy laws.*<sup>33</sup>

## IRAQ



While there is not a specific law prohibiting apostasy, Article 2 of the Constitution provides that "Islam is the official religion [] and a foundation source of legislation;" "no law may be enacted that contradicts the established provisions of Islam ..., contradicts the principles of democracy ..., or contradicts the rights and basic freedoms stipulated in [the] Constitution."<sup>34</sup>

### Related Cultural Impact:

- *Incidents of Christians who have converted from Islam "being physically attacked or tortured by their families for converting to Christianity from Islam" continue to be recorded.*<sup>35</sup>

## JORDAN



While there is not a specific law prohibiting apostasy, Sharia courts "have jurisdiction over marriage, divorce, and inheritance, and individuals declared to be apostates may have their marriages annulled or be disinherited, except in the presence of a will that states otherwise." Anyone "may file an apostasy complaint against such individuals before the newly established Sharia Public Prosecution."<sup>36</sup>

### Related Cultural Impact:

- *Christian converts have reported that "security officials interrogated them about their religious beliefs and practices as part of the government's effort to place obstacles to conversion from Islam," which has led some converts to "worship in secret to avoid scrutiny." Some government officials have been reported as refusing "to change religion on official documents from Islam to any other religion."*<sup>37</sup>

## KUWAIT

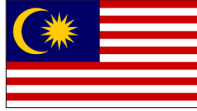


While there is not a specific law prohibiting apostasy, the law provides that "apostates lose certain legal rights, including the right to inherit property from Muslim relatives or spouses." It also "does not specify any criminal penalty."<sup>38</sup>

### Related Cultural Impact:

- *Although apostasy is not prohibited by the law, "the government continued its policy of not issuing new official documents for recording a change in religion."*<sup>39</sup>

## MALAYSIA



“Muslims who seek to convert to another religion must first obtain approval from a sharia court to declare themselves ‘apostates.’” Requests to convert are rarely granted, and apostates can face penalties and “rehabilitation.”<sup>40</sup> Apostasy is a crime punishable by a “fine not exceeding five hundred ringgit (\$119 USD),” “imprisonment for a term not exceeding six months,” or “both.”<sup>41</sup> In the state of Pahang, “six strokes of the cane may . . . be imposed.” “The maximum penalty for apostasy in the states of Kelantan and Terengganu is death.”<sup>42</sup>

Example(s) of Enforcement:

- *In 2015, four Muslims who converted to Christianity sought “to have their applications to apostate be heard in” a civil court “for the declaration that they are Christians.” It was later held that the shariah court, not the civil court where they filed their applications, “had jurisdiction to hear their apostasy applications.”<sup>43</sup>*

Related Cultural Impact:

- *A Malaysian court ruled that Christians are not allowed to use the word “Allah,” in part due to related concerns that Muslims were upset such usage could persuade Muslims to convert to Christianity.<sup>44</sup>*

### SPOTLIGHT

*Related Cultural Impact*



**RAYMOND KOH**

Raymond Koh pastored an evangelical congregation in Malaysia for 20 years. In 2004, he started a ministry to serve the needy—many of whom happened to be Muslim Malays. In 2011, local religious police raided a dinner hosted by Pastor Koh and accused him of trying to proselytize Muslim Malays in attendance, later dropping the charges. On February 13, 2017, Pastor Koh was abducted from his car in broad daylight just outside of Kuala Lumpur. In what appears to be a very coordinated operation, Koh’s vehicle was surrounded by three black unmarked SUVs. The kidnapping took less than a minute.<sup>45</sup> A police sergeant allegedly shared in private with the wife of another man who had been kidnapped “that both men had been taken extralegally in a police operation.” The sergeant also said the police kidnapped Pastor Koh “[b]ecause he ‘apostatized’ Muslims.” An official inquiry later concluded that a special police unit had kidnapped Koh.<sup>46</sup> Pastor Koh has never been found.<sup>47</sup>



## MALDIVES



“The law prohibits the conversion of a Muslim to another religion (i.e., apostasy) and specifies a violation may result in the loss of the convert’s citizenship, although a judge may impose a harsher punishment per sharia jurisprudence.”<sup>48</sup> In addition, the “[p]ropagation of any religion other than Islam is a criminal offense, punishable by two to five years in jail or house arrest. Proselytizing to change denominations within Islam is also illegal and carries the same penalty. If the offender is a foreigner, his or her license to preach in the country will be revoked, and he or she will be deported.”<sup>49</sup>

### Example(s) of Enforcement:

- *In 2017, the government declared Aishath Velezinee, a former member of the Judicial Service Commission, an apostate, and she fled for asylum to the Netherlands.<sup>50</sup> The government accused her of making remarks on her social media pages “mocking Islam and leaving the principles of Islam.” Velezinee returned to the Maldives in November 2018 and was arrested shortly after her arrival.<sup>51</sup>*

### Related Cultural Impact:

- *In 2017, “attackers killed blogger Yameen Rasheed, a critic of religious fundamentalism and violent extremism, in his apartment building stairwell. Earlier that month, a Facebook page had labeled Rasheed ‘an apostate’ who disrespected Islam. Afterward, some websites publicly justified his killing on the grounds that Rasheed had committed apostasy. Police charged seven suspects of murder for Rasheed’s killing.”<sup>52</sup> The suspects’ trials are reportedly ongoing as of November 2018, and the police announced a “decision to review the investigations in to the murders” of Rasheed and other targets of brutal attacks.<sup>53</sup>*

## MAURITANIA



Apostasy and blasphemy appear to be treated similarly under the law. “[A]postasy is a crime punishable by death.” Those “convicted of apostasy who do[] not recant within three days may be sentenced to death and have his or her property confiscated.”<sup>54</sup> On April 27, 2018, Parliament adopted “an amendment to the Penal Code which would mandate the death penalty for blasphemy and apostasy.” The amendment was “pending promulgation” as of June 7, 2018.<sup>55</sup> Among other things, those “who convert from Islam lose their citizenship.”<sup>56</sup>

### Example(s) of Enforcement:

- *The government has never executed anyone for apostasy. But in 2017, a court released a man after his apostasy conviction was overturned, along with his death penalty sentence, because Mauritania’s Supreme Court found “he had properly recanted his statements.” Mohamed Cheikh Ould Mohamed Ould Mkhaytir “was previously sentenced to death in 2014 for apostasy after he allegedly posted statements on social media critical of the Prophet Mohammed.”<sup>57</sup> Following his release, Justice Minister Brahim Ould Daddah stated, “Every Muslim, man or woman, who mocks or insults Mohammed, his angels, books ... is liable to face the death penalty, without being asked to repent. They will incur the death penalty even if they repent.”<sup>58</sup>*

## QATAR



Apostasy is a crime punishable by death as dictated by Sharia law.<sup>59</sup>

### Related Cultural Impact:

- *Qatari Christians face pressure and harassment from family members and peers for their faith. One Qatari citizen said this of someone that becomes a Christian: “If he’s 10 years old, his dad will show him verses from the Quran. If he’s 20 years old, a cousin will kill him or the family will hire someone else to kill him.”<sup>60</sup>*

