

## NEAR EAST AND NORTH AFRICA

### ALGERIA

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects this right in practice; however, there were some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Islam is the only state-sanctioned religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by not inquiring into the religious practices of individuals. Self-proclaimed radical Muslim terrorists continue to justify their killing of security force members and civilians by referring to interpretations of religious texts; however, the level of violence perpetrated by terrorists declined during the period covered by this report.

The generally amicable relationship among religions contributed to religious freedom. A very small number of citizens practice nonmainstream forms of Islam or other religions, and there is minimal societal discrimination against them.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 6,406,880 square miles and its population is approximately 31,194,000. The vast majority of citizens belong to the Sunni branch of Islam. Official data on the number of non-Muslim residents is not available. Many citizens who practice non-Muslim faiths have fled the country as a result of the civil war; thus, the number of Christians and Jews in the country is significantly lower than the estimated total before 1992. The small Christian community, which is predominantly Roman Catholic, has approximately 25,000 members, and the Jewish community numbers perhaps fewer than 100. There are no reliable figures on the numbers of atheists in the country, and very few persons identify themselves as such. There is only one missionary group operating in the country on a full-time basis. Other evangelical groups travel to and from the country but are not established.

For security reasons, both Christians and Jews have concentrated in Algiers and the larger cities of Constantine and Oran. There also is a Christian community in the eastern region of Kabylie.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects this right in practice; however, there were some restrictions. Islam is the only state-sanctioned religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by not inquiring into the religious practices of individuals. The small Christian and Jewish populations generally practice their faiths without government interference. Missionary groups are permitted to operate without government interference as long as they are discreet. Most of the "home churches" in which Christians worship are in contact with the Government and none report feeling intimidated or threatened.

##### *Restrictions on Religious Freedom*

The Government appoints preachers to mosques and gives general guidance on sermons. The Government monitors activities in mosques for possible security-related offenses. Amendments to the Penal Code, which became law on June 27, 2001, established strict punishments, including fines and prison sentences for anyone

other than government-designated imams who preach in mosques. Harsher punishments were established for any person, including government-designated imams, if such persons act "against the noble nature of the mosque." The Ministry of Religious Affairs provides some financial support to mosques and has limited control over the training of imams.

The law prohibits public assembly for purposes of practicing a faith other than Islam. However, there are Roman Catholic churches, including a cathedral in Algiers (the seat of the Archbishop), which conduct services without government interference. In 1994 the size of the Jewish community diminished significantly, and its synagogue has since been abandoned. There are only a few smaller churches and other places of worship; non-Muslims usually congregate in private homes for religious services.

Islamic law (Shari'a) does not recognize conversion from Islam to any other religion; however, conversion is not illegal under the law. Conversions from Islam to other religions are rare. Due to safety concerns and potential legal and social problems, Muslim converts practice their new faith clandestinely.

Non-Islamic proselytizing is illegal, and the Government restricts the importation of non-Islamic literature for widespread distribution. Personal copies of the major works of other religions, such as the Bible, may be brought into the country. Occasionally such works are sold in local bookstores in Algiers, and in general, non-Islamic religious texts are no longer difficult to find. Non-Islamic religious music and video selections also are available. The Government prohibits the dissemination of any literature that portrays violence as a legitimate precept of Islam.

Because Islam is the state religion, the country's education system is structured to benefit Muslims. Education is free to all citizens below the age of 16, and the study of Islam is a strict requirement in the public schools, which are regulated by the Ministry of Education and the Ministry of Religious Affairs. Private primary and secondary schools were permitted to operate for the first time in 1990, with the first private primary school opening in 1992. Now both private primary and private secondary schools operate in the country; however, private school students find it more difficult than other students to register for official national examinations.

Some aspects of Shari'a as interpreted and applied in the country discriminate against women. The 1984 Family Code, which is based in large part on Shari'a, treats women as minors under the legal guardianship of a husband or male relative. For example, a woman must obtain a father's approval to marry. Divorce is difficult for a wife to obtain except in cases of abandonment or the husband's conviction for a serious crime. Husbands generally obtain the right to the family's home in the case of divorce. Custody of the children normally is awarded to the mother, but she may not enroll them in a particular school or take them out of the country without the father's authorization. Only males are able to confer citizenship on their children. Muslim women are prohibited from marrying non-Muslims; Muslim men may marry non-Muslim women.

Women also suffer from discrimination in inheritance claims; in accordance with Shari'a, women are entitled to a smaller portion of an estate than are male children or a deceased husband's brothers. According to Shari'a, such a distinction is justified because other provisions require that the husband's income and assets be used to support the family, while the wife's remain, in principle, her own. Women may take out business loans and are the sole custodians of their dowries. However, in practice women do not always have exclusive control over assets that they bring to a marriage or income that they earn themselves. Females under 19 years of age may not travel abroad without their husbands' permission.

#### *Abuses of Religious Freedom*

The country's 9-year civil conflict has pitted self-proclaimed radical Muslims against moderate Muslims. Approximately 100,000 civilians, terrorists, and security forces have been killed during the past 9 years. Extremist self-proclaimed Islamists have issued public threats against all "infidels" in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims, including missionaries. Extremists continued attacks against both the Government and moderate Muslim and secular civilians; however, the level of violence perpetrated by these terrorists declined during the period covered by this report. The majority of the country's terrorist groups do not, as a rule, differentiate between religious and political killings. In the majority of cases during the period covered by this report, in which both security forces and civilians died at the hands of terrorists, the preferred methods of assault were knifings (particularly throat-slitting) and shootings. Terrorists, often claiming religious justification for their actions, set up false roadblocks to kill civilians and security force personnel. Terrorists also killed villagers and shepherds in their homes and fields, with firearms and knives.

During the period covered by this report, an indeterminate number of persons were serving prison sentences because of their alleged Islamist sympathies or membership in Islamist groups that commit or endorse terrorists acts; however, there were no reports of cases in which it was clear that persons were arrested or detained based solely on their religious beliefs.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

In general noncitizens who practice faiths other than Islam enjoy a high level of tolerance within society; however, citizens who renounce Islam generally are ostracized by their families and shunned by their neighbors. The Government generally does not become involved in such disputes. Converts also expose themselves to the risk of attack by radical extremists.

The majority of cases of harassment and security threats against non-Muslims come from radical Islamists who are determined to rid the country of those who do not share their extremist interpretation of Islam (see Section II). However, a majority of the population subscribes to Islamic precepts of tolerance in religious beliefs. Moderate Islamist religious and political leaders have criticized publicly acts of violence committed in the name of Islam.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. However, because the country was rated as a "critical threat" post during the period covered by this report, the U.S. Embassy's staff level was one-third the size that it would have been under normal circumstances. Officers were confined to the embassy grounds and moved outside its walls, almost exclusively for business purposes, with armed escorts. For practical and logistical purposes, the Embassy could not maintain regular contact with leaders in the Muslim community or with the Ministry of Religious Affairs. Nevertheless, the Embassy tracked human rights issues, including religious freedom, as closely as possible under these restrictive working conditions.

The U.S. Embassy maintained frequent contact with the National Observatory for Human Rights (ONDH), a quasigovernmental institution that was established by the Government in response to international and domestic pressure to improve Algeria's human rights record. The Embassy assisted, wherever possible, to augment the ONDH's ability to address human rights abuses. Although officially disbanded, the ONDH continues to function and embassy personnel continue to remain in contact with it and its leadership.

The Embassy maintained strong and close contact with religious leaders in the non-Muslim community, who cite the dangers posed by radical Islamists as their principal concern regarding the safe practice of their faith. The Embassy maintains contact with several moderate Islamist organizations, including a social service non-governmental organization and a scholarly institute.

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## BAHRAIN

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this right.

There was no change in the status of respect for religious freedom during the period covered by this report. In the past, the Government did not tolerate political dissent, including from religious groups or leaders; however, by February 14, 2001, the Amir had pardoned and released all remaining political prisoners and religious leaders. The Government continues to subject both Sunni and Shi'a Muslims to governmental control and monitoring, and there is some government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government.

Relations among religions in society are generally amicable; however, Shi'a Muslims, who constitute the majority of the population, sometimes resent minority Sunni Muslim rule.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 231 square miles, and its population is approximately 700,000. The citizen population is 98 percent Muslim; Jews and Christians constitute the remaining 2 percent. Muslim citizens belong to the Shi'a and Sunni branches of Islam, with Shi'a constituting as much as two-thirds of the indigenous population.

Foreigners, mostly from South Asia and other Arab countries, constitute approximately 38 percent of the total population. Roughly half of resident foreigners are non-Muslim, including Christians, Jews, Hindus, Baha'is, Buddhists, and Sikhs.

There is no information available regarding the numbers of atheists in the country.

The American Mission Hospital, which is affiliated with the National Evangelical Church, has operated in the country for over a century. The church adjacent to the hospital holds weekly services and also serves as a meeting place for other Protestant denominations.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there were some limits on this right. In the past, the Government did not tolerate political dissent, including from religious groups or leaders; however, by February 14, 2001, the Amir had pardoned and released all political prisoners and detainees, including Shi'a clerics. The Government continues to subject both Sunni and Shi'a Muslims to governmental control and monitoring, and there is some government discrimination against Shi'a Muslims. Members of other religions who practice their faith privately do so without interference from the Government, and are permitted to maintain their own places of worship and display the symbols of their religion.

Every religious group must obtain a permit from the Ministry of Justice and Islamic affairs in order to operate. Holding a religious meeting without a permit is illegal. There were no reports of religious groups being denied a permit.

The High Council for Islamic Affairs is charged with the review and approval of all clerical appointments within both the Sunni and Shi'a communities, and maintains program oversight for all citizens studying religion abroad.

The civil and criminal legal systems consist of a complex mix of courts, based on diverse legal sources, including Sunni and Shi'a Shari'a (Islamic law), tribal law, and other civil codes and regulations.

The Government has declared the Shi'a religious celebration of Ashura to be a 2-day national holiday and allows Shi'a to stage public demonstrations during the holiday. As a gesture of continued conciliation toward the Shi'a community, the Amir donated rice and lamb to approximately 500 Shi'a community centers for the 2001 Ashura.

Notable dignitaries from virtually every religion and denomination visit the country and frequently meet with the Government and civic leaders.

In 1999 Amir Hamad bin Isa al-Khalifa publicly called for religious tolerance, and in November of the same year, he met with Pope John Paul II and established diplomatic relations with the Vatican.

*Restrictions on Religious Freedom*

The Government funds, monitors, and closely controls all official religious institutions. These include Shi'a and Sunni mosques, Shi'a Ma'tams (community centers), Shi'a and Sunni Waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (Sunni) schools of Islamic jurisprudence. While the Government rarely interferes with what it considers legitimate religious observations, it has, in the past, actively suppressed any activity deemed overtly political in nature. The Government permits public religious events, most notably the large annual commemorative marches by Shi'a, but such events are monitored closely by the police.

In the past, the Government occasionally closed mosques and Ma'tams for allowing political demonstrations to take place on or near their premises or to prevent religious leaders from delivering political speeches during Friday prayer and sermons; however, there were no reported closures of Ma'tams or mosques during the period covered by this report. In past years, the Government detained religious leaders for delivering political sermons or for allowing such sermons to be delivered in their mosques. The Government also has appropriated or withheld funding in order to reward or punish particular individuals or places of worship. However, there were

no reports of such detentions or funding restrictions during the period covered by this report.

There are no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and holy sites in Iran, Iraq, and Syria, although stateless residents who do not possess Bahraini passports often have difficulties arranging travel to religious sites abroad. However, the Government began to address the problem during the period covered by this report by granting citizenship to over 4,000 previously stateless residents. The Government monitors travel to Iran and scrutinizes carefully those who choose to pursue religious study there.

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. Sunnis predominate because the Sunni ruling family is supported by the armed forces, the security service, and powerful Sunni and Shi'a merchant families. Sunnis receive preference for employment in sensitive government positions and in the managerial ranks of the civil service. Shi'a citizens are not allowed to hold significant posts in the defense and internal security forces. However, since April 1999, Shi'a have been allowed to be employed in the enlisted ranks of the Bahrain Defense Force and with the Ministry of the Interior, two bodies in which Shi'a had been denied employment during previous years.

The political dynamic of Sunni predominance in the past has led to incidents of unrest between the Shi'a community and the Government. There were no reports of significant political or religious unrest during the period covered by this report.

The Government discourages proselytizing by non-Muslims and prohibits anti-Islamic writings. However, Bibles and other Christian publications are displayed and sold openly in local bookstores that also sell Islamic and other religious literature. Religious tracts of all branches of Islam, cassettes of sermons delivered by Muslim preachers from other countries, and publications of other religions are readily available. However, a government-controlled proxy server prohibits user access to internet sites considered to be antigovernment or anti-Islamic. The software used is unreliable and often inhibits access to uncontroversial sites as well.

Shari'a governs the legal rights of women. Specific rights vary according to Shi'a or Sunni interpretations of Islamic law, as determined by the individual's faith, or by the courts in which various contracts, including marriage, have been made. While both Shi'a and Sunni women have the right to initiate a divorce, religious courts may refuse the request. Although local religious courts may grant a divorce to Shi'a women in routine cases, occasionally Shi'a women seeking divorce under unusual circumstances must travel abroad to seek a higher ranking opinion than that available in the country. Women of either branch may own and inherit property and may represent themselves in all public and legal matters. In the absence of a direct male heir, a Shi'a woman may inherit all property. In contrast, a Sunni woman—in the absence of a direct male heir—inherits only a portion as governed by Shari'a; the balance is divided among brothers, uncles, and male cousins of the deceased.

In divorce cases, the courts routinely grant Shi'a and Sunni women custody of daughters under the age of 9 and sons under age 7, although custody usually reverts to the father once the children reach those ages. In all circumstances except mental incapacitation, the father, regardless of custody decisions, retains the right to make certain legal decisions for his children, such as guardianship of any property belonging to the child, until the child reaches legal age. A noncitizen woman automatically loses custody of her children if she divorces their citizen father.

Some women complain that admission policies at the National University are aimed at increasing the number of male students at the expense of qualified female applicants, especially Shi'a women. Nevertheless, women make up the majority of students at the country's universities.

#### *Abuses of Religious Freedom*

Until February 14, 2001, the Government had held in detention hundreds of Shi'a, including religious leaders, for offenses involving "national security." In June 1999, the Government gradually began releasing incarcerated individuals as part of an Amiri decree calling for the release or pardon of more than 350 Shi'a political prisoners, detainees, and exiles. In December 1999 and during 2000, the Amir pardoned at least another 350 prisoners. On February 6, 2001, the Amir pardoned an additional 298 political prisoners and detainees, and pardoned 108 exiles who had requested to return to the country. By February 14, 2001, the Amir had pardoned and released all political prisoners and detainees, including Hassan Sultan and Haji Hassan Jassallah, two Shi'a clerics associated with prominent cleric Abdul Amir Al-Jamri, as well as Shi'a religious leader Shaikh Abdul Wahab Hussein, who had been in detention for more than 5 years.

On March 8, 2001, Bahraini cleric Shaikh Issa Qassim, the former head of the Shi'a Religious Party, returned to the country after an 8-year exile. The Government permitted large crowds of celebrating Shi'a to greet Qassim upon his return.

In July 1999, the Amir pardoned Al-Jamri, who had been in prison since 1996. After his release, the Government has monitored Al-Jamri's movements. It also denied him the right to issue marital status certificates, a lucrative source of income for many clerics. However, since January 2001, the Government has ceased conducting surveillance of Al-Jamri's residence and permitted him to lead Friday noon prayers.

There were no reports of religious detainees or prisoners during the period covered by this report whose imprisonment could be attributed solely to the practice of their religion.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. In the private sector, Shi'a tend to be employed in lower paid, less skilled jobs. Educational, social, and municipal services in most Shi'a neighborhoods, particularly in rural villages, are inferior to those found in Sunni urban communities. In an effort to remedy social discrimination, the Government has built numerous subsidized housing complexes, which are open to all citizens on the basis of financial need. In order to ease both the housing shortage and strains on the national budget, in 1997 the Government revised its policy to permit lending institutions to finance mortgages on apartment units.

Converts from Islam to other religions are not well tolerated by society, but some small groups worship in their homes.

After demonstrations in support of Palestinians on October 13, 2000, several youths and men reportedly boarded a bus carrying Catholic parishioners, took Bibles from the parishioners, and threw some of the Bibles out of the bus window.

### SECTION IV. U.S. GOVERNMENT POLICY

An official written dialog takes place between U.S. Embassy officials and government contacts on matters of religion. One such example is the memorandum received by the Embassy each year from the Government in response to the Country Reports on Human Rights Practices for Bahrain.

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## EGYPT

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Under the Constitution, Islam is the official state religion and the primary source of legislation. Accordingly religious practices that conflict with Islamic law (Shari'a) are prohibited. However, in the country the practice of Christianity or Judaism does not conflict with Shari'a and, for the most part, members of the non-Muslim minority worship without harassment and maintain links with coreligionists in other countries.

There was a trend toward improvement in the Government's respect for and protection of the right to religious freedom during the period covered by this report. Public schools began using curricular materials on Coptic history, the Government implemented policies facilitating church repairs, and seven Christians became deputies in the People's Assembly (3 were elected and four were appointed by the President). There was continued press and public discussion of intercommunal relations and religious discrimination. Nevertheless there were some Government abuses and restrictions on the right to religious freedom. In January 2001, security authorities arrested 18 citizens, most of them Baha'is, on suspicion of "insulting religion;" 10 remained in detention without charge at the end of the period covered by this report. During the period covered by this report, several intellectuals faced trial or charges related to writings or statements on the subject of religion. Government discrimination against non-Muslims persisted.

Religious discrimination in society is a problem about which many citizens agree more needs to be done; however, many argue that development of the economy, polity, and society is the most effective and enduring way to abolish prejudice. In Feb-

bruary 2001, a criminal court acquitted 92 of 96 defendants suspected of crimes committed while participating in violence in the village of Al-Kush in January 2000 that resulted in the deaths of 20 Christians and 1 Muslim. In September 2000, a criminal court convicted 20 persons and acquitted 19 of crimes including assault and arson committed in the neighboring village of Dar Al-Salaam. By the end of the period covered by this report, the Court of Cassation was considering whether to order a retrial of the 92 suspects who had been acquitted of participation in the violence in Al-Kush.

The subject of religious freedom remains an important and active part of the bilateral dialog between the U.S. and Egyptian Governments. Senior Administration officials, the U.S. Ambassador, and members of Congress have raised U.S. concerns about religious discrimination with President Hosni Mubarak and other senior government officials. In March 2001, members of U.S. Commission on International Religious Freedom visited the country and discussed religious freedom issues with a variety of Egyptian Government and non-governmental representatives.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 370,308 miles, and its population is between 66 and 67 million. Most citizens, approximately 90 percent, are Sunni Muslims. There is a small number of Shi'a Muslims who constitute less than 1 percent of the population. Approximately 8 to 10 percent of the population are Christians, the majority of whom belong to the Coptic Orthodox Church. Other Christian communities include the Armenian, Chaldean, Greek, Maronite, Roman, and Syrian Catholic Churches. An evangelical Protestant church, first established in the middle of the 19th century, has grown to a community of 17 Protestant denominations. There also are followers of the Seventh-Day Adventist Church, which was granted legal status in the 1960's. The non-Muslim, non-Coptic communities range in size from several thousand to hundreds of thousands. The number of Baha'is has been estimated at between several hundred and a few thousand. The Jewish community numbers fewer than 200 persons. There are very few atheists.

Christians are geographically dispersed throughout the country, although the percentage of Christians tends to be higher in upper (southern) Egypt and some sections of Cairo and Alexandria.

There are many foreign missionary groups that work within the country, especially Roman Catholics and Protestants who have had a presence in the country for 100 years or more, although their mission involves education more than proselytizing. The Government generally tolerates missionary groups if they do not proselyte actively.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Under the Constitution, Islam is the official state religion and the primary source of legislation. Accordingly religious practices that conflict with Shari'a are prohibited; however, in the country the practice of Christianity or Judaism does not conflict with Shari'a and, in general, members of the non-Muslim minority worship without harassment and maintain links with coreligionists in other countries.

The Constitution requires schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

The religious establishment of Al-Azhar and the Ministry of Awqaf engage in interfaith discussions both domestically and abroad. First Lady Suzanne Mubarak has supported the development of reading and other curricular materials that advocate tolerance, which are distributed under her patronage by literacy projects aimed at girls.

##### *Restrictions on Religious Freedom*

All mosques must be licensed, and the Government is engaged in an effort to control them legally. The Government appoints and pays the salaries of the imams who lead prayers in mosques and monitors their sermons. In December 2000, the Minister of Awqaf announced that of the more than 70,000 mosques in the country, the Government controls 52,000 mosques and 11,000 mosques located in private buildings. In an effort to combat extremists, the Government has announced its intention to bring all nongovernment mosques under its control by 2002.

An 1856 Ottoman decree still in force requires non-Muslims to obtain a presidential decree to build a place of worship. In addition Interior Ministry regulations issued in 1934 specify a set of 10 conditions that the Government must consider

prior to issuance of a presidential decree permitting construction of a church. These conditions include the location of the proposed site, the religious composition of the surrounding community, and the proximity of other churches. The Ottoman decree also requires the President to approve permits for the repair of church facilities.

In December 1999, in response to strong criticism of the Ottoman decree, President Mubarak issued a decree making the repair of all places of worship subject to a 1976 civil construction code. The decree is significant symbolically because it places churches and mosques on equal footing before the law. The practical impact of the decree has been to facilitate significantly church repairs; however, Christians report that local permits still are subject to security authorities' approval. During the period covered by this report, the President approved a total of 38 permits for church-related construction, including 3 permits for the construction of new churches; 5 permits for demolition and reconstruction of churches; 21 permits for churches previously constructed without authorization, 7 permits for construction of additional church facilities; and 2 permits for comprehensive renovation. The Government reported that governors issued more than 350 permits for church-related repair in 2000, an increase of 150 over those issued in 1999.

However, the approval process for church construction continued to be time consuming and insufficiently responsive to the wishes of the Christian community. Although President Mubarak reportedly has approved all requests for permits presented to him, Christians maintain that the Interior Ministry delays—in some instances indefinitely—submission to the President of their requests. They also maintain that security forces have blocked them from utilizing permits that have been issued, and that local security officials at times blocked or delayed permits for repairs to church buildings. For example, a permit issued in 1993 to repair structural damage to a 110-year-old church in a village next to Luxor remains unenforced due to “security reasons.” During the summer of 2000, newspapers published a May 22 letter from the secretary general of Assiyut governorate to the head of the Assiyut counsel directing that all church repair requests be screened by security before being approved. However, in two cases during the period covered by this report, President Mubarak took corrective action to overturn decisions by local authorities. In February 2001, the governor of Qalyubia ordered the demolition of a church building, and in March 2001, he ordered a halt to construction of another church building. On both occasions, President Mubarak intervened by revoking the orders and ordering the reconstruction of the demolished building at the Government's expense.

As a result of these restrictions, some communities use private buildings and apartments for religious services. In March 2001, the Government donated a plot of land to the Christian community to build a church in the city of Al-Tour in the Sinai. The authorities had closed the community's previous church in February 2000 for lack of a permit. During the period covered by this report, a new large Christian church was constructed in the neighborhood of Al-Qalag in the city of Shebin Al-Qanater in Qalubiya governorate; security forces had closed the Christian community's historic church in that area in 1989.

In January 1996, human rights activist Mamdouh Naklah filed suit challenging the constitutionality of the Ottoman decree's 10 conditions governing the building of places of worship for non-Muslims. In December 1998, an administrative court referred Naklah's case to the State Commissioner's Office, which in September 2000, recommended rejecting the suit on the grounds that Naklah had no standing to file suit. In October 2000, upon receiving a rebuttal from Naklah, the court returned the case to the State Commissioner's Office, and requested an opinion on the constitutionality of the 10 conditions. The State Commissioner's Office had not issued an opinion on this matter by the end of the period covered by this report.

In 1960 President Gamal Abdel Nasser issued a decree (Law 263 for 1960) banning Baha'i institutions and community activities. All Baha'i community properties, including Baha'i centers, libraries, and cemeteries, were confiscated. This ban has not been rescinded.

Political parties based on religion are illegal. Pursuant to this law, the Muslim Brotherhood is an illegal organization. Muslim Brothers speak openly and publicly about their views, although they do not explicitly identify themselves as members of the organization, and they remain subject to government pressure. Seventeen independent candidates backed by the Muslim Brotherhood were elected to the People's Assembly in the November 2000 parliamentary elections.

During the year, several authors faced trial or charges related to writings or statements considered heretical. In May 2001, a lawyer sued feminist Nawal Al-Saadawi for allegedly insulting Islam in comments she made during a magazine interview, and claimed that Al-Saadawi was an apostate and should be forcibly divorced from her Muslim husband. In June 2001, the Public Prosecutor rejected the



complaints. The lawyer also filed an apostasy suit against Al-Saadawi in the Cairo Personal Status Court, which postponed a decision on the matter until July 2001.

Various ministries legally are authorized to ban or confiscate books and other works of art upon obtaining a court order. The Islamic Research Center at Al-Azhar University has legal authority to censor, but not to confiscate, all publications dealing with the Koran and Islamic scriptural texts. In recent years, the Center has passed judgment on the suitability of nonreligious books and artistic productions. For example, the Islamic Research Center at Al-Azhar University ruled in 1999 in favor of distribution of the book "My Father Adam: The Story of the Creation Between Legend and Reality," written by Abdel Sabour Shahine. An Islamist lawyer sued the Sheikh of Al-Azhar and several other senior Islamic figures in an effort to block publication of the book; the Court of First Instance rejected the suit in November 2000 and the plaintiff appealed the decision the same month. The Court of Appeals rejected the plaintiff's appeal on June 18, 2001.

In 1995 an administrative court ruled that the sole authority to prohibit publication or distribution of books and other works of art is vested in the Ministry of Culture. This decision invalidated a 1994 advisory opinion by a judiciary council that had expanded Al-Azhar's censorship authority to include visual and audio artistic works. The same year, President Mubarak stated that the Government would not allow confiscation of books from the market without a court order, a position supported by the then-Mufti of the Republic, who is now the Grand Imam of Al-Azhar.