## SAUDI ARABIA



Apostasy is a crime “punishable by death.”<sup>61</sup> “The law criminalizes “the promotion of atheistic ideologies in any form,” “any attempt to cast doubt on the fundamentals of Islam,” publications that “contradict the provisions of Islamic law,” and other acts deemed contrary to sharia, including “non-Islamic public worship, public display of non-Islamic religious symbols, conversion by a Muslim to another religion, and proselytizing by a non-Muslim.”<sup>62</sup>

### Related Cultural Impact:

- *A young Muslim woman who converted to Christianity was placed under house arrest by her mother once she found out about her daughter’s new faith. Her parents also began trying to arrange her marriage to Muslim men, one of whom she finally accepted. The young woman has attempted to maintain fellowship with an online community of believers, but she has had to be cautious about communications for fear of punishment for her Christian beliefs being exposed.*<sup>63</sup>

## SOMALIA



The provisional federal constitution provides that “[n]o law which is not compliant with the general principles of Shari’ah can be enacted,” and that “[n]o religion other than Islam can be propagated in the Federal Republic of Somalia.”<sup>64</sup>

While this provisional federal constitution—which is only implemented in the Mogadishu area—bans the “propagation” of religions other than Islam, it does not specifically prohibit apostasy. However, some regional Somali governments—governing areas outside Mogadishu—prohibit apostasy in their own constitutions. The federal and regional governments report no cases of individuals charged with apostasy.<sup>65</sup>

Some areas of Somalia are not under federal or regional government control, but under the control of non-state actors like the militant Islamic group Al-Shabaab, which operates according to a strict and harsh framework of Islamic law. These militants treat Christians within Somalia as “high-value” targets,

and those suspected of conversion or “apostasy” may be harassed or killed by their family members or clan leaders.<sup>66</sup>

### Example(s) of Enforcement:

*NOTE: While the federal and regional governments report no cases of individuals charged with apostasy, terrorist groups like al-Shabaab operate as de facto governments in areas they control, and enforce their versions of apostasy law.*

- *In 2011, it was reported that “[m]en suspected to be Al-Shabaab terrorists” executed a Christian convert from Islam. They “kidnapped the Christian, identified as Juma Nuradin Kamil,” beheaded him, and then “dumped his decapitated body in the street.”*<sup>67</sup>

## UNITED ARAB EMIRATES



While not directly prohibiting apostasy, the UAE penal code incorporates the punishment of *hudud* crimes under Sharia law. This includes apostasy, and can include the death penalty.<sup>68</sup> However, at least as of 2012, there have been no known prosecutions for apostasy in court.<sup>69</sup>

Related Cultural Impact:

- *January 2016, three non-citizens were arrested and deported for “preaching a religion other than Islam.”*<sup>70</sup>

## YEMEN



In Yemen, “Islamic Shari’ah is the source of all legislation.”<sup>71</sup> Additionally, “[a]nyone who turns back from or denounces the religion of Islam, is punished by the death penalty after being questioned for repentance three times and after giving him a respite of thirty days. Apostasy in public by speech or acts is considered contradictory to the principles of Islam and its pillars in intention and determination. If the intention or determination is not established and the guilty shows repentance, there will be no punishment.”<sup>72</sup>

Example(s) of Enforcement:

- *In 2008, nine people were detained for converting from Islam to Christianity.*<sup>73</sup>

Related Cultural Impact:

- *Police have reportedly “harassed and detained persons suspected of apostasy in order to compel them to renounce their conversions.”*<sup>74</sup>







# COUNTRIES WITH BLASPHEMY LAWS

Of the three categories of laws in this publication, blasphemy laws—which generally prohibit “insults to religion”<sup>75</sup>—are the largest. Many of the countries listed here have laws on their books that are no longer enforced—or at least haven’t been enforced regularly, or in some time. In some instances, these laws would not be the controlling legal provision in any event (for example, in the United States, if a blasphemy law was used, it would almost certainly draw a First Amendment challenge, which would almost certainly be successful). But in other places, again in many Muslim-majority countries, they are still enforced, and often abused when allegations of blasphemy are made against religious minorities—often with no evidence—to settle unrelated disputes and vendettas.

Therefore, the list of countries in this category includes those which have a blasphemy law on their books which is no longer enforced, and those which have a law on their books which is still regularly enforced (such as Pakistan). An attempt to separate these groups of countries was not made here, and is beyond the scope of this report. It might be more difficult than expected in any event, as recently Austria (a country where blasphemy is not regularly enforced) prosecuted an instance of blasphemy as connected to newly emerging tensions between Islam and Western European societies. This section therefore constitutes a list of every country with a blasphemy law, in alphabetical order, regardless of whether (or how much) the law is enforced.

## AFGHANISTAN



In Afghanistan, blasphemy includes anti-Islamic “works and materials” produced, printed, and/or published in mass media and various agencies; such works and materials “contrary to the Constitution” are considered a crime.<sup>76</sup> Under the controlling jurisprudence of the Hanafi school of Islamic thought, blasphemers must recant within three days before facing prosecution and potentially the death penalty.<sup>77</sup>

### Example(s) of Enforcement:

- *In 2007, Afghan Pervez Kamaksh “was sentenced to death [] for ‘blasphemy and distribution of texts defamatory of Islam.’” His sentence was reduced to imprisonment for 20 years, but then “the president granted Kamaksh amnesty and he left the county.”<sup>78</sup>*

### Related Cultural Impact:

- *Since 2014, there have been “no reports of government prosecutions for blasphemy . . .,” but converts “reported they continued to risk annulment of their marriages, rejection by their families and communities, loss of employment, and possibly the death penalty.”<sup>79</sup>*

## ALGERIA



It is against the law to “denigrat[e] the creed or prophets of Islam through writing, drawing, declaration, or any other means.” Those convicted can face between three to five years in prison and/or a fine between 50,000–100,000 Algerian dinars (\$422–\$845 USD).<sup>80</sup>

### Example(s) of Enforcement:

- *In 2016, an Algerian Christian Slimane Bouhafis was sentenced to five years in prison and fined 100,000 dinars (\$847 USD) for “posting a message on social media about the light of Jesus overcoming the ‘lie’ of Islam and its prophet.” His sentence was reduced to three years and the fine was dropped; after spending 18 months in prison, Bouhafis was released.<sup>81</sup>*

## ANDORRA



It is against the law to “insult[] religious beliefs in public or impede[] or disrupt[] a religious act or ceremony.” The maximum punishment is imprisonment for six months.<sup>82</sup>

## ANTIGUA/BARBUDA



It is illegal to “make use of any abusive, blasphemous, indecent, insulting, profane or threatening language.” The maximum punishment for those convicted include a fine of \$500 USD or imprisonment for one month.<sup>83</sup>