In 1997 human rights activist Mamdouh Naklah filed suit seeking removal of the religious affiliation category from government identification cards. Naklah challenged the constitutionality of a 1994 decree by the Minister of Interior governing the issuance of new identification cards. In March 1998, the court referred the case to the State Commissioner's Office, which had not issued an opinion by the end of the period covered by this report.

The Constitution provides for equal public rights and duties without discrimination due to religion or creed, and in general, the Government upholds these constitutional protections; however, government discrimination against non-Muslims exists. There are no Christians serving as governors, presidents of public universities, or deans. There are few Christians in the upper ranks of the security services and armed forces. Although there was improvement in a few areas, government discriminatory practices include: Suspected statistical underrepresentation of the size of the Christian population; failure to admit Christians into public university training programs for Arabic language teachers (because the curriculum involves the study of the Koran); discrimination against Christians in the public sector; discrimination against Christians in staff appointments to public universities; and payment of Muslim imams through public funds (Christian clergy are paid by private church funds).

Anti-Semitism is found in the Government press and increased in late 2000 and 2001 following the outbreak of violence in the Israel and Occupied Territories (see Section III). In April 2001, columnist Ahmed Ragheb lamented Hitler's failure to finish the job of annihilating the Jews. In May 2001, an article in Al-Akhbar attacked Europeans and Americans for believing in the false Holocaust. The Government has advised journalists and cartoonists to avoid anti-Semitism.

In May 2001, the Administrative Court of the State Council (which hears disputes between the Government and citizens) overturned an August 2000 decision by the Ministry of Social Affairs barring human rights activist Mamdouh Naklah from membership on the board of the Youssef Al-Ramy Organization, a Christian charitable association operating in Cairo. The court rejected as inadequate the "security reasons" cited by the Ministry for barring Naklah's membership.

In 1996 upon agreement with Coptic Orthodox Pope Shenouda, the Minister of Awqaf, Hamdy Zaqzouq, established a joint committee to address a dispute with the Coptic Orthodox Church that originated in 1952. At that time, the Government seized approximately 1,500 acres of agricultural land from the Church and transferred title to the Ministry of Awqaf, which is responsible for administering religious trusts. Based on the committee's recommendations, more than 800 acres have been returned to the Church during the last few years. The committee continued to review claims to the remaining disputed property. In August 2000, the Coptic Orthodox Church won a lawsuit to reclaim several plots of land in greater Cairo that had been seized by private or Government institutions before 1952.

According to a 1995 law, the application of family law, including marriage, divorce, alimony, child custody, inheritance, and burial, is based on an individual's religion. In the practice of family law, the State recognizes only the three "heavenly religions:" Islam, Christianity, and Judaism. Muslim families are subject to the Personal Status Law, which draws on Shari'a (Islamic law). Christian families are subject to canon law, and Jewish families are subject to Jewish law. In cases of family

law disputes involving a marriage between a Christian woman and a Muslim man, the courts apply the Personal Status Law.

Under Islamic law, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim women are prohibited from marrying Christian men. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, this assistance is not always provided. In January 2000, the Parliament passed a new Personal Status Law that made it easier for a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego alimony and the return of her dowry. However, an earlier provision of the draft law that would have made it easier for a woman to travel without her husband's consent, was rejected.

The Coptic Orthodox Church excommunicates women members who marry Muslim men, and requires that other Christians convert to Coptic Orthodoxy in order to marry a member of the church. The Coptic Orthodox Church does not permit divorce.

#### *Abuses of Religious Freedom*

The Government occasionally prosecutes members of religious groups whose practices deviate from mainstream Islamic beliefs, and whose activities are believed to jeopardize communal harmony. For example, in January 2001, the Government arrested 18 persons in the southern Egyptian city of Sohag—most were Baha'is and some were Muslims—on suspicion of violating Article 98(F) of the Penal Code (“insulting a heavenly religion”) and other possible charges. By the end of the period covered by this report, 10 Baha'is remained in detention without being formally charged.

In June 2001, the Public Prosecutor referred to a State Security Court a group of 52 men arrested in Cairo in May 2001 on suspicion of homosexual activity and unorthodox religious practices. Two of the defendants, who allegedly advocated a belief system combining Islam and tolerance for homosexuality, were charged with “insulting Islam,” a violation of Article 98(F) of the Penal Code. Their trial was pending at the end of the period covered by this report. The remaining 50 detainees faced charges unrelated to religious beliefs or practices.

In October 2000, the Government released without charge 48 persons who had been arrested in March 2000 on suspicion of membership in a religious group established in 1969 by Salim Al-Faramawy; the group advocates the belief that members should isolate themselves from the State and society and abjure the use of science and technology, including medicine. Faramawy also advocated the consumption of dogs and cats, a practice prohibited by Islam. After Faramawy's death in 1991, his son-in-law, Mohamed Gouda, reportedly assumed leadership of the group.

On November 11, 1999, the State Security Prosecutor arrested 50 persons in Cairo suspected of heresy against Islam. On November 15, 1999, 30 of the detainees were released and the remaining 20 were charged with degrading Islam, inciting strife, and meeting illegally. The lead defendant, a woman named Manal Wahid Mana'a, who claimed that the Prophet Mohammed spoke to her, was accused of attempting to establish a new Islamic offshoot. On September 5, 2000, a State Security Emergency Court in Boulaq sentenced Mana'a to 5 years' hard labor, 3 other defendants to 3 years' hard labor, 7 to 1 year of hard labor, 2 to 6 months in prison, and 2 to a fine of \$375 (1000 Egyptian pounds). One of the defendants died in prison, reportedly from ill health, during the investigation.

On January 27, 2001, a State Security Court sentenced Salaheddin Mohsen to 3 years in prison for “insulting Islam” through his writings. Mohsen originally had received a 6-month suspended sentence in a trial that ended in June 2000, but the Public Prosecutor appealed the sentence on the grounds that the sentence was too lenient and the Government ordered a retrial.

In June 2001, the Public Prosecutor ordered the release, pending an appeal, of author Ala'a Hamed, who had been convicted of insulting Islam in a novel in 1998; his appeal was pending at the end of the period covered by the report.

On July 16, 2000, the Dar Al-Salaam court sentenced a Christian, Suryal Gayed Ishak, to 3 years' hard labor for “insulting Islam” during a public dispute with a Muslim in 1999. Ishak's attorney appealed the conviction, claiming that Ishak was accused falsely. The Public Prosecutor appealed the sentence. On March 27, 2001, Suryal's sentence was reduced to 1 year and Suryal (who had been incarcerated for more than a year) was released.

Cairo University professor Nasr Abu Zeid and his wife continue to live abroad following the 1996 Court of Cassation ruling that affirmed lower court judgments that Abu Zeid is an apostate because of his controversial interpretation of Koranic teachings. In August 2000, the Supreme Constitutional Court rejected Abu Zeid's contestation of the constitutionality of the 1996 ruling.

In August 1999, the public prosecutor reopened and expanded an investigation of police torture of mostly Christian detainees that took place during the police investigation in August and September 1998 of the murder of Samir Aweda Hakim and Karam Tamer Aرسال in the largely Coptic village of Al-Kush in Sohag governorate. However, during the period covered by this report, the investigation reportedly made little progress. It is unclear whether religion was a factor in the 1998 actions of the police officers. Some human rights groups outside Egypt believe that religion was a factor in the Al-Kush murder investigation, but most human rights and Christian activists in the country do not. Police abuse of detainees is a widespread practice that occurs regardless of a detainee's religious beliefs.

On June 5, 2000, a criminal court in Sohag city convicted Shayboub William Aرسال of the 1998 murder of Hakim and Aرسال. The court sentenced Shayboub to 15 years hard labor. An appeal was pending at the end of the period covered by this report. The Christian community of Al-Kush believes that Shayboub, a Christian resident of Al-Kush, was accused and convicted of the crime because of his religion. The public prosecution in Sohag has taken no action on charges of witness tampering in Shayboub's trial that were raised in 1998 against Bishop Wisa and Arch-Priest Antonious.

Neither the Constitution nor the Civil and Penal Codes prohibit proselytizing. While no such incidents involving Christians were reported during the period covered by this report, in past years several dozen Christians who were accused of proselytizing were harassed by police or arrested on charges of violating Article 98(F) of the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife. In May 2001, authorities arrested five members of the Seventh-Day Adventist Church while they were distributing leaflets to Christian families. The authorities claimed that the leaflets included criticism of the Catholic Church, which might incite strife among Christians. The five Adventists were released after pledging not to distribute such materials in the future.

While there are no legal restrictions on the conversion of non-Muslims to Islam, in past years police harassed Christians who had converted from Islam; however, there were no such reports during the period covered by this report. In cases involving conversion from Islam to Christianity, authorities in the past also have charged several converts with violating laws prohibiting the falsification of documents. In such instances, converts, who fear government harassment if they officially register the change from Islam to Christianity, have altered their identification cards and other official documents themselves to reflect their new religious affiliation. However, there were no reports of such charges during the period covered by this report. In August 2000, the Government lifted travel restrictions on two converts to Christianity who were imprisoned in 1991 and later released; the two subsequently were able to travel to other countries without harassment.

An estimated several thousand persons are imprisoned because of alleged support for or membership in Islamist groups seeking to overthrow the Government. The Government states that these persons are in detention because of membership in or activities on behalf of violent extremist groups, without regard to their religious affiliation. During the period covered by this report, security forces arrested large numbers of persons allegedly associated with the Muslim Brotherhood. Most observers believe that the Government was seeking to undermine Muslim Brotherhood-affiliated candidates in the elections to the People's Assembly, the Shura Council, and professional syndicates.

In past years, Coptic Christians have been the objects of occasional violent assaults by the Islamic Group and other terrorists. Some Christians have alleged that the Government is lax in protecting Christian lives and property. However, there were no reports of terrorist attacks against Christians during the period covered by this report.

#### *Forced Religious Conversion*

There were reports of forced conversions of Coptic girls to Islam by Muslim men. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnapping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic girl who converts to Islam when she marries a Muslim boy. According to the Government, in such cases the girl must meet with her family, with her priest, and with the head of her church before she is allowed to convert.

There were no reports of forced religious conversion carried out by the Government. However, there are credible reports of Government harassment of Christian families that attempt to regain custody of their daughters, and of the failure of the authorities to uphold the law (which states that a marriage of a girl under the age of 16 is prohibited, and between the ages of 16 and 21 is illegal, without the approval and presence of her guardian) in cases of marriage between an underage Christian girl and a Muslim boy.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

*Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, the Government took several steps to promote and improve religious freedom and tolerance. For example, government primary, middle, and secondary schools began using a new history curriculum incorporating the Coptic and Byzantine periods of Egyptian history. The curriculum was developed over several years with the advice and support of Christian intellectuals and the Coptic Orthodox Church.

President Mubarak's December 1999 decree making the repair of all places of worship subject to a 1976 civil construction code continued to facilitate church repairs. In two instances during the period covered by this report, President Mubarak intervened to reverse orders to demolish buildings belonging to Christians churches, in one of the cases ordering that a building be rebuilt at the government's expense.

In November 2000, three Christians were elected to the People's Assembly (the first to be elected to parliament in 10 years), and President Mubarak appointed an additional four Christians to the People's Assembly.

In contrast to previous years, there were no reports during the period covered by this report that converts to Christianity were subjected to harassment by the security services. Hassan Mohamed Ismail Mohamed, one of four converts previously prevented from traveling, was able to travel abroad in August 2000.

In May 2001, President Mubarak inaugurated a complex, run by the Ministry of Tourism, to support religious tourism in Old Cairo, a district that includes Christian, Jewish, and Muslim holy places. The Ministry of Housing and the organization American Ultra-Orthodox Jewish Athra Kadisha are expected to complete construction of a highway-bridge through the ancient Basatin Jewish Cemetery in Cairo in October 2001. The project is designed to be a modern highway—part of Cairo's Ring Road—that traverses a cemetery but respects Jewish religious strictures against moving or disturbing burial sites.

In September 2000, the Government extended official recognition to the Maadi Community Church, an independent interdenominational church, thereby allowing the church to buy property and hold services.

In May 2001, Minister of Culture Farouk Hosny declared the burial place of Rabbi Ya'coub Abu Hasira an official antiquity site protected by the Government.

Building on actions first taken in late 1999, government-owned television and radio continued to expand the amount of programming time devoted to Christian issues, including live broadcast of Christmas and Easter services and documentaries on the country's monasteries and other aspects of Christian history. In August 2000, a version of Sesame Street especially designed for the country by the Children's Television Workshop with assistance from the U.S. Agency for International Development (USAID) began broadcasting. Among the aims of the program is the promotion of tolerance, and one of the principal characters is a Christian. During the Muslim holy month of Ramadan in December 2000, the most popular miniseries on government television was a drama explicitly addressing issues related to Muslim-Christian relations in the country; the drama provoked widespread public debate in print and broadcast media. There were no discriminatory programs in the broadcast media. Government and independent newspapers published a broad spectrum of news and views on religious topics, including respectful debates between Christian and Muslim clerics.

The Minister of Education has developed and distributed curricular materials instructing teachers in government schools to discuss and promote tolerance in teaching.