## AUSTRIA



It is against the law to “publicly disparage[] or mock[] a person or a thing . . . [that is] an object of worship or a dogma . . . or [an] institution of a church or religious society. . . , forcibly or threatening with force preclude[] or disturb[] divine service . . . , commit[] mischief at a place intended for [] practice of religion . . . , [or] incite[] against or insult[] or decr[y] . . . the human dignity [of] a group . . .” Those convicted of blasphemy are liable to imprisonment for a term up to two years or to a fine.<sup>84</sup>

## SPOTLIGHT

*Example of Enforcement*



### CASE OF *E.S. V. AUSTRIA*

Recently, a woman was convicted under Austria's blasphemy provision based upon her statements characterizing the behavior of the Islamic Prophet Mohammed as that of a possible pedophile.<sup>85</sup>

The European Court of Human Rights refused to overturn the conviction, instead deferring to the Austrian courts' judgment that the statements "had not been part of an objective discussion concerning Islam and child marriage, but had rather been aimed at defaming Muhammad, and therefore had been capable of arousing justified indignation."<sup>86</sup>

## BAHAMAS



"Whoever publishes, sells, or offers for sale any blasphemous or obscene book, writing or representation, shall be liable to imprisonment for two years" except if an opinion on a religious subject is expressed "in good faith and in decent language."<sup>87</sup>

## BAHRAIN



It is illegal to "commit[] an offence by any method of expression against one of the recognized religious sects or ridicule the rituals thereof," to alter the text of a religious sect with the intention of changing its meanings, to publicly "insult a symbol or a person being glorified or considered sacred," or to publicly "imitate [] a religious ritual or ceremony with the intention of ridiculing it." The punishment for these crimes cannot exceed imprisonment for one year or a fine of 100 BHD (\$265 USD).<sup>88</sup>

## BANGLADESH



It is illegal to "destroy[], damage[] or defile[] any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons," insult the religion or religious beliefs of a class of persons by words with the "deliberate intention of wounding the religious feelings of any person." Those convicted face imprisonment up to two years, a fine, or both.<sup>89</sup>

### Related Cultural Impact:

- *A secularist blogger was murdered by a radical Muslim for expressing views "critical of religious extremism."<sup>90</sup> This is one of a number of killings of Bangladeshi civil society activists by radical Muslims*
- *Buddhists and Hindus face attacks because of their status as religious minorities. For example, in June 2016, 300 houses belonging to Buddhists were set on fire by Muslim villagers; in November 2016, 30 houses belonging to Hindus were "burned and vandalized" after a Facebook post was published that was reportedly demeaning to Islam.<sup>91</sup>*



## BRAZIL



The law prohibits “writ[ing], edit[ing], publish[ing], or sell[ing] literature that promotes religious intolerance.”<sup>92</sup> Those convicted face either a fine or imprisonment from one month to one year.<sup>93</sup>

## BRUNEI



It is illegal to “injur[e] or defil[e] a place of worship with intent to insult” any religion or utter words with intent to “wound [the] religious feelings” of any person. Those convicted face imprisonment for a term ranging from one to five years and a fine.<sup>94</sup> The Sharia Penal Code, which functions alongside the civil penal code, provides that it is illegal to disseminate publications “contrary to Hukum Syara” or distribute “publications relating to religion other than religion of Islam to Muslims or persons having no religion.” Those convicted are liable to punishment that ranges from a maximum fine of \$1,000–\$12,000 USD and/or imprisonment ranging from a maximum term of three months to three years.<sup>95</sup>

### Related Cultural Impact:

- *During a royal proclamation, the sultan said, “the country could not afford to let anyone carry out or import any teachings that could disintegrate Muslims in the country.”<sup>96</sup>*

## COMOROS



Any person who disrupts worship, desecrates places used for worship or objects of worship, or insults a minister “in the exercise of his functions” will be punished. Those convicted face punishment that ranges from a fine between 15,000–100,000 francs (\$35–\$233 USD) and/or imprisonment for a term ranging from two months to two years.<sup>97</sup>

## CYPRUS



Anyone who “destroys, damages, or defiles any place of worship or an object [of worship],” utters words with the intent to wound the religious feelings of another, or publishes literature with negative intent “which any class of persons consider as a public insult to their religion” may be punished. Those convicted are guilty of a misdemeanor charge and may be liable for imprisonment for one year.<sup>98</sup>

## EGYPT



It is illegal to “exploit[] and use[] religion in advocating and propagating” by any method with intent to disrupt or cause division, print and publish a book viewed as holy by a religious group, and ridicule a religious celebration or ceremony. Those convicted are guilty of a misdemeanor and can face a detention for a term between six months and five years or a fine between five hundred pounds and one thousand pounds (\$28–\$56 USD).<sup>99</sup>

### Example(s) of Enforcement:

- *A Coptic Christian was recently sentenced to three years in prison for “insulting Islam in the first degree,” after publishing a post on his Facebook page that compared the Prophet Muhammad with Jesus. Following his arrest, a mob attacked houses owned by Copts.<sup>100</sup>*

## ERITREA



The law prohibits “intentionally and publicly assert[ing] fabricated or distorted facts” to ridicule a religion or ethnic group (Art. 195), “disrupt[ing] or obstruct[ing] a religious service” (Art. 195), “profan[ing] a place, image or object used for [] religious ceremonies” (Art. 196), and offending another person based on their religious background (Art. 302(1)(a)). These crimes constitute either a Class 1 or Class 2 petty offence; punishment ranges from imprisonment for a term between one month and one year or a fine between 5,001–50,000 Nakfas (\$333–\$3,333 USD).<sup>101</sup>

## ETHIOPIA



It is against the law for a person to blaspheme or otherwise express himself in a scandalous or offensive manner “to the feelings or convictions of others or towards the Divine Being or the religious symbols, rites or religious personages;” those convicted face a fine of an unspecified amount or imprisonment for a term up to one month. The law also prohibits a person from preventing, disturbing, or scoffing at a religious ceremony or profaning a “place, image, or object used for religious ceremonies;” those convicted face a fine up to one thousand Birr (\$36 USD) or imprisonment for a term up to two years.<sup>102</sup>

## FINLAND



The law prohibits the “breach of the sanctity of religion,” which includes “blasphem[ing] against God . . . [and] making noise, acting threateningly or otherwise disturb[ing] worship . . . or religious proceedings.” Those convicted are subject to a fine or imprisonment for up to six months.<sup>103</sup>

## GERMANY



Whoever “publicly or through dissemination of writings” insults the religious beliefs of another or denounces a church or religious community “in a manner that is likely to disturb the public peace” is subject to punishment. Those convicted face imprisonment for a term of up to three years or a fine.<sup>104</sup>

## GRENADA



The law prohibits publishing, selling, or attempting to sell “any blasphemous or obscene book, writing, or representation.” Those convicted face imprisonment for two years.<sup>105</sup>

## GUYANA



The law prohibits the “punish[ing] [] [of] blasphemous libel.” Those convicted are guilty of a misdemeanor and face imprisonment for one year.<sup>106</sup>

## INDIA



It is illegal to injure or defile a place or object of worship with intent to insult the religion of any class, deliberately and maliciously “outrage religious feelings of any class,” disturb a religious ceremony, trespass on burial places, or utter words or make gestures with intent to wound the religious feelings of another person. Those convicted face punishment of imprisonment for a term ranging from a maximum of one year to three years and/or a fine of an unspecified amount.<sup>107</sup>

## INDONESIA



It is illegal to “publicly give[] expression to feelings of hostility, hatred or contempt.” Maximum punishment for this crime is four years.<sup>108</sup> If one “deliberately . . . gives expression to feelings or commits an act” which is “at enmity with, abus[es], or stain[s] a religion . . . with the intention to prevent a person to adhere to any religion based on the belief of the almighty God.” Maximum punishment for this crime is five years.

Punishment for blasphemy is a maximum imprisonment term of five years.<sup>109</sup>

There are six recognized religions: Catholicism, Protestantism, Hinduism, Buddhism, Confucianism, and Islam.<sup>110</sup> Civil society organizations must “uphold the national ideology of Pancasila . . . and they are prohibited from committing blasphemous acts or spreading religious hatred.”<sup>111</sup> Those in violation face potentially “los[ing] legal status, dissolution of the organization, and arrest of members . . .”<sup>112</sup>

Example(s) of Enforcement:

- *A Buddhist woman was sentenced to 18 months in prison for blasphemy after she complained that the call to prayer from the neighborhood mosque was too loud.*<sup>113</sup>



## SPOTLIGHT

*Example of Enforcement*



**BASUKI  
PURNAMA**

In 2017, Jakarta's Christian governor, Basuki Purnama, was sentenced to two years imprisonment for blasphemy against Islam; he had accused his political opponents of "using Quranic verses to dissuade Muslims from voting for him in his bid for re-election as Jakarta governor." He had appealed his conviction,<sup>114</sup> and after spending almost two years in prison for blasphemy, Purnama was finally released in January 2019.<sup>115</sup> The United States Commission on International Religious Freedom also raised awareness on the case of a Buddhist woman who was convicted of blasphemy in 2018 after she asking a mosque to lower the volume of its speakers for the call to prayer.<sup>116</sup> Her appeal was rejected by the Indonesian Supreme Court in April 2019, and she finished her sentence on parole shortly thereafter.

## IRAN



It is against the law to "insult[] the Islamic sanctities or any of the imams or her excellency Sadigheh Tahereh;" punishment is imprisonment for one to five years or death if the insult "equals to speaking disparagingly of Prophet Muhammad."<sup>117</sup> The press may not "publish news items . . . [that] violate Islamic principles and codes and public rights as outlined in [chapter 4 of the Press Law]."<sup>118</sup> The law forbids "publishing atheistic articles or issues which are prejudicial to Islamic codes," "propagating obscene and religiously forbidden acts and publishing indecen[cy]," and "insulting Islam and its sanctities, or offending the Leader of the Revolution and recognized religious authorities."<sup>119</sup>

## IRAQ



The law prohibits "attack[ing] the creed of a religious minority or pour[ing] scorn on its religious practices, . . . print[ing] or publish[ing] a book sacred to a religious minority and deliberately misspell[ing] the texts so that the meaning of the text is altered may be punished, . . . publicly insult[ing] a symbol or a person who constitutes an object of sanctification, worship, or reverence to a religious minority, [and] publicly imitat[ing] a religious ceremony or celebration with intent to deceive." Those convicted face imprisonment up to three years or a fine up to 100 dinars (8 cents USD).<sup>120</sup>

## ISRAEL



The law prohibits "destroy[ing], damag[ing] or desecrat[ing] a place of worship or any object which is held sacred by a group of persons, with the intention of reviling their religion, or in the knowledge that they are liable to deem that act an insult to their religion," "publish[ing] a publication that is liable crudely to offend the religious faith or sentiment of others," and "voic[ing] in a public place and in the hearing of another person any word or sound that is liable crudely to offend the religious faith or sentiment of others." Those convicted face imprisonment for a term ranging from one to three years.<sup>121</sup>

## ITALY



The law prohibits “insult[ing] the State religion . . . by offending those who profess it . . . , insulting a minister of the Catholic Church . . . , [or] blasphem[ing] against the Divinity in public.” Those convicted face imprisonment for a term ranging from less than one year to three years or a fine between 100,000–600,000 lira (\$59–\$355 USD).<sup>122</sup>

## JORDAN



It is against the law to “publicly offend[] any prophet,” “publish[] any material that is offensive to other people’s religious feelings or beliefs,” or “make a speech or sound that is offensive to [] [another] person’s religious feelings or beliefs.” Punishment under the penal code is imprisonment for a maximum term ranging from three months to three years or a fine up to 20 dinars (\$28 USD).<sup>123</sup> The Press and Publications Law (2007) prohibits publication of “any material containing slander, libel or defamation directed at, or offensive to [] any religion,” “any material offensive to or implying vilification of founders of religions or prophets [by any means],” or “any material offending religious feelings or beliefs or inciting sectarian or racial hatred.” Those convicted face a fine between 10,000–20,000 dinars (\$14,094–\$28,189 USD).<sup>124</sup>

## KAZAKHSTAN



It is against the law to deliberately act toward “the incitement of social, national, tribal, racial, or religious enmity or antagonism, or at offense to the national honour and dignity, or religious feelings of citizens, as well as propaganda of exclusiveness, superiority, or inferiority of citizens based on their attitude towards religion . . .” Those convicted are liable to punishment based on how the act was committed, repeated offenses, and the seriousness of the consequences. Punishment ranges from a fine up to three thousand monthly assessment indices, or a year’s worth of wages; imprisonment for a period between less than six months to ten years; correctional labor up to two years; restriction of

freedom for a maximum period of four years; and/or “deprivation of the right to hold certain positions or to engage in certain types of activity for a period up to three years.”<sup>125</sup>

## KUWAIT



It is prohibited to “engage in . . . hatred of or showing contempt for any segment of society,” “publishing ideas claiming the superiority of any . . . religious persuasion,” “or encouraging acts of violence.” Those in violation face punishment of imprisonment up to seven years and/or a fine between 10,000–100,000 dinars (\$32,900–\$329,005 USD), and the potential suspension or revocation of a person’s business license.<sup>126</sup> The law also prohibits by any means “defam[ing] the rights and authority of the Amir, or dishonor[ing] the Amir, or display[ing] arrogant behavior towards the underpinnings of this emirate,” “disseminat[ing] views that include ridicule or contempt or belittling of a religion or a religious sect,” “publicly instigat[ing] the practice of immorality or indecency.” Punishment includes imprisonment ranging from a maximum of one year to a maximum of five years and/or a fine ranging from a maximum of 1,000 dinars (\$3,290 USD) and a maximum of 3,000 dinars (\$9,870 USD).<sup>127</sup>