### SECTION III. SOCIETAL ATTITUDES

Muslims and Christians share a common history and national identity. They also share the same ethnicity, race, culture, and language. Christians are geographically dispersed throughout the country, and Christians and Muslims live as neighbors. At times religious tensions flare up, and individual acts of prejudice occur. Members

of both faiths practice discrimination. The majority of citizens agree that more needs to be done to eliminate discrimination, but argue that development of the economy, polity, and society is the most effective and enduring way to abolish social prejudice.

On July 26, 2000, gunmen killed Christian farmer Magdy Ayyad Mus'ad and wounded five other persons in Giza province, allegedly because of objections to a church Mus'ad built. Authorities charged a person with the killing but released the suspect on bail in October 2000; by the end of the period covered by this report, no trial date had been set. On December 11, 2000, Father Hezkiyal Ghebriyal, a 75-year-old Coptic Orthodox priest, was stabbed and seriously wounded in the village of Bardis, near Sohag. Police arrested the suspected attacker. At the end of the period covered by this report the suspect remained in prison pending an ongoing investigation. Several other Christians were wounded in sectarian disputes in other provinces, including 4 in Fayoum in August 2000, 3 in Minya in October 2000, and 8 in Alexandria in December 2000. The authorities arrested Muslims and Christian suspects in several of these incidents, but all had been released by the end of the period covered by this report. The case of Ahmad and Ibrahim Nasir, who were sentenced to 7 years in prison for the September 1999 murder of a monk in Assiut, remained pending at the end of the period covered by this report. The Court of Cassation had not yet set a date to hear an appeal by the Public Prosecutor seeking a heavier sentence.

A trade dispute between a Christian clothing merchant and a Muslim customer that occurred on December 31, 1999, in the village of Al-Kush in Sohag governorate, escalated into violent exchanges between Muslims and Christians in the area, and resulted in the death of 21 Christians and 1 Muslim by January 2, 2000. The violence also resulted in the injuries to 39 persons in Al-Kush and 5 persons in the neighboring municipality of Dar Al-Salaam. Approximately 200 businesses and homes in the area were damaged.

On September 5, 2000, the Sohag Criminal Court convicted 20 defendants of the crimes committed in Dar Al-Salaam, including assault, arson, and vandalism (there were no deaths in Dar Al-Salaam) and acquitted 19 others. Four were convicted in absentia to 10 years in prison but were retried and acquitted upon turning themselves in to authorities. Four were sentenced to 2 years in prison, 11 to 1 year, and 1 to 6 months; the sentences were criticized as too lenient by the Christian community. Ninety-six persons (58 Muslims and 38 Christians) were accused of crimes committed in Al-Kush, including 43 charged with murder or attempted murder. On December 7, 2000, the Sohag court released all 89 defendants in custody (7 remained at large) on personal recognizance, reportedly to allow them to spend Muslim and Christian holidays with their families. On February 5, 2001, the court handed down the verdicts, acquitting 92 of the 96 defendants for the crimes committed in Al-Kush. One defendant was convicted of manslaughter and sentenced to 10 years in prison and 3 defendants were convicted of arson and sentenced to 1 year in prison. The lead judge justified the verdicts, citing inadequate evidence. On February 22, the Public Prosecutor contested the verdicts and called for a retrial before a different circuit. The Court of Cassation set a hearing date of May 21, 2001 to look into the case, postponing the verdict until July 30, 2001. The Christian community, including Coptic Orthodox Pope Shenouda, protested the initial verdicts in the Al-Kush case and expressed relief at the Public Prosecutor's contestation.

While there is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim (see Section II), conversion to Islam is sometimes used to circumvent the legal prohibition on marriage between the ages of 16 and 21 without the approval and presence of the girl's guardian. Most Christian families would object to a daughter's wish to marry a Muslim; if a Christian woman marries a Muslim man, she is excommunicated by the Church. According to the Government, a Christian family whose minor daughter converts to Islam retains guardianship over her, but in practice local authorities sometimes allow transfer to a Muslim custodian, who is likely to grant approval for an underage marriage. The law is silent on the matter of the acceptable age of conversion. Ignorance of the law and social pressure, including the centrality of marriage to a woman's identity, often affect a girl's decision to convert (see Section II). Family conflict and financial pressure also are cited as factors.

Official relations between Christian and Muslim religious figures are amicable, and include reciprocal visits to religious celebrations. In 1998 a committee on dialog was established in 1998 by the Vatican and Al-Azhar, the country's foremost Islamic institution and a preeminent seminary of Sunni Islamic study. Al-Azhar and the Ministry of Awqaf engage in other interfaith discussions, both within the country and in other countries. The Coptic Evangelical Organization for Social Services (CEOSS) supports the Forum for Intercultural Dialog. In February 2001, the Forum and the Ministry of Awqaf began a year-long program to reach common positions

on a number of issues of national importance. In May 2001, in collaboration with Alexandria University, the Forum held a 3-day conference entitled "The Role of the Library of Alexandria in Supporting a Culture of Dialogue and Tolerance." Dozens of prominent intellectuals, Muslim and Christian clerics, and journalists participated in the conference. Other informal interfaith discussions took place as well. For example, on June 28, 2001, Al-Azhar, the Ministry of Awqaf, and CEOSS held a conference at the Red Sea resort of Ain Sukhna; the conference emphasized themes of religious tolerance and unity in Egypt. Private Christian schools admit Muslim students, and religious charities serve both communities.

Anti-Semitism is found in both the government press and in the nonofficial press of the opposition parties, and increased in late 2000 and throughout 2001 following the outbreak of violence in Israel and the Occupied Territories (see Section II). However, there were no anti-Semitic incidents during the period covered by this report directed at the tiny Jewish community.

On June 17, 2001, the Al-Naba' newspaper published an article involving alleged sexual misconduct in a Coptic Orthodox monastery. The article provoked unusual demonstrations by Coptic Christians in Cairo from June 17 to 20, during which demonstrators criticized both the Government and the church leadership for treatment of a number of issues, including discrimination against Christians and the Al-Kush trial. On June 20, a demonstration at the Coptic Orthodox Church headquarters turned violent, and several demonstrators and police officers were hospitalized with minor injuries. Police detained 22 demonstrators on suspicion of illegal public assembly and damaging public property; by the end of the period covered by this report, 19 demonstrators had been released on bail awaiting trial and 3 remained in detention. All 22 of the demonstrators are charged with illegal assembly and damaging public property. On July 3, 2001, the remaining 3 demonstrators were released on bail. No information on the demonstrators' trial date was available by the end of the period covered by this report.

The Coptic Orthodox Church and the Government reacted strongly to the story in Al-Naba'. The Coptic Orthodox Church promptly announced that the monk in question had been defrocked 5 years earlier and that it would sue Mamdouh Mahran, the publisher of al-Naba'. The Public Prosecutor referred Mahran to a State Security Court for trial on charges of undermining public order and social peace and spreading misinformation; the trial began June 24, 2001. The Speaker of the Shura Council also referred to the State Council Administrative Court a request to withdraw publishing licenses from Al-Naba' and its sister publication Akher Khabar. The case was pending at the end of the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The subject of religious freedom is an important part of the bilateral dialog. The subject has been raised at all levels of government, including by the President, Secretary of State, Assistant Secretary for Near Eastern Affairs, the U.S. Ambassador, and other embassy officials. The Embassy maintains formal contacts with the Office of Human Rights at the Ministry of Foreign Affairs. In addition the Ambassador has discussed religious freedom with senior government officials and religious leaders. The Embassy also discusses religious freedom issues regularly in contacts with other government officials, including governors and Members of Parliament. Visiting congressional delegations have raised religious freedom issues during visits with government officials.

In January 2001, the Director of the State Department's Office of International Religious Freedom visited the country and met with government officials and community activists. In March 2001, members of the U.S. Commission on International Religious Freedom, including the Chairman and Vice Chairman, visited the country. Although some citizens and organizations boycotted the visit on the grounds that the Commissioners were interfering in the country's internal affairs, the commissioners met with a broad range of government ministers and other officials, Coptic Orthodox Pope Shenouda, the Grand Imam of Al-Azhar, other Christian and Muslim clerics, and many private citizens concerned with religious freedom. The Commissioners and embassy staff also met with some imprisoned Baha'is (see Section II).

The U.S. Embassy maintains an active dialog with the leaders of the Christian and Muslim religious communities, human rights groups, and other activists. The Embassy investigates every complaint of religious discrimination brought to its attention. During a public speech in March 2001, the former U.S. Ambassador criticized anti-Semitism in the media. The Embassy also discusses religious freedom with a range of contacts, including academics, businessmen, and citizens outside of the capital area.

The U.S. Mission, including the Department of State and USAID, works to expand human rights and to ameliorate the conditions that contribute to religious strife by promoting economic, social, and political development. U.S. programs and activities support initiatives in several areas directly related to religious freedom.

The Mission is working to strengthen civil society, including training for non-governmental organizations (NGO's) that promote religious tolerance. In April 2000, the Nongovernmental Organization Service Center was funded by USAID to provide training, technical assistance, and grants to domestic NGO's. By the end of the period covered by this report, the Center had given over \$1 million in grants to 52 NGO's and had provided training for over 1,400 NGO representatives. The Embassy has nominated participants interested in advocacy for the State Department's International Visitor Program, and invited American specialists in this subject to speak in the country. In addition, USAID supports a major effort to improve the administration of justice, and State Department exchange activities promote legal reform and access to justice.

The U.S. Mission also promotes civic education. The public affairs section of the Embassy supports the development of materials that encourage tolerance, diversity, and understanding of others, in both Arabic-language and English-language curriculums. USAID, in collaboration with the Children's Television Workshop, developed an Egyptian version of the television program *Sesame Street*, which is designed to reach remote households and has as one of its goals the promotion of tolerance. The program began broadcasting in August 2000 and is estimated to reach one-third of school age children (see Section II). USAID also supports private voluntary organizations that are implementing innovative curriculums in private schools. The public affairs section of the Embassy is leading an effort to increase the professionalism of the press, with an emphasis on balanced and responsible coverage. Finally USAID is working with the Supreme Council of Antiquities to promote the conservation of cultural antiquities, including Islamic, Christian, and Jewish historical sites.

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## IRAN<sup>1</sup>

The Constitution declares that the "official religion of Iran is Islam and the doctrine followed is that of Ja'fari (Twelver) Shi'ism." The Government restricts freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report.

Members of Iran's religious minorities—including Baha'is, Jews, Christians, and Sufi Muslims—reported imprisonment, harassment, and/or intimidation based on their religious beliefs. At least 10 Baha'is were among those still imprisoned for reasons related to their faith, while 9 Jews remained in prison after being convicted for cooperating with a hostile government, belonging to an illegal organization, and recruiting members in an illegal organization.

Iranian Society is accustomed to the presence of Iran's pre-Islamic, non-Muslim communities. However, government actions create a threatening atmosphere for some religious minorities, especially Baha'is, Jews, and evangelical Christians. The Revolutionary Court's conduct of the trial of 13 Jews contributed to worsening societal attitudes toward the Jewish community.

The U.S. Government makes clear its objections to the Government's treatment of religious minorities in public statements, support for relevant U.N. and non-governmental organization (NGO) efforts, and diplomatic contacts with other countries.

In September 1999, the Secretary of State designated Iran as a "country of particular concern" under the International Religious Freedom Act for particularly severe violations of religious freedom. The Secretary of State redesignated Iran in October 2000.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 631,663 square miles and its population is approximately 65,620,000. The population is approximately 99 percent Muslim, of which 89 percent are Shi'a and 10 percent are Sunni (mostly Turkomen, Arabs, Baluchs, and Kurds living in the southwest, southeast, and northwest). Sufi

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<sup>1</sup>The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.

Brotherhoods are popular, but there are no reliable figures available to determine their true size.

Baha'is, Christians, Zoroastrians, Mandaeans, and Jews constitute less than 1 percent of the population. The largest non-Muslim minority is the Baha'i Faith, which has an estimated 300,000 to 350,000 adherents throughout the country. Estimates on the size of the Jewish community vary from 25,000 to 30,000. These figures represent a substantial reduction from the estimated 75,000 to 80,000 Jews who resided in the country prior to the 1979 Revolution. The Christian community is estimated at approximately 117,000 persons, according to government figures. Of these the majority consists of ethnic Armenians and Assyro-Chaldeans. There also are Protestant denominations, including evangelical churches. The Mandaean community is estimated at approximately 5,000 to 10,000 persons, who reside primarily in Khuzestan in the southwest.

The Government figures reported by the United Nations in 1996 place the size of the Zoroastrian community at approximately 35,000 adherents. Zoroastrian groups cite a larger figure of approximately 60,000, according to the same U.N. report. Zoroastrians are mainly ethnic Persians concentrated in the cities of Tehran, Kerman, and Yazd. Zoroastrianism was the official religion of the pre-Islamic Sassanid Empire and thus has played a central role in the country's history.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Government restricts freedom of religion. The Constitution declares that the "official religion of Iran is Islam and the doctrine followed is that of Ja'fari (Twelver) Shi'ism." It also states that "other Islamic denominations are to be accorded full respect," and designates Zoroastrians, Jews, and Christians as the only "recognized religious minorities," which, "within the limits of the law," are permitted to perform their religious rites and ceremonies and "to act according to their own canon in matters of personal affairs and religious education." Although the Constitution states that "the investigation of individuals' beliefs is forbidden" and that "no one may be molested or taken to task simply for holding a certain belief," the adherents of religions not specifically protected under the Constitution do not enjoy freedom of activity. This situation most directly affects members of the Baha'i Faith. The Government regards the Baha'i community, whose faith originally derives from a strand of Islam, as a misguided or wayward "sect." The Government fuels anti-Baha'i and anti-Jewish sentiment in the country for political purposes.