### Example(s) of Enforcement:

- *In November 2016, journalist and secular activist Abdul Aziz Abdullah al-Qenaei was convicted “in a blasphemy case for ‘contempt of Islam’ and ‘slander of sharia.’” He was sentenced to six months imprisonment with labor. Al-Qenaei’s sentence has been suspended and is “pending the appeal process in the higher courts.”<sup>128</sup>*
- *An academic named Sheikha al-Jassem “was summoned to the public prosecutor’s office after legal complaints were filed against her over a[n] . . . interview she gave on TV [where] [s]he asserted that the constitution of Kuwait should be above the Quran and Islamic law in governing the country.” Discretion to proceed with a trial is left to the public prosecutor.<sup>129</sup>*

## LEBANON



The law prohibits “profan[ing] the name of God publicly,” “disparag[ing] religious ceremonies that are practiced, or foment[ing] disdain for any of those religious ceremonies.” Those convicted are liable to imprisonment ranging from one month to three years.<sup>130</sup>

Example(s) of Enforcement:

- *Ahmad Sbeity was arrested in 2017 “for a Facebook post that reportedly insulted the Virgin Mary.”*<sup>131</sup>

## LIBYA



“Whoever publicly attacks the Mohammedan religion” or “blasphemes against God, Mohammed or the prophets, shall be punished by a penalty of detention for a period not exceeding 1 year or of a fine not exceeding [LD] 50 [\$36 USD].”<sup>132</sup>

## LIECHTENSTEIN



“Whoever publicly disparages or mocks a person or a thing, respectively, being an object of worship or a dogma, a legally permitted rite, or a legally permitted institution of a church or religious society located on the territory in a manner capable of giving rise to justified annoyance is liable to imprisonment for a term not exceeding six months or to a fine of up to 360 days’ pay.”<sup>133</sup>

## MALAYSIA



“Disturbing a religious assembly . . . , [u]ttering words . . . with deliberate intent to wound the religious feelings of any person . . . , [and] [c]aus[ing] . . . disharmony, disunity, or feelings of enmity, hatred or ill-will . . . on grounds of religion” is illegal. The penalty for these crimes is imprisonment, a fine, or both. Depending on the crime, imprisonment can be a maximum of one year or a set range of two to five years.<sup>134</sup>

## MALDIVES



“The law criminalizes speech breaking Islamic tenets, breaching social norms, or threatening national security.”<sup>135</sup> The law also prohibits “criticizing Islam’ by engaging in religious oration or criticism of Islam in public or in a public medium with the intent to cause disregard for Islam;” or “producing, selling, or distributing material criticizing Islam.” The penalty is “imprisonment for up to one year.”<sup>136</sup>

## MAURITANIA



It is a crime to “commit[] a public offense to decency and to Islamic morals,” provided that the act “is not included in the crimes” that “are subject to financial compensation to the victim or to retaliation in kind.” The penalty is imprisonment from three months to two years and a fine of 5,000 to 60,000 Mauritanian Ouguiya (\$137–\$1,639 USD).<sup>137</sup> On April 27, 2018, Parliament adopted “an amendment to the Penal Code which would mandate the death penalty for blasphemy and apostasy.” The amendment was “pending promulgation” as of June 7, 2018.<sup>138</sup>

## MAURITIUS



Anyone “who, by word or gesture, commits an outrage on the objects used for religious worship in the place devoted to or actually used for such religious worship . . . shall be punished.” Punishment is “a fine not exceeding 10,000 rupees [\$289 USD], and imprisonment for a term not exceeding one year.”<sup>139</sup>

## MONTENEGRO



It is illegal to “cause[] and spread[]” hatred towards a people or group based on race, religion, or nationality. Punishment is “imprisonment for a term of six months to five years.” Punishment is enhanced to “imprisonment for a term of one to eight years” if “done by . . . exposure to mockery of national, ethn[ic] or religious symbols.”<sup>140</sup>



## MOROCCO



It is illegal for “a newspaper or other publication [to] publish[] a story that harms the Islamic religion.” The penalty is “imprisonment and a fine of 10,000-100,000 dirhams [\$1,057–\$10,572 USD].” The newspaper or other publication may also be suspended “for a term not to exceed three months” or banned.<sup>141</sup>

### Related Cultural Impact:

- *“The government at times reportedly detained and questioned Christian citizens about their beliefs, some of whom reported authorities pressured converts to renounce their faith.” The government also “expelled foreign individuals accused of proselytism,” which was deemed “a threat to public order.”*<sup>142</sup>

## NIGERIA



“Any person who does an act which any class of persons consider as a public insult on their religion, with the intention that they should consider the act such an insult . . . is guilty of a misdemeanour, and is liable to imprisonment for two years.”<sup>143</sup>

### Example(s) of Enforcement:

- *“In January 2016, a Sharia court in Kano state (northern Nigeria) handed a death sentence for ‘blasphemy’ to a Muslim cleric, Abdulazeez Dauda, an adherent of a local faction of the Tijaniya sect, founded in Senegal by Sheikh Ibrahim Niasse. In a secretive trial, Dauda was accused of saying that ‘Niasse was bigger than Prophet Muhammad.’ . . . [S]everal of his followers had already been sentenced to death for the same ‘blasphemy’ in 2015.”*<sup>144</sup> *“These are the first death sentences for blasphemy handed down by a Nigerian Sharia court; those delivered for other offences have not been carried out.”*<sup>145</sup>

## OMAN



It is against the law to “[b]laspHEME[] against the divine glory or against the great prophets . . . [or] [p]ublicly or in a publication insult[] divine religions and religious beliefs . . . to disparage them.” The law prescribes a maximum three-year prison sentence or a fine of 5–500 Omani Rials (\$13–\$1,299 USD).<sup>146</sup>

## PAKISTAN



It is a crime to use the Quran “in any derogatory manner or for any unlawful purpose” or to defile the name of the Prophet Muhammad. The penalty is life imprisonment or death, sometimes in addition to a fine.<sup>147</sup> It is also a crime to “outrag[e]” or “wound[] the religious feelings of any person” by utterance, sound, gesture, or placement of “any object in the sight of that person”; defile the names of the Prophet Muhammad’s wives or relatives; or “misuse” religious epithets, punishable by imprisonment from one to ten years and/or a fine, depending on the crime.<sup>148</sup>

### Example(s) of Enforcement:

- *On February 23, 2018, six Pakistani Christians were charged with blasphemy for “insulting . . . a form of Islamic poetry praising the Prophet Muhammad” and now face imprisonment for up to ten years.*<sup>149</sup>
- *In December 2018, a Pakistani court sentenced two brothers to death for blasphemy after they posted “disrespectful material” on their website.*<sup>150</sup>

## SPOTLIGHT

*Example of Enforcement*



**SHAGUFTA AND  
SHAFQAT**

Shagufta and Shafqat, a married couple in Pakistan, remain languishing in separate prisons, unable to see each other or their four children, since being convicted of blasphemy in 2013 after a Muslim cleric claimed he received a blasphemous text message from Shagufta's phone.<sup>151</sup> The alleged texts were written in English, however Shagufta and Shafqat come from a poor background and are illiterate. They could not have crafted such a text in their native Urdu, and certainly not in English. The couple suspects the cleric's accusation is retaliation for an argument between their children and their neighbors.

Nonetheless, authorities arrested the couple and charged them both with "*insulting the Qur'an*" (under Section 295-B) and "*insulting the Prophet*" (Section 295-C). These crimes are punishable by life imprisonment and death, respectively. In April 2014, Shafqat and Shagufta were sentenced to death, and they are still appealing the court's decision.<sup>152</sup> As of December 2019, at least 17 people were reported to be on death row after being convicted on blasphemy charges.<sup>153</sup>

## PAPUA NEW GUINEA



Public or private possession or dissemination of blasphemous goods or publications is punishable by fines ranging from K1,000-K10,000 (\$298-\$2,979 USD) and/or imprisonment up to six months or one year, depending on the law under which an individual is charged.<sup>154</sup>

## PHILIPPINES



"[A]nyone who, in a place devoted to religious worship or during the celebration of any religious ceremony . . . perform[s] acts notoriously offensive to the feelings of the faithful" shall be punished with imprisonment from one month and one day up to six years.<sup>155</sup>

## POLAND



"Anyone found guilty of offending religious feelings through public calumny of an objector place of worship is liable to a fine, restriction of liberty or a maximum two-year prison sentence."<sup>156</sup>

## QATAR



"Offending, misinterpreting or violating the Holy Quran"; "[o]ffending the Islamic religion"; "[c]ursing any of the divine religions; "[i]nsulting any of the prophets"; or disseminating material "that may offend the Islamic religion or other divine religions" is illegal. The punishment is up to one year or seven years and possibly a fine, depending on the crime.<sup>157</sup>

## RUSSIA



“[E]xpressing overt disrespect for society and committed for the purpose of offending the religious feelings of believers” or obstructing “the activity of religious organizations or the conduct of worship or other religious observances and ceremonies” is punishable by imprisonment, forced labor, or a fine that can amount to multiple pay periods of an individual’s income.<sup>158</sup>

## RWANDA



Anyone “who, by acts, speeches, gestures, writing or threats, publicly humiliates rites, symbols or objects of religion . . . or humiliates a religious leader” shall be punished with imprisonment ranging from fifteen days to two years and possibly with a fine of 50,000–500,000 Rwandan francs (\$57–\$566 USD).<sup>159</sup>

## SAN MARINO



“Whoever publicly blasphemes is liable to reprehension or a fine of days of first degree.”<sup>160</sup> “[A]ttacks on the honour or prestige of a priest,” desecration of “the sacred relics of San Marino,” or desecration or public mockery of “the symbols or the objects of cult or worship of a religion which is not contrary to morals” is prohibited. The penalty is “first-degree” or “second-degree” imprisonment, depending on the crime.<sup>161</sup>

## SAUDI ARABIA



Saudi Arabia does not have a law expressly prohibiting blasphemy, but judicial interpretations of Islamic law result in punishments for the offense, in some cases under penalty of death. However, the “more common penalties are prison sentences, fines, and lashing.”<sup>162</sup>

Example(s) of Enforcement:

- *Blogger Raif Badawi was convicted of blasphemy when he created a website to foster political and religious debate. “Originally sentenced to seven years in prison and 600 lashes, he was later resentenced to the harsher terms of 10 years in prison, separated from his wife and children; 1000 lashes, given in installments of 50 lashes every week, in public; a 10-year travel ban after his prison sentence; and a massive fine.”*<sup>163</sup>

## SINGAPORE



“Whoever, with deliberate intention of wounding the religious or racial feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, or causes any matter however represented to be seen or heard by that person, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.”<sup>164</sup>



## SOMALIA



The blasphemy law criminalizes “bring[ing] the religion of Islam . . . into contempt” and “bringing into contempt persons professing it or places or objected dedicated to worship.” Those convicted are subject to penalties of up to two years in prison.<sup>165</sup>

### Related Cultural Impact:

*NOTE: While the federal and regional governments report no cases of individuals charged with blasphemy, <sup>166</sup> terrorist groups like al-Shabaab operate as de facto governments in areas they control, and enforce their versions of blasphemy law.*

- *Al-Shabaab convicted and executed a man for “insulting the Prophet Mohammed” in territory it controls in southern Somalia.*<sup>167</sup>

## SOUTH SUDAN



“Whoever by any means publicly insults or seeks to incite contempt of any religion in such a manner as to be likely to lead to a breach of the peace, commits an offence, and upon conviction, shall be sentenced to imprisonment for a term not exceeding three years or with a fine or with both.”<sup>168</sup>

## SPAIN



It is against the law “to offend the feelings of the members of a religious confession, publicly disparage[] their dogmas, beliefs, rites or ceremonies in public, verbally or in writing, or insult, also publicly, those who profess or practice these” or “those who do not profess any religion or belief whatsoever.” The penalty is “a fine from eight to twelve months.”<sup>169</sup>

## SRI LANKA



Any person who deliberately and/or maliciously intends to “wound[] the religious feeling of any person” by utterance, sound, gesture, or placement of an object in the person’s sight; or any person who intends to “outrag[e] the religious feelings of any class of persons, by words, either spoken or written, or by visible representations”; will be fined and/or imprisoned for up to either one or two years, depending on the nature of the crime.<sup>170</sup>

## ST. LUCIA



“A publication of defamatory matter is privileged, on condition that it is published in good faith,” or if it “is in fact a fair report of anything said, done, or shown in a civil or criminal inquiry or proceeding before any Court, unless the Court prohibits the publication . . . on the ground that it is . . . blasphemous.”<sup>171</sup> “[A] person accused of publishing defamatory matter” may argue that the publication was justified, but the plea is not available for a charge of blasphemous libel.<sup>172</sup>

## ST. VINCENT AND GRENADINES



“Any person who with the intention of wounding the religious feeling of any other person, writes any word, or utters any word or makes any gesture or sound in the sight or hearing of any other person, or places any object in the sight of any other person, is guilty of an offence and liable to imprisonment for two years.”<sup>173</sup>

## SUDAN



“Whoever, by any means, publicly abuses, or insults any of the religions . . . shall be punished, with imprisonment, for a term, not exceeding one year, or with fine, or with whipping which may not exceed forty lashes.”<sup>174</sup>

## SURINAME



“[T]he person who publicly in speech or in writing or through image or data from automated works utters mocking blasphemy that is offensive to one’s religious feelings”; “mocks a religious minister in the lawful performance of his service”; “taunts objects devoted to a worship service, where and when the practice of that service is lawful”; or “distributes, openly exhibits or affixes writings or images . . . containing expressions that, as mocking blasphemy, may be offensive to one’s religious feelings” is guilty. The penalty can be imprisonment up to one year and/or a fine.<sup>175</sup>