In his 1996 report to the U.N. Commission on Human Rights, the U.N. Special Rapporteur on the Question of Religious Intolerance recommended that "the ban on the Baha'i organization should be lifted to enable it to organize itself freely through its administrative institutions, which are vital in the absence of a clergy, so that it can engage fully in its religious activities." In response to the Special Rapporteur's concerns with regard to the lack of official recognition of the Baha'i Faith, government officials stated that the Baha'is "are not a religious minority, but a political organization which was associated with the Shah's regime, is against the Iranian Revolution and engages in espionage activities." According to the Special Rapporteur, government officials stated nonetheless that, as individuals, all Baha'is were entitled to their beliefs and were protected under other articles of the Constitution as citizens.

The central feature of the country's Islamic republican system is rule by a "religious jurisconsult." Its senior leadership, including the Supreme Leader of the Revolution, the President, the head of the judiciary, and the Speaker of the Islamic Consultative Assembly (Parliament), is composed principally of Shi'a clergymen.

Religious activity is monitored closely by the Ministry of Islamic Culture and Guidance and by the Ministry of Intelligence and Security (MOIS). Adherents of recognized religious minorities are not required to register individually with the Government; however, their community, religious, and cultural events and organizations, including schools, are monitored closely. Baha'is are not recognized by the Government as a legitimate religious group but are considered an outlawed political organization. Evangelical Christian groups have been pressured by government authorities to compile and submit membership lists for their congregations, but evangelicals have resisted this demand.

### *Restrictions on Religious Freedom*

Religious minorities, by law and practice, are barred from being elected to a representative body (except to the seats in the Majles reserved for minorities, as provided for in the Constitution) and from holding senior government or military positions. Members of religious minorities are allowed to vote, but they may not run for



President. All religious minorities suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing.

Members of religious minorities generally are barred from becoming school principals. Applicants for public sector employment are screened for their adherence to Islam. The law stipulates penalties for government workers who do not observe "Islam's principles and rules." Religious minorities may not serve in the judiciary or the security services. The Constitution states that "the Army of the Islamic Republic of Iran must be an Islamic army, i.e., committed to an Islamic ideology and the people, and must recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of achieving its goals." Baha'is are prohibited from government employment.

University applicants are required to pass an examination in Islamic theology, which limits the access of most religious minorities to higher education (despite the fact that public school students receive instruction in Islam).

The Government allows recognized religious minorities to conduct the religious education of their adherents. This includes separate and privately funded Zoroastrian, Jewish, and Christian schools but not Baha'i schools. The Ministry of Education, which imposes certain curriculum requirements, supervises these schools. With few exceptions, the directors of these private schools must be Muslim. Attendance at these schools is not mandatory for recognized religious minorities. All textbooks used in course work, including religious texts, must be approved for use by the Ministry of Education. Religious texts in non-Persian languages require approval by the authorities for use. This requirement imposes sometimes significant translation expenses on minority communities.

Recognized religious minorities may provide religious instruction in non-Persian languages but often come under pressure from the authorities when conducting such instruction in Persian. In particular evangelical Christian and Jewish communities suffer harassment and arrest by authorities for the printing of materials or delivery of sermons in Persian.

Recognized religious minorities are allowed by the Government to establish community centers and certain cultural, social, sports, or charitable associations that they finance themselves. This does not apply to the Baha'i community, which since 1983 has been denied the right to assemble officially or to maintain administrative institutions. Because the Baha'i Faith has no clergy, the denial of the right to form such institutions and elect officers has threatened its existence.

Religious minorities suffer discrimination in the legal system, receiving lower awards than Muslims in injury and death lawsuits, and incurring heavier punishments. Muslim men are free to marry non-Muslim women but marriages between Muslim women and non-Muslim men are not recognized.

The Government is highly suspicious of any proselytizing of Muslims by non-Muslims and can be harsh in its response, in particular against Baha'is and evangelical Christians.

The Government does not ensure the right of citizens to change or renounce their religious faith. Apostasy, specifically conversion from Islam, can be punishable by death.

The Baha'i Faith originated in Iran during the 1840's as a reformist movement within Shi'a Islam. Initially it attracted a wide following among Shi'a clergy. The political and religious authorities of that time joined to suppress the movement, and since then the hostility of the Shi'a clergy to the Baha'i Faith has remained intense. Baha'is are considered apostates because of their claim to a valid religious revelation subsequent to that of Mohammed. The Baha'i Faith is defined by the Government as a political "sect," historically linked to the Pahlavi regime and, hence, counterrevolutionary and characterized by its espionage activities for the benefit of foreign entities, particularly Israel. Historically at risk in the country, Baha'is often have suffered increased levels of harassment and abuse during times of political unrest.

Baha'is may not teach or practice their faith or maintain links with coreligionists abroad. The fact that the Baha'i world headquarters (established by the founder of the Baha'i Faith in the 19th century in what was then Ottoman-controlled Palestine) is situated in what is now the state of Israel, exposes Baha'is to government charges of "espionage on behalf of Zionism," in particular when caught communicating with or sending monetary contributions to the Baha'i Faith headquarters.

Broad restrictions on Baha'is appear to be aimed at destroying them as a community. Baha'is repeatedly have been offered relief from mistreatment if they were prepared to recant their faith.

Baha'i cemeteries, holy places, historical sites, administrative centers, and other assets were seized shortly after the 1979 revolution. None of the properties have been returned, and many have been destroyed. Baha'is are not allowed to bury and

honor their dead in keeping with their religious tradition. They are permitted access only to areas of wasteland that the Government designates for their use, and are not allowed to mark the graves. Many historic Baha'i gravesites have been desecrated or destroyed. In October 1998, three Baha'is were arrested in Damavand, a city north of Tehran, on the grounds that they had buried their dead without government authorization.

Baha'i group meetings and religious education, which often take place in private homes and offices, are curtailed severely. Public and private universities continue to deny admittance to Baha'i students, a particularly demoralizing blow to a community that traditionally has placed a high value on education. Denial of access to higher education appears aimed at the eventual impoverishment of the Baha'i community.

Baha'is regularly are denied compensation for injury or criminal victimization. Government authorities claim that only Muslim plaintiffs are eligible for compensation in these circumstances.

A 1993 law prohibits government workers from membership in groups that deny the "divine religions," terminology that the Government uses to label members of the Baha'i Faith. The law also stipulates penalties for government workers who do not observe "Islamic principles and rules."

In 1993 the U.N. Special Representative reported the existence of a government policy directive on the Baha'is. According to the directive, the Supreme Revolutionary Council instructed government agencies to block the progress and development of the Baha'i community, expel Baha'i students from universities, cut the Baha'is' links with groups outside the country, restrict the employment of Baha'is, and deny Baha'is "positions of influence," including those in education. The Government claims that the directive is a forgery. However, it appears to be an accurate reflection of current government practice.

While in recent years the Government has eased some restrictions, thereby enabling Baha'is to obtain food-ration booklets and send their children to public schools, the prohibition against the admission of Baha'is to universities remains. Thousands of Baha'is dismissed from government jobs in the early 1980's receive no unemployment benefits and have been required to repay the Government for salaries or pensions received from the first day of employment. Those unable to do so face prison sentences.

Over the past 2 years, the Government took some positive steps in recognizing the rights of Baha'is, as well as other religious minorities. In November 1999, President Khatami publicly stated that no one in Iran should be persecuted because of his or her religious beliefs. He added that he would defend the civil rights of all citizens, regardless of their beliefs or religion. Subsequently the Expediency Council approved the "Right of Citizenship" bill, affirming the social and political rights of all citizens and their equality before the law. In February 2000, following approval of the bill, the head of the judiciary issued a circular letter to all registry offices throughout the country, which permits any couple to be registered as husband and wife without being required to state their religious affiliation. This measure effectively permits the registration of Baha'i marriages in the country. Previously Baha'i marriages were not recognized by the Government, leaving Baha'i women open to charges of prostitution. Consequently children of Baha'i marriages were not recognized as legitimate and, therefore, were denied inheritance rights.

While Jews are a recognized religious minority, allegations of official discrimination are frequent. The Government's anti-Israel policies, along with a perception among radical Muslim elements that Jewish citizens support Zionism and the State of Israel, create a threatening atmosphere for the small Jewish community. Jewish leaders reportedly are reluctant to draw attention to official mistreatment of their community due to fear of government reprisal.

There appears to be little restriction or interference with the religious practice or education of Jews. Jews are permitted to obtain passports and to travel outside the country; however, with the exception of certain business travelers, are required by the authorities to obtain clearance (and pay additional fees) before each trip abroad. The Government appears concerned about the emigration of Jews and permission generally is not granted for all members of a Jewish family to travel outside the country at the same time. Jews were eased out of government positions after 1979.

According to the U.N. High Commissioner of Refugees Background Paper on Iran, the Mandaean community is included among the country's recognized religious minorities. The small community faces discrimination similar to the country's other pre-Islamic religious minorities.

Although Sunni Muslims are accorded full respect under the terms of the Constitution, some groups claim discrimination on the part of the Government. In par-

ticular Sunnis cite the lack of a Sunni mosque in Tehran and claim that authorities refuse to authorize construction of a Sunni place of worship in the capital.

Shortly after the 1979 revolution, the Government repealed the Family Protection Law, a hallmark bill that was adopted in 1967, which gave women increased rights in the home and workplace, and replaced it with a legal system based largely on Shari'a practices. The State enforces gender segregation in most public spaces, and prohibits women from interacting openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances. Women are prohibited from attending male sporting events, although this restriction does not appear to be enforced universally. While the enforcement of a conservative Islamic dress codes has varied with the political climate since the death of Ayatollah Khomeini in 1989, what women wear in public is not entirely a matter of personal choice. Women are subject to harassment by the authorities if their dress or behavior is considered inappropriate and may be sentenced to flogging or imprisonment for such violations. The law prohibits the publication of pictures of uncovered women in the print media, including pictures of foreign women. There are penalties for failure to observe Islamic dress codes at work.

In 1998 the Majles passed legislation that mandated segregation of the sexes in the provision of medical care. The bill provided for women to be treated only by female physicians and men by male physicians, which raised questions about the quality of care that women could receive under such a regime, considering the current imbalance between the number of trained and licensed male and female physicians and specialists.

Muslim women may not marry non-Muslim men. The testimony of a woman is worth only half that of a man in court. A married woman must obtain the written consent of her husband before traveling outside the country.

In October 2000, the Parliament passed a bill to raise the legal age of marriage for women from 9 to 15. However, in November 2000, the Council of Guardians rejected the bill as contrary to Islamic law, although even under the current law marriage at the minimum age is rare. All women, no matter the age, must have the permission of their father or a living male relative in order to marry. The law allows for the practice of *Siqeh*, or temporary marriage, a Shi'a custom in which a woman or a girl may become the wife of a married or single Muslim male after a simple and brief religious ceremony. The *Siqeh* marriage may last for a night or as little as 30 minutes. The bond is not recorded on identification documents, and, according to Islamic law, men may have as many *Siqeh* wives as they wish. Such wives are not granted rights associated with traditional marriage.

Under legislation passed in 1983, women have the right to divorce, and regulations promulgated in 1984 substantially broadened the grounds on which a woman may seek a divorce. However, a husband is not required to cite a reason for divorcing his wife. In 1986 the Government issued a 12-point "contract" to serve as a model for marriage and divorce, which limits the privileges accorded to men by custom and traditional interpretations of Islamic law. The model contract also recognized a divorced woman's right to a share in the property that couples acquire during their marriage and to increased alimony rights. Women who remarry are forced to give up custody of children from earlier marriages to the child's father. In 1998 the Majles passed a law that granted custody of minor children to the mother in certain divorce cases in which the father is proven unfit to care for the child (the measure was enacted because of the complaints of mothers who had lost custody of their children to former husbands with drug addictions and criminal records).

#### *Abuses of Religious Freedom*

The Government appears to adhere to a practice of keeping a small number of Baha'is in arbitrary detention, some at risk of execution, at any given time. There were 10 Baha'is reported to be under arrest for the practice of their faith at the end of the period covered by this report, 2 of them under sentences of death.

Ruhollah Rowhani, a Baha'i, was executed in July 1998 after having served 9 months in solitary confinement on a charge of apostasy stemming from allegedly having converted a Muslim woman to the Baha'i Faith. The woman claimed that her mother was a Baha'i and that she herself had been raised a Baha'i. Rowhani was not accorded a public trial or sentencing for his alleged crime, and no sentence was announced prior to his execution.

Two Baha'is, Sirus Zabihi-Moghaddam and Hadayat Kashefi-Najafabadi, were tried alongside Rowhani in 1998 and later sentenced to death by a revolutionary court in Mashad for practicing their faith. In 2000 the sentences were reduced to 7 and 5 years respectively.