## SWITZERLAND



“Any person who publicly and maliciously insults or mocks the religious conventions of others, and in particular[] their belief in God, or maliciously desecrates objects of religious veneration,” or “maliciously prevents, disrupts or publicly mocks an act of worship” is liable to a monetary penalty.”<sup>176</sup>

## SYRIA



It is against the law to “cause[] a disturbance during the performance of a religious ritual, celebration, or ceremony, or . . . obstruct[] them by violence or threats.” Nor can anyone “destroy[], smash[], deface[], desecrate[], or defile[] a building dedicated to worship, a slogan, or anything else that is venerated by the members of a religion or a group of people.” The penalty is imprisonment from “one month to one year.”<sup>177</sup>

## TANZANIA



“Any person who destroys damages or defiles any place of . . . worship or any object which is held sacred by any class of persons”; or who “makes any gesture,” utterance, sound, or displays any object in order to insult or “wound[] . . . religious feelings” “is guilty of a misdemeanor” and may be “liable to imprisonment for one year.”<sup>178</sup>

### Related Cultural Impact:

- *Three Christians were arrested in 2016 “for cooking food during the Muslim Ramadan fast.” They were accused of “violat[ing] the law by cooking food during Ramadan.” Due to the pressure of local religious leaders, the Christians were released three days later. Christian minorities in Zanzibar have reported “periodic attacks on churches and denial of permits for the construction of new houses of worship.”*<sup>179</sup>

## THAILAND



The Thai criminal code outlines prohibited acts related to “object[s] or place[s] of religious worship” or the “assembly of religious persons” that cause insult or disturbance. The penalties range from less than a year of imprisonment, two to seven years of imprisonment, and/or fines.<sup>180</sup>

## TURKEY



“Any person who openly provokes” or “humiliates” a group or individual “belonging to [a] different social class, religion, race, sect, or coming from another origin” may be punished with imprisonment for six months to three years, depending on the nature of the crime. “[O]penly disrespect[ing] the religious belief of [a] group is punished with imprisonment from six months to one year if such act causes potential risk for public peace.”<sup>181</sup>

# UNITED ARAB EMIRATES



“The law prohibits blasphemy, defined as any act insulting God, religions, prophets, messengers, holy books, or houses of worship.” The penalty is “imprisonment for five or more years and fines from 250,000 AED [\$68,065] to two million AED [\$544,520] . . .”<sup>182</sup>

Example(s) of Enforcement:

- *In July 2017, a Dubai court “convicted a Lebanese businessman of blasphemy and threatening his former business partner, after he sent several text messages in which he cursed God and threatened the partner, an Emirati man. The businessman was jailed, fined 500,000 AED (\$136,130 USD), and sentenced to deportation after his three-month prison sentence was completed.”*<sup>183</sup>

Related Cultural Impact:

- “[T]he country’s two primary internet service providers . . . block websites that are critical of Islam or dedicated to other religious topics.”<sup>184</sup>

# UNITED STATES



Within the United States, six states have some form of blasphemy laws:

- **Massachusetts:** “Whoever wil[l]fully blasphemes the holy name of God by denying, cursing or contumeliously reproaching God, his creation, government or final judging of the world, or by cursing or contumeliously reproaching Jesus Christ or the Holy Ghost, or by cursing or contumeliously reproaching or exposing to contempt and ridicule, the holy word of God contained in the holy scriptures shall be punished by imprisonment in jail for not more than one year or by a fine of not more than three hundred dollars, and may also be bound to good behavior.”<sup>185</sup>
- **Michigan:** “Punishment—Any person who shall wil[l]fully blaspheme the holy name of God, by cursing or contumeliously reproaching God, shall be guilty of a misdemeanor.”<sup>186</sup>

- **Oklahoma:** “Blasphemy consists in wantonly uttering or publishing words, casting contumelious reproach or profane ridicule upon God, Jesus Christ, the Holy Ghost, the Holy Scriptures or the Christian or any other religion.”<sup>187</sup>
- **Pennsylvania:** “An association name may not contain words that constitute blasphemy, profane cursing or swearing or that profane the Lord’s name.”<sup>188</sup>
- **South Carolina:** “Any person who shall (a) willfully and maliciously disturb or interrupt any meeting, society, assembly or congregation convened for the purpose of religious worship; (b) enter such meeting while in a state of intoxication or (c) use or sell spirituous liquors, or use blasphemous, profane or obscene language at or near the place of meeting shall be guilty of a misdemeanor . . .” The penalty is “a fine of not less than twenty nor more than one hundred dollars” and/or “imprison[ment] for a term not exceeding one year or less than thirty days,” to be decided “at the discretion of the court.”<sup>189</sup>
- **Wyoming:** “Nothing . . . shall authorize the publication of blasphemous or indecent matter.”<sup>190</sup>

# VANUATU



“No person shall destroy, damage or defile any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion.” The penalty is imprisonment for two years.<sup>191</sup>



## YEMEN



“[D]isseminat[ing] in public ideas containing ridicule or contempt of religion in its beliefs or rituals or teachings” or “instigat[ing] in public or ridicul[ing] a faction of people or empower[ing] a faction to dominate for the purpose of disturbing public peace” is prohibited. The punishment is a fine or imprisonment “not exceeding three years.”<sup>192</sup>

Related Cultural Impact:

- *A young man was abducted and murdered “after he wrote some posts that seemed critical of Islam on Facebook.” Comments on Facebook condemned the young man for being an atheist, indicating that his death may have been an apostasy killing, but his family denied that he was an atheist.*<sup>193</sup>

## ZAMBIA



“Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons”; or who “makes any gesture,” utterance, sound, or displays any object in order to insult or “wound[] . . . religious feelings” “is guilty of a misdemeanor” and may be “liable to imprisonment for one year.”<sup>194</sup>

## ZIMBABWE



“Any person who publicly makes any insulting or otherwise grossly provocative statement that causes offence to persons of a particular race, tribe, place of origin, colour, creed or religion, intending to cause such offence or realising there is a real risk or possibility of doing so, shall be guilty. . . .” The person is “liable to a fine . . . or imprisonment for a period not exceeding one year or both.”<sup>195</sup>



# COUNTRIES WITH ANTI-CONVERSION LAWS

Anti-conversion laws, quite simply, prohibit people from converting to another religion.<sup>196</sup> Primarily in place in parts of the Hindu and Buddhist world, anti-conversion laws are used by governments to maintain a majority of the population within their preferred religion.

These laws are supposed to serve the purpose of preventing people from being tricked and “induced” into changing from any faith to any other faith, but often end up discouraging the sharing of one’s faith—often due to action taken against quite ordinary proselytizing on the grounds that it is “tricking” people into “fraudulent” conversions. These laws end up having a chilling effect on simply sharing one’s faith, even if it is done in a noncoercive manner.<sup>197</sup>

## BHUTAN



Article 7.4 of Bhutan's Constitution states that "[n]o person shall be compelled to belong to another faith by means of coercion or inducement."<sup>198</sup> Neither religious organizations or individuals may "[c]ompel any person to belong to another faith,"<sup>199</sup> by use of "coercion or other forms of inducement to cause the conversion of a person from one religion or faith to another."<sup>200</sup>

## BURMA (MYANMAR)



The Constitution provides that citizens are "entitled to freedom of conscience and the right to freely profess and practise religion;" however, those rights are "subject to public order, morality or health and to the other provisions of [the] Constitution."<sup>201</sup> The religious conversion law regulates conversion through an extensive application and approval process. The law prohibits conversion with the intent to insult, degrade, destroy, or misuse any religion, the compelling of another to convert "through bonded debt, inducement, intimidation, undue influence or pressure," and hindering, preventing, or interfering with another person's conversion.<sup>202</sup> Those found in violation of these prohibitions face punishment that ranges from a maximum fine of 50,000–200,000 Kyats (\$31–\$125 USD) and/or imprisonment ranging from a maximum term of six months to two years.<sup>203</sup> There is no punishment for converting to another faith, but the extent of the government's involvement in a person's decision to convert is troubling and unnecessary.<sup>204</sup>

### SPOTLIGHT

*Related Cultural Impact*



### MUSLIM ROHINGYA AND CHRISTIAN KACHIN IN BURMA

In addition to a widespread genocidal campaign against Muslim Rohingya, Burmese military units have bombed or burned at least 60 churches in a span of 18 months. Those affected make up the Kachin State of Burma in which 95 percent of the people are Christian. Many of those properties that have been destroyed by the government have been turned into Buddhist pagodas.<sup>205</sup>



# INDIA



Several states in India have legislation restricting religious conversion, seven of which enforce the laws: Odisha (formerly Orissa),<sup>206</sup> Madhya Pradesh,<sup>207</sup> Chhattisgarh,<sup>208</sup> Gujarat,<sup>209</sup> Himachal Pradesh,<sup>210</sup> Jharkhand,<sup>211</sup> and Uttarakhand.<sup>212 213</sup> States prohibit religious conversion by use of “force,” “allurement,” or “fraudulent means” and “require district authorities be informed of any intended conversion one month in advance.”<sup>214</sup> Punishment varies by state, but the maximum is imprisonment for a term of three years and/or a fine of 50,000 rupees (\$700 USD). Some states require “individuals wishing to convert to another religion and clergy intending to officiate in a conversion ceremony to submit formal notification to the government.”<sup>215</sup>

## Example(s) of Enforcement:

- *Numerous Christians have been arrested in recent years on allegations that they attempted to fraudulently convert people.*<sup>216</sup>
- *In December 2016, seven Christian pastors were arrested “while they were holding a prayer meeting in a private home.” They received 14-day sentences “in judicial custody for carrying out a forcible conversion campaign.”*<sup>217</sup>

## SPOTLIGHT

*Related Cultural Impact*



## CHRISTIANS IN ODISHA, INDIA

On October 7, 2020, a group of Hindu extremists attacked more than 30 Christian families in a village in Odisha State of India.<sup>218</sup> Christian families were dragged out of their houses and beaten up without even sparing the women and children. It is not uncommon for “the village president and elders to go door-to-door threatening Christians to renounce their faith and return to Hinduism.”<sup>219</sup> Local pastors say that such incidents are “deliberate and funded by some prominent people in politics and a well-strategized effort to target the home churches in the remotest parts of the state.”

## Related Cultural Impact:

- *According to the Indian Supreme Court, “converting from Hinduism to another religion ordinarily ‘operates as an expulsion from the caste’ since caste is a structure affiliated with Hindu society.”*<sup>220</sup>
- *Christians are often accused of fraudulent conversions, when they are merely sharing their faith. This creates a chilling effect on free speech and the free sharing of faith.*<sup>221</sup>

## ISRAEL



The law prohibits proselytizing “to a person under 18 years of age without the consent of both parents [and] offering a material benefit in the course of proselytizing.”<sup>222</sup>

## KAZAKHSTAN



“[C]oercive religious activities that harm the health or morality of citizens,” “force them to end marriages, or family relations, violate human rights and freedoms, or force citizens to evade performance of duties specified in the constitution and legislation” are prohibited by law. Certain “methods of proselytizing that take advantage of a potential convert’s dependence on charity,” “blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities” are also prohibited.<sup>223</sup>

## NEPAL



“No person shall . . . convert a person of one religion to another religion, or disturb the religion of other people.”<sup>224</sup> The penalty is “imprisonment for a term not exceeding five years and a fine not exceeding fifty thousand rupees (\$436 USD).”<sup>225</sup> In 2017, the parliament had “reduce[d] the punishment for converting — or encouraging conversion of — another person or for engaging in any act, including the propagating of religion, that undermines the religion, faith, or belief of any caste, ethnic group, or community, from six years to five years’ imprisonment.”<sup>226</sup> A fine may also be imposed and foreign nationals may be subject to deportation.

### Example(s) of Enforcement:

- *Eight Christians were charged with “proselytizing” and attempting to convert children after distributing a pamphlet about Jesus while helping children during the trauma of last year’s earthquake.*<sup>227</sup>
- *A Christian social worker was charged with violations of the anti-conversion law for allegedly trying to convert children she was caring for in an orphanage.*<sup>228</sup>

# COUNTRIES WHERE VIOLATIONS OF APOSTASY AND BLASPHEMY LAWS MAY CARRY THE DEATH PENALTY

Eleven countries may impose the harshest penalties for violating apostasy and blasphemy laws. While the death penalty is rarely enforced, it remains in the law as a possible punishment for these violations.

No one should be imprisoned or put to death for expressing their religious beliefs. It should be a priority for the international community to call for the repeal of apostasy, blasphemy, and anti-conversion laws in all countries, and especially those in which the violation of these unjust laws might carry the highest price.

## APOSTASY:

Afghanistan<sup>229</sup>  
Brunei<sup>230</sup>  
Iran<sup>231</sup>  
Malaysia<sup>232</sup>  
Mauritania<sup>233</sup>  
Qatar<sup>234</sup>  
Saudi Arabia<sup>235</sup>  
United Arab Emirates<sup>236</sup>  
Yemen<sup>237</sup>

## BLASPHEMY:

Afghanistan<sup>238</sup>  
Brunei<sup>239</sup>  
Iran<sup>240</sup>  
Mauritania<sup>241</sup>  
Nigeria<sup>242</sup>  
Pakistan<sup>243</sup>  
Saudi Arabia<sup>244</sup>





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Family Research Council  
801 G Street NW  
20001 Washington, D.C.  
[frc.org](http://frc.org)

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