The Government continued to imprison and detain Baha'is based on their religious beliefs. Manuchehr Khulusi was arrested in June 1999 while visiting fellow Baha'is in the town of Birjand, and was imprisoned until his release in May 2000. During his imprisonment, Khulusi was interrogated, beaten, held in solitary confinement, and denied access to his lawyer. The charges brought against him are still unknown, but they were believed to be related to his faith. The Islamic Revolutionary Court in Mashhad held a 2-day trial in September 1999 and sentenced Khulusi to death in February 2000. Despite Khulusi's release, it is unclear if the conviction and death sentence against him still stand.

The property rights of Baha'is generally are disregarded. Since 1979 large numbers of private and business properties belonging to Baha'is have been confiscated. In 2000 eight buildings belonging to Baha'is were confiscated in Tehran, Shiraz, and Isfahan. In 1999 three Baha'i homes in Yazd and one in Arbakan were confiscated because their owners were members of the Baha'i community. In September and October 1998, government officers plundered more than 500 Baha'i homes throughout the country and seized personal household effects, such as furniture and appliances. The Government's seizure of Baha'i personal property, as well as its denial of Baha'i access to education and employment, is eroding the economic base of the Baha'i community.

In 1999 authorities in Khurasan intensified their efforts to intimidate and undermine Baha'i education. Two teachers in Mashhad were arrested and sentenced to 3 years' imprisonment. Their students were given suspended sentences, to be carried out if the young persons again participated in religious education classes. Three more Baha'is were arrested in Bujnurd in northern Khurasan for participating in religious education gatherings. After 6 days in prison, they were released with suspended sentences of 5 years. The use of suspended sentences appears to be a new tactic by the Government to discourage Baha'is from taking part in monthly religious gatherings.

In September 1998, authorities began a nationwide operation to disrupt the activities of the Baha'i Institute of Higher Learning. Also known as the "Open University," the Institute was established by the Baha'i community shortly after the revolution to offer higher educational opportunities to Baha'i students who had been denied access to the country's high schools and universities. The Institute employed Baha'i faculty and professors, many of whom had been dismissed from teaching positions by the Government as a result of their faith, and conducted classes in homes or offices owned or rented by Baha'is. During the operation, which took place in at least 14 different cities, 36 faculty members were arrested and a variety of personal property, including books, papers, and furniture, either were destroyed or confiscated. Government interrogators sought to force the detained faculty members to sign statements acknowledging that the Open University was now defunct and pledging not to associate with it in the future. Baha'is outside the country report that none of the 36 detainees would sign the document. All but 4 of the 36 persons detained during the September 1998 raid on the Baha'i Institute had been released by November 1998.

In March 1999, Dr. Sina Hakimian, Farzad Khajeh Sharifabadi, Habibullah Ferdosian Najafabadi, and Ziaullah Mirzapanah, the four remaining detainees from the September 1998 raid, were convicted under Article 498 of the Penal Code and sentenced to prison terms ranging from 3 to 10 years. In the court verdict, the four were accused of having established a "secret organization" engaged in "attracting youth, teaching against Islam, and teaching against the regime of the Islamic Republic." According to Baha'i groups outside the country, the four taught general science and Persian literature courses. In July 1999, Mirzapanah, who had been sentenced to 3 years in prison, became ill and was hospitalized. Prison authorities allowed him to return home upon his recovery on the understanding that they could find him whenever necessary. The other three were released in December 1999.

The authorities have become particularly vigilant in recent years in curbing what is perceived as increasing proselytizing activities by evangelical Christians whose services are conducted in Persian. Government officials have reacted to such activity by closing evangelical churches and arresting converts. Members of evangelical congregations have been required to carry membership cards, photocopies of which must be provided to the authorities. Worshipers are subject to identity checks by authorities posted outside congregation centers. Meetings for evangelical services have been restricted by the authorities to Sundays, and church officials have been ordered to inform the Ministry of Information and Islamic Guidance before admitting new members to their congregations.

Because conversion of a Muslim to a non-Muslim religion may be considered apostasy under traditional Shari'a practices enforced in the country, non-Muslims may not proselytize Muslims without putting their own lives at risk. Evangelical church

leaders are subject to pressure from authorities to sign pledges that they would not evangelize Muslims or allow Muslims to attend church services.

One U.S.-based organization reported in 1997 8 deaths of evangelical Christians at the hands of authorities in the previous 11 years, and between 15 and 23 disappearances in the year between November 1997 and November 1998.

Mistreatment of evangelical Christians continued during the period covered by this report. Christian groups have reported instances of government harassment of churchgoers in Tehran, in particular against worshipers at the Assembly of God congregation in the capital. Instances of harassment cited included conspicuous monitoring outside Christian premises by Revolutionary Guards to discourage Muslims or converts from entering church premises and demands for presentation of identity papers of worshipers inside. Iranian Christians International (ICI) detailed the cases of Alireza and Mahboobeh Mahmoudian, converts to Christianity and lay leaders of the Saint Simon the Zealot Osgofi Church in Shiraz, who were forced to leave the country permanently in June 1998 after continued harassment by authorities. ICI reported that Alireza Mahmoudian had lost his job because of his conversion and had been beaten repeatedly by Basijis (paramilitary forces) and Ansar-e Hizbollah (gangs of thugs often aligned with specific members of the leadership) on orders of government officials from the Ministry of Islamic Guidance. His wife, Mahboobeh, also had been the subject of intimidation, principally through frequent and aggressive interrogation by government officials.

Some Jewish groups outside the country cite an increase in anti-Semitic propaganda in the official and semiofficial media as adding to the pressure felt by the Jewish community. One example cited is the periodic publication of the anti-Semitic and fictitious "Protocols of the Elders of Zion," both by the Government and by periodicals associated with hard-line elements of the regime. In 1986 the Iranian Embassy in London was reported to have published and distributed the "Protocols of the Elders of Zion" in English. The Protocols also were published in serial form in the country in 1994 and again in January 1999. On the latter occasion they were published in Sobh, a conservative monthly publication reportedly aligned with the security services.

In February and March 1999, 13 Jews were arrested in the cities of Shiraz and Isfahan. Among the group were several prominent rabbis, teachers of Hebrew, and their students. The charges centered on alleged acts of espionage on behalf of Israel, an offense punishable by death. The 13 were detained for over 1 year before trial, largely in solitary confinement, without official charges or access to lawyers. In April 2000, the defendants were appointed lawyers, and a closed trial commenced in a revolutionary court in Shiraz. Human rights groups and governments around the world criticized the lack of due process in the proceedings. The Special Representative on Iran characterized them as "in no way fair." On July 1, 2000, 10 of the 13, along with 2 Muslim defendants, were convicted on charges of illegal contact with Israel, conspiracy to form an illegal organization, and recruiting agents. They received prison sentences ranging from 4 to 13 years. Three were acquitted. The lawyers of those convicted filed an appeal and on September 21, 2000, an appeals court overturned the convictions for forming an illegal organization and recruiting agents, but upheld the convictions for illegal contacts with Israel. Their sentences were reduced to between 2 and 9 years' imprisonment. One of the 10 convicted was released in February 2001 upon completion of his prison term.

Jewish groups outside the country noted that the March 1999 arrest of the 13 Jewish individuals coincided with an increase in anti-Semitic propaganda in newspapers and journals associated with hardline elements of the Government. Since the beginning of the trial, Jewish businesses in Tehran and Shiraz have been targets of vandalism and boycotts, and Jews reportedly suffered personal harassment and intimidation.

Human Rights Watch reported the death in May 1998 of Jewish businessman Ruhollah Kakhodah-Zadeh, who was hanged in prison without a public charge or legal proceeding. Reports indicate that Kakhodah-Zadeh may have been killed for assisting Jews to emigrate. As an accountant, Kakhoda-Zadeh provided power-of-attorney services for Jews departing the country.

Human Rights Watch reported in 1998 the killing of Sunni prayer leader Molavi Imam Bakhsh Narouie in the province of Sistan va-Baluchistan in the southeast. This led to protests from the local community, which believed that government authorities were involved in the murder.

There were no reports of government harassment of the Zoroastrian community during the period covered by this report.

The Government restricts the movement of several senior religious leaders, some of whom have been under house arrest for years, and often charges members of reli-

religious minorities with crimes such as drug offenses, “confronting the regime,” and apostasy.

The Special Clerical Court (SCC) system, which was established in 1987 to investigate offenses and crimes committed by clerics, and which is overseen directly by the Supreme Leader, is not provided for in the Constitution, and operates outside the domain of the judiciary. In particular critics alleged that the clerical courts were used to prosecute certain clerics for expressing controversial ideas and for participating in activities outside the area of religion, including journalism.

During the latter part of 2000, a Special Clerical Court began the trial of Hojatolislam Hassan Yousefi Eshkevari, a cleric who participated in the Berlin conference, on charges of apostasy, “corruption on earth,” “declaring war on God,” and “denial of basic religious principles,” which potentially carry the death penalty. Eshkevari has called for more liberal interpretations of Islamic law in certain areas. In November 1999, former Interior Minister and Vice President Abdollah Nouri was sentenced by a branch of the SCC to a 5-year prison term for allegedly publishing “anti-Islamic” articles, insulting government officials, promoting friendly relations with the United States, and providing illegal publicity to dissident cleric Ayatollah Hossein Ali Montazeri in the pages of *Khordad*, a newspaper that was established by Nouri in late 1998 and closed at the time of his arrest. Nouri used the public trial to attack the legitimacy of the SCC.

In April 1999, a branch of the SCC convicted Hojatolislam Mohsen Kadivar, a Shi’a cleric and popular seminary lecturer, to 18 months in prison for “dissemination of lies and confusing public opinion” in a series of broadcast interviews and newspaper articles. Kadivar advocated political reform and greater intellectual freedom and criticized the misuse of religion to maintain power. In an interview published in a newspaper, Kadivar criticized certain government officials for turning criticism against them into alleged crimes against the State. He also observed that such leaders “mistake themselves with Islam, with national interests, or with the interests of the system, and in this way believe that they should be immune from criticism.” He also allegedly criticized former Supreme Leader Ayatollah Khomeini and demonstrated support for dissident cleric Ayatollah Montazeri. Kadivar’s trial was not open to the public.

In July 1999, the SCC banned the daily newspaper *Salaam* and indicted its publisher, Mohammad Mousavi Khoeniha, on charges of “violating Islamic principles,” “endangering national security,” and “disturbing public opinion.” Khoeniha, a cleric, later was sentenced to a 5-year jail term. The charges involved the publication by *Salaam* of documents related to the unsolved murders of dissident intellectuals in late 1998, which indicated a possible connection to senior officials in the plotting of the murders.

In January 2001, judicial authorities closed *Kiyan*, a 10-year-old independent journal specializing in religious and philosophical issues. The Tehran General Court ordered the closure. The Judge stated that *Kiyan* had “published lies, disturbed public opinion and insulted sacred religion.”

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government’s refusal to allow such citizens to be returned to the United States. However, a child born to a Muslim father automatically is considered a Muslim.

### SECTION III. SOCIETAL ATTITUDES

The continuous activity of Iran’s pre-Islamic, non-Muslim communities, such as Zoroastrians, Jews, and Christians, has accustomed the population to the presence of non-Muslims in society. However, government actions create a threatening atmosphere for some religious minorities.

The Jewish community has been reduced to less than one-half of its prerevolutionary size. Some of this emigration is connected with the larger, general waves of departures following the establishment of the Islamic Republic, but some also stems from continued perceived anti-Semitism on the part of the Government and within society.

The Government’s anti-Israel policies and the trial of the 13 Jews in 2000, along with the perception among some of the country’s radicalized elements that Iranian Jews support Zionism and the State of Israel, create a threatening atmosphere for the Jewish community (see Section II). Many Jews have sought to limit their contact with or support for the State of Israel out of fear of reprisal.

Sunni Muslims encounter religious discrimination at the local level, and there were reports of discrimination against practitioners of the Sufi tradition during the period covered by this report.

#### SECTION IV. U.S. GOVERNMENT POLICY

The United States has no diplomatic relations with Iran and thus cannot raise directly with the Government the restrictions the Government places on religious freedom and other abuses that it commits against adherents of minority religions. The U.S. Government makes its position clear in public statements, support for relevant United Nations and NGO efforts, and diplomatic contacts with other countries.

President Clinton made a number of statements regarding the treatment of religious minorities in Iran, including a June 1998 statement criticizing the execution of Ruhollah Rowhani, a member of the Baha'i Faith, and statements in June 1999 and July 2000 calling on the Government to exonerate the imprisoned members of Iran's Jewish community. Secretary of State Albright also called on Iran to release and drop charges against the 13 Jews, 10 of whom were convicted and remained in prison at the end of the period covered by this report.

Since 1982 the U.S. Government has cosponsored a resolution each year regarding the human rights situation in Iran offered by the European Union at the annual meeting of the U.N. Commission on Human Rights. The United States has supported a similar resolution offered each year during the U.N. General Assembly. The U.S. Government has supported strongly the work of the U.N. Special Representative on Human Rights for Iran and called on the Iranian Government to grant him admission and allow him to conduct his research (he has been denied entry visas since 1996).

The U.S. State Department spokesman on numerous occasions has addressed the situation of the Baha'i and Jewish communities, notably following Secretary Albright's March 17, 2000 speech on Iran, the execution of Ruhollah Rowhani in June 1998, the Government's actions against the Baha'i Institute of Higher Education in September 1998, and repeatedly after the arrest of 13 members of the Iranian Jewish community in March 1999. The U.S. Government has encouraged other governments to make similar statements and has pressed those governments to raise the issue of religious freedom in discussions with the Iranian Government.

In September 1999, the Secretary of State designated Iran as a "country of particular concern" under the International Religious Freedom Act for particularly severe violations of religious freedom. The Secretary of State redesignated Iran in October 2000.

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## IRAQ

The Interim Constitution provides for individual freedom of religion, provided that it does not violate "morality and public order;" however, the Government severely limits freedom of religion in practice, represses the Shi'a religious leadership, and seeks to exploit religious differences for political purposes. Islam is the official state religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Although Shi'a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Sunni Arabs are at a distinct advantage in all areas of secular life. The Government also severely restricts or bans outright many Shi'a religious practices. The Government for decades has conducted a brutal campaign of murder, summary execution, arbitrary arrest, and protracted detention against the religious leaders and followers of the majority Shi'a Muslim population and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups. The regime systematically has killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites, interfered with Shi'a religious education, and prevented Shi'a adherents from performing their religious rites.

Shi'a Arabs, the religious majority of the population, have long been disadvantaged economically, politically, and socially. Christians in the country report being victimized by intra-Kurdish fighting.

The United States has no diplomatic relations with Iraq and thus is unable to raise directly with the Government the problems of severe restrictions on religious freedom and other human rights abuses. However, the U.S. Government makes its position clear in public statements and in diplomatic contacts with other states.

In 1999 and 2000, the Secretary of State designated Iraq a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

#### SECTION I. RELIGIOUS DEMOGRAPHY

While a precise statistical breakdown is impossible to ascertain because of likely inaccuracies in the latest census (conducted in 1997), according to best estimates, 97 percent of the population of 22 million persons are Muslim. Shi'a Muslims—predominantly Arab, but also including Turkoman, Fali Kurds, and other groups—constitute a 60 to 65 percent majority. Sunni Muslims make up 32 to 37 percent of the population (approximately 18 to 20 percent are Sunni Kurds, 12 to 15 percent Sunni Arabs, and the remainder are Sunni Turkomen). The remaining approximately 3 percent of the overall population consist of Christians (Assyrians, Chaldeans, Roman Catholics, and Armenians), Yazidis, Mandaeans, and a small number of Jews.

The Shi'a, though predominantly located in the south, also are present in large numbers in Baghdad and have communities in most parts of the country. Sunnis form the majority in the center of the country and in the north.

Shi'a and Sunni Arabs are not ethnically distinct. Shi'a Arabs have supported an independent Iraq alongside their Sunni brethren since the 1920 Revolt; many Shi'a joined the Ba'ath Party and the Shi'a formed the backbone of the Iraqi Army in the 1980–88 Iran-Iraq War.

Assyrians and Chaldeans are considered by many to be distinct ethnic groups as well as the descendants of some of the earliest Christian communities. These communities speak a distinct language (Syriac). Although these groups do not define themselves as Arabs, the Government defines Assyrians and Chaldeans as such, evidently to encourage them to identify with the Sunni-Arab dominated regime. Christians are concentrated in the north and in Baghdad.

The Yazidis are a syncretistic religious group (or a set of several groups). Many Yazidis consider themselves to be ethnically Kurdish, though some would define themselves as both religiously and ethnically distinct from Muslim Kurds. However, the Government, without any historical basis, has defined the Yazidis as Arabs. Yazidis predominately reside in the north of the country.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The Interim Constitution provides for freedom of religion; however, the Government severely restricts this right in practice. Islam is the official state religion. The Constitution does not provide for the recognition of Assyrians, Chaldeans, or Yazidis.

The Government's registration requirements for religious organizations are unknown. New political parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The Government does not recognize political organizations that have been formed by Shi'a Muslims or Assyrian Christians. These groups continued to attract support despite their illegal status. There are religious qualifications for government office; candidates for the National Assembly, for example, "must believe in God."

There are no Shari'a (Islamic law) courts as such. Civil courts are empowered to administer Islamic law in cases involving personal status, such as divorce and inheritance.

##### *Restrictions on Religious Freedom*

Although Shi'a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Sunni Arabs are at a distinct advantage in all areas of secular life, be it civil, political, military, or economic.

The Ministry of Endowments and Religious Affairs monitors places of worship, appoints the clergy, approves the building and repair of all places of worship, and approves the publication of all religious literature.

The following government restrictions on religious rights remained in effect throughout the period covered by this report: restrictions and outright bans on communal Friday prayer by Shi'a; restrictions on Shi'a mosque libraries loaning books; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books and guides; a ban on many funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances such as gatherings for Koran reading; and the prohibition of certain processions and public meetings commemorating Shi'a holy days.



Shi'a groups report capturing documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings. Since 1991 security forces have been encamped in the shrine to Imam Ali in Najaf, one of Shi'a Islam's holiest sites, and at the city's Shi'a theological schools. The shrine was closed for "repairs" for approximately 2 years after the 1991 uprising. The adjoining al-Khathra mosque, which also was closed in 1994, has remained closed since. The closure coincided with the death of Ayatollah Sayed Mohammed Taqi al-Khoei who was killed in what observers believe was a staged car accident; before his death, Ayatollah al-Khoei led prayers in the al-Khathra mosque.

During the period covered by this report, the U.N. Special Rapporteur reported that, according to Shi'a religious dignitaries in Iran, the Government continues to arrest Shi'a religious figures, disrupt Shi'a religious ceremonies—sometimes with armed force—and places restrictions on practices by most Shi'a religious leaders. As a consequence, the number of religious scholars, students, and other dignitaries in the seminaries reportedly has declined.

In June 1999, several Shi'a opposition groups reported that the Government had instituted a program in the predominantly Shi'a districts of Baghdad that uses food ration cards to restrict where individuals may pray. The ration cards, part of the U.N. oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorized location. Shi'a expatriates who reported this policy believe that it is aimed not only at preventing unauthorized religious gatherings of Shi'a, but at stopping Shi'a adherents from attending Friday prayers in Sunni mosques, a practice that many pious Shi'a have turned to because their own mosques remain closed.

The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who travel to holy sites within the country. For example, in 1998 the U.N. Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj; however, the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party; the Government again rejected the offer. Following the December 1999 passage of U.N. Security Council Resolution 1284, the Sanctions Committee again sought to devise a protocol to facilitate the payment for individuals making the journey. The Sanctions Committee proposed to issue \$250 in cash and \$1,750 in travelers checks to each individual pilgrim to be distributed at the U.N. office in Baghdad in the presence of both U.N. and Iraqi officials. The Government again declined and, consequently, no Iraqi pilgrims were able to take advantage of the available funds or, in 2000, of the permitted flights.

Twice each year—on the 10th day of the Muslim month of Muharram and 40 days later in the month of Safar—Shi'a pilgrims from throughout the country and around the world seek to commemorate the death of the Imam Hussein in the city of Karbala. In past years, the Government has denied visas to many foreign pilgrims for the Ashura. For example, in 1999 the Government reportedly charged foreign Shi'a pilgrims \$900 for bus passage and food from Damascus to Karbala, a trip that normally would cost about \$150.

The Government does not permit education in languages other than Arabic and Kurdish. Public instruction in Syriac, which was announced under a 1972 decree, never was implemented. Thus, in areas under government control, Assyrian and Chaldean children are not permitted to attend classes in Syriac.

In northern areas under Iraqi Kurdish control, classes in Syriac have been permitted since the 1991 uprising against the Government. By October 1998, the first groups of students were ready to begin secondary school in Syriac in the north, but some Assyrian sources reported that regional Iraqi Kurdish authorities refused to allow the classes to begin. Details of this practice (for example, the number of students prepared to start secondary courses in Syriac and the towns where they were located) were not available, and Kurdish regional authorities denied engaging in this practice. There were no reports of elementary school instruction in Syriac being hindered in the north of the country.

Assyrian religious organizations have claimed that the Government applies apostasy laws in a discriminatory fashion. Assyrians are permitted to convert to Islam, whereas Muslims are forbidden to convert to Christianity.

#### *Abuses of Religious Freedom*

The Government for decades has conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups.

Despite supposed legal protection of religious equality, the regime has repressed severely the Shi'a clergy and those who follow the Shi'a faith. Forces from the Intelligence Service (Mukhabarat), General Security (Amn al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'ath Party have killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites (particularly in the aftermath of the 1991 civil uprising), arrested tens of thousands of Shi'a, interfered with Shi'a religious education, prevented Shi'a adherents from performing their religious rites, and fired upon or arrested Shi'a who sought to take part in their religious processions. Security agents reportedly are stationed at all the major Shi'a mosques and shrines and search, harass, and arbitrarily arrest worshippers.

Shi'a groups reported numerous instances of religious scholars—particularly in the internationally renowned Shi'a academic center of Najaf—being subjected to arrest, assault, and harassment during the period covered by this report. This follows years of government manipulation of the Najaf theological schools. As reported by Amnesty International in the late 1970's and early 1980's, the Government systematically deported tens of thousands of Shi'a (both Arabs and Kurds) to Iran, claiming falsely that they were of Persian descent. According to Shi'a sources, religious scholars and Shi'a merchants who supported the schools financially were prime targets for deportation. In the 1980's, during the Iran-Iraq war, it was reported widely that the Government expelled and denied visas to thousands of foreign scholars who wished to study at Najaf. After the 1991 popular uprising, the Government relaxed some restrictions on Shi'a attending the schools; however, this easing of restrictions was followed by an increased government repression of the Shi'a religious establishment, including the requirement that speeches by imams in mosques be based upon government-provided material that attacked fundamentalist trends.

Since the 1980's, the Government reportedly has attempted to eliminate the senior Shi'a religious leadership (the Mirjaiyat) through killings, disappearances, and summary executions.

Since January 1998, the killings of three internationally respected clerics and an attempt on the life of a fourth have been attributed widely to government agents by international human rights activists, other governments, and Shi'a clergy in Iran and Lebanon. Grand Ayatollah Sheikh Murtada al-Borojourni, age 69, was killed in April 1998. Grand Ayatollah Sheikh Mirza Ali al-Gharawi, age 68, was killed in July 1998. Ayatollah Sheikh Bashir al Hussaini escaped an attempt on his life in January 1999. Grand Ayatollah Mohammad al-Sadr, age 66, was killed in February 1999. Former U.N. Human Rights Commission Special Rapporteur for Iraq, Max Van Der Stoel, sent a letter in 1999 to the Government expressing his concern that the killings might be part of an organized attack by the Government against the independent leadership of the Shi'a community. The Government has not responded to Van Der Stoel's inquiries.

In the aftermath of these killings, the Government increased repressive activities in the south and in other predominantly Shi'a areas to prevent mourning observances and popular demonstrations. As part of this campaign, two Shi'a scholars in Baghdad, Sheikh Hussain Suwai'dawi, and Sheikh Ali al-Frajawi, reportedly were executed in July 1998.

In April 1999, the Government executed four Shi'a men for the al-Sadr slaying after a closed trial. Shi'a religious authorities and opposition groups objected to the trial process and contend that the four executed men were innocent. At least one of the four, Sheikh Abdul Hassan Abbas Kufi, a prayer leader in Najaf, reportedly was in prison at the time of the killing. The Shi'a press reported in January 1999 that he had been arrested on December 24, 1998. The three others executed with Kufi were Islamic scholar Ahmad Mustapha Hassan Ardabily, Ali Kathim Mahjan, and Haider Ali Hussain. The status of Ali al-Musawi, another Shi'a cleric accused of complicity in al-Sadr's death, still is unknown. According to a report submitted to the Special Rapporteur in September 1999, another of al-Sadr's sons, Sayyid Muqtada al-Sadr, was arrested along with a large number of theological students who had studied under the Ayatollah. Nineteen followers of al-Sadr reportedly were executed toward the end of 1999, including Sheikh Muhammad al-Numani, Friday imam Sheikh Abd-al-Razzaq al-Rabi'i, assistant Friday imam Kazim al-Safi, and students from a religious seminary in Najaf.

Although a funeral for al-Sadr was prohibited, spontaneous gatherings of mourners took place in the days after his death. Government security forces used excessive force in breaking up these illegal religious gatherings. Throughout the country, security forces used automatic weapons and armored vehicles to break up demonstrations, killing, injuring, and arresting hundreds of protesters.

Authorities have targeted suspected supporters of al-Sadr since he was killed in 1999. In February 2000, 30 Najaf religious school students, who were arrested after al-Sadr's death, reportedly were executed. In March 2000, scores of Shi'a who fled

the country in 1999 and early 2000 told Human Rights Watch that they had been interrogated repeatedly and, in some cases, detained and tortured. Some were relatives of al-Sadr's students who had been arrested after the killing, and others were relatives of other prominent clerics. In May 2000, according to Human Rights Watch, at least six religious students in Najaf who were arrested after al-Sadr's killing were sentenced to death, including Shaikh Salim Jassem al-Abbudi, Shaikh Nasser al-Saa'idi and Sa'ad al-Nuri. Two clerics, Abdulsattar Abed-Ibrahim al-Mausawi and Ahmad al-Hashemi, reportedly were executed in May 2000 after 6 months' detention. The Government accused them of attempting to discredit the President after they blamed Saddam Hussein for the al-Sadr's killing. In late 1999 and early 2000, approximately 4,000 Shi'a families were expelled from Baghdad and sent to southern and western Iraq in reprisal for the disturbances that took place after al-Sadr's death.

Authorities took forceful preemptive measures well ahead of the first anniversary of al-Sadr's killing. Military units were deployed around shrines, mosques, and other religious institutions 2 months before the February anniversary. The Government closed mosques except during prayer time, and the turnout on the holy day of Ashura in April 2001 consequently was many times lower than it had been in the past. In late May 2001, the Ba'ath party reportedly issued orders prohibiting the ritual walking pilgrimage from Najaf to Karbala, a procession marking the end of the 40-day mourning period for Imam Husayn. Travelers reported that security troops opened fire on pilgrims who attempted the pilgrimage.

In the aftermath of the al-Sadr killing and subsequent repression, the Shi'a religious community remains in a precarious state. Of the three generally acknowledged senior Shi'a clerics, Ayatollah Ali as-Sistani is forbidden to lead prayers and remains under virtual house arrest in Najaf as a result of attempts on his life; Ayatollah Mohammed Sayeed al-Hakim is forbidden to lead prayers at the shrine of Imam Ali in Najaf (or in the adjoining al-Khathra mosque, which has remained closed since 1994); and the status of Ayatollah Hussein Bahr al-Aloom, who was arrested in 1991, reportedly died under questionable circumstances in June 2001. Many scholars at the Shi'a religious schools in Najaf reportedly have been arrested, as have many of al-Sadr's religious appointees throughout the country. These restrictions and abuses had an adverse affect on the development of a new set of Shi'a leaders.

The al-Sadr killing intensified Shi'a anger at the ruling Sunni minority and led to more severe government repression of the Shi'a. The Shi'a resistance also launched bolder actions against the regime—including grenade and rocket attacks on security headquarters, Ba'ath Party offices, and presidential residences in Baghdad, as well as small arms attacks in many parts of the capital. For example, the al-Amin, Nuwab ad-Dubbat, and al-Nafth districts of Baghdad reportedly have remained in a heightened state of alert every Friday since al-Sadr's death.

Reports of military operations against Shi'a civilians also increased notably in the summer of 1998 after the killings of Ayatollahs Ali al-Gharawi and Sheikh al-Borojoudi. In numerous incidents during 1998, security forces injured and summarily executed Shi'a civilians, burned Shi'a homes, confiscated land belonging to Shi'a, and arbitrarily arrested and detained scores of Shi'a.

In January 1999, according to a report from the Supreme Council for the Islamic Revolution in Iraq (SCIRI), security officials reportedly arrested Sheikh Awas, imam of the Nasiriyah city mosque. Shortly after the arrest of Sheikh Awas, hundreds of Shi'a congregation members reportedly marched on the security directorate to demand that Awas be released immediately to them. Security forces allegedly opened fire on the unarmed crowd with automatic weapons and threw hand grenades. Five persons were killed, 11 were wounded, and 300 were arrested. The security services subsequently banned Friday prayer in Nasiriyah.

The Human Rights Organization in Iraq (HROI) reported that 1,093 Shi'a were arrested in June 1999 in Basrah alone. The Iraqi National Congress reports that tanks from the Hammourabi Republican Guard division attacked the towns of Rumaita and Khudur in June 1999 after residents protested the systematic maldistribution of food and medicine to the detriment of the Shi'a. Fourteen villagers were killed, over 100 persons were arrested, and 40 homes were destroyed. In June 1999, SCIRI reported that 160 homes in the Abul Khaseeb district near Basra were destroyed.

In several incidents in 1999, security forces killed and injured Shi'a congregants who gathered to protest closures of various Shi'a mosques.

The Government for several decades has interfered with Ashura holiday commemorations, including interference with the ritual walking pilgrimage to Karbala to mark the end of the 40-day mourning period.

In May 2000, the Government issued orders prohibiting the walking pilgrimage to Karbala. The Government reportedly deployed more than 15,000 Republican Guard troops armed with light weapons and in civilian clothes on the main roads leading into both cities to enforce the prohibition. Travelers later reported that security troops opened fire on pilgrims who attempted the walk from Najaf to Karbala as part of the 40th day ritual. Shi'a expatriates report that groups as small as 10 to 20 pilgrims attempting to make their way into the city at other times also have been arrested.

The United Nations Special Rapporteur on Human Rights in Iraq reported during the period covered by this report that he interviewed the brother of a Shi'a Arab who allegedly was arrested in 1998 for carrying in his car Islamic books and other religious papers. The individual reportedly was executed 5 months later, along with 70 other persons, on charges of belonging to the Shi'a movement. His family reportedly learned of the execution when government authorities delivered his body to them.

Security forces also have forced Shi'a inhabitants of the southern marshes to relocate to major southern cities and to areas along the Iranian border. Former Special Rapporteur van Der Stoel described this practice in his February 1999 report, adding that many other persons have been transferred to detention centers and prisons in central Iraq, primarily in Baghdad. The Government reportedly also continued to move forcibly Shi'a populations from the south to the north to replace Kurds, Turkomen, and Assyrians, who had been expelled forcibly from major cities.

The military also continued its water-diversion and other projects in the south. The Government's claim that the drainage is part of a land reclamation plan to increase the acreage of arable land and spur agricultural production is given little credence. Hundreds of square miles have been burned in military operations. The former U.N. Special Rapporteur noted the devastating impact that draining the marshes has had on the culture of the Shi'a marsh Arabs. SCIRI claims to have captured government documents that detail the destructive intent of the water diversion program and its connection to "strategic security operations," economic blockade, and "withdrawal of food supply agencies."

The Government's diversion of supplies in the south limited the Shi'a population's access to food, medicine, drinking water, and transportation. According to the former U.N. Special Rapporteur and opposition sources, thousands of persons in Nasiriyah and Basra provinces were denied rations that should have been supplied under the U.N. oil-for-food program. In these provinces and in Amarah province, access to food allegedly is used to reward regime supporters and silence opponents. Shi'a groups report that, due to this policy, the humanitarian condition of Shi'a in the south continued to suffer despite a significant expansion of the oil-for-food program.

While no firm statistics are available regarding the number of religious detainees, observers estimate the total number of security detainees to be in the tens of thousands or more, including numerous religious detainees and prisoners. Some individuals have been held for decades. Others who have remained unaccounted for since their arrests may have died or been executed secretly years ago. The Government reportedly continued to target Shi'a Muslim clergy and their followers for arbitrary arrest and imprisonment. While Shi'a are not the only group targeted in this way (others, including Kurds and secular regime opponents, are targeted for ethnic and political reasons), the Shi'a are the primary group targeted based on their religion. It is likely that Shi'a Muslims constitute the majority of the prison population in the country.

It is difficult to produce an accurate list of persons in prison for their religious beliefs; however, there are some well-known cases of arrest and disappearance on these grounds. For example, in 1991 Iraqi authorities arrested 108 Shi'a clerics and students, including 95-year-old Grand Ayatollah Abu Gharib al-Qassem al-Khoei, 10 of his family members, and 8 of his aides. Ayatollah al-Khoei subsequently was released; however, he was held under house arrest until his death in 1992. The Government also released another person (a foreign national) who was arrested in 1991; however, the fate of the other 106 persons is unknown. In 1992 the Government denied that it knew anything about the whereabouts of the missing persons; however, many observers reportedly witnessed their arrests. Over the years, hundreds of thousands of persons have disappeared, and their whereabouts remain unknown. The majority of those targeted have been Shi'a Muslims and Kurds.

The former Special Rapporteur and others have reported that the Government has engaged in various abuses against the country's 350,000 Assyrian and Chaldean Christians, especially in terms of forced movements from northern areas and repression of political rights.

Most Assyrians live in the northern governorates, and the Government often has suspected them of “collaborating” with Iraqi Kurds. In the north, Kurdish groups often refer to Assyrians as Kurdish Christians. Military forces destroyed numerous Assyrian churches during the 1988 Anfal Campaign and reportedly executed and tortured many Assyrians. Both major Kurdish political parties have indicated that the Government occasionally targets Assyrians as well as ethnic Kurds and Turkomen for expulsion from Kirkuk, where it is seeking to Arabize the city.

There is evidence that the Government in the past compelled Yazidis to join in domestic military action against Muslim Kurds. Captured government documents included in a 1998 Human Rights Watch report describe special all-Yazidi military detachments formed during the 1988–89 Anfal campaign to “pursue and attack” Muslim Kurds. The Government also has targeted the Yazidis in the past. For example, 33 members of the Yazidi community of Mosul, arrested in July 1996, still are unaccounted for.

Although few Jews remain in the country, government officials frequently make anti-Semitic statements. For example, during the period covered by this report, a Ba’th Party official stated that “lowly Jews” were “descendants of monkeys and pigs and worshippers of the infidel tyrant.”

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government’s refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The country’s cultural, religious, and linguistic diversity is not reflected in its political and economic structure. Various segments of the Sunni Arab community, which itself constitutes a minority of the population, effectively have controlled the Government since independence in 1932.

Shi’a Arabs, the religious majority of the population, have long been disadvantaged economically, politically, and socially.

Assyrian groups reported several instances of mob violence by Muslims against Christians in the north in recent years. Assyrians continue to fear attacks by the Kurdistan Workers Party (PKK), a Turkish-based terrorist organization operating against indigenous Kurds in the north of the country. Christians in the country report being victimized by intra-Kurdish fighting. Some Assyrian villagers have reported being pressured to leave the countryside for the cities as part of a campaign by indigenous Kurdish forces to deny the PKK access to possible food supplies.

### SECTION IV. U.S. GOVERNMENT POLICY

The United States has no diplomatic relations with Iraq and thus is not able to raise directly with the Government the problems of severe restrictions on religious freedom and other human rights abuses. However, the U.S. Government makes its position clear in public statements and in diplomatic contacts with other states.

During the period covered by this report, the President regularly discussed the problems experienced by Shi’a, Christian, and other religious groups in his periodic reports to Congress on Iraq. The Assistant Secretary of State for Near Eastern Affairs, in testimony before Congress on Iraq, highlighted the situation of persons in the south. In a number of speeches delivered during the period covered by this report, the Ambassador-at-Large for War Crimes Issues articulated the regime’s crimes against humanity directed at the Shi’a population. The State Department spokesperson issued statements criticizing the deaths of Ayatollahs al-Gharawi, al-Borojourni, al-Sadr, and the attempt on the life of Ayatollah al-Hussaini. The Voice of America broadcast several editorials dealing with the human rights abuses committed against religious groups by the Government.

It is the policy of the United States to encourage a change of regime in Iraq. The United States government is in frequent contact with opposition groups, including religiously oriented Shi’a, Sunni, and Christian groups. All of the groups designated as eligible for assistance under the Iraq Liberation Act have indicated their strong support for religious freedom and tolerance.

In March 2001, for the ninth consecutive year, the United States joined other members of the U.N. Human Rights Commission (UNHRC) to call on the U.N. Secretary General to send human rights monitors to “help in the independent verification of reports on the human rights situation in Iraq.” However, the Government continued to ignore these calls. As in the past, it did not allow the U.N. Special Rapporteur to visit, nor did it respond to his requests for information. Denied entry to the country, the Special Rapporteur has based his reports on the Govern-

ment's human rights abuses on interviews with recent émigrés from the country, interviews with opposition groups with contacts in the country, and other interviews, as well as on published reports.

In 1999 and 2000, then-Secretary of State Albright designated Iraq a country of particular concern under the International Religious Freedom Act for particularly severe violations of religious freedom.

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## ISRAEL

*(The religious freedom situation in the occupied territories is discussed in the annex appended to this report.)*

Israel has no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report. The Basic Law describes Israel as a "Jewish and democratic state." The overwhelming majority of non-Jewish citizens are Muslims, Druze, and Christians and generally are referred to as Israeli Arabs. Israeli Arabs are subject to various forms of discrimination, some of which have religious dimensions. Israeli Arabs and other non-Jewish Israelis, are, in fact, generally free to practice their religions.

Relations between religious groups—between Jews and non-Jews, between Muslims and Christians, and between the different streams of Judaism—often are strained. Societal tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict; such tensions increased significantly during the period covered by this report.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

Based on its pre-1967 borders, Israel has a total area of approximately 7,685 square miles, and its population is approximately 6.4 million (including Israeli settlers who live in the occupied territories). According to government figures, about 80 percent of the population are Jewish, although an unknown number of these citizens do not qualify as Jews according to the definition espoused by Orthodox Judaism. Additionally, non-Jews (usually Christian) who immigrate to Israel with their Jewish relatives often are counted as Jews for statistical purposes. According to government figures, among the Jewish population, approximately 4.5 percent are Haredi, or ultra-Orthodox, and another 13 percent are Orthodox. About one-third of the Jewish population describe themselves as "Traditional." Traditional Jews practice many Jewish traditions but do not consider themselves religious. About half of the Jewish population define themselves as "secular." Many secular Jews observe some Jewish religious traditions. A growing but still small number of traditional and secular Jews associate themselves with the Conservative, Reform, and Reconstructionist streams of Judaism, which are not officially recognized in the country. However, these streams receive a small amount of government funding and are recognized by the country's courts.

About 20 percent of the population generally are referred to as Israeli Arabs. About 80 percent of Israeli Arabs are Muslim, approximately 10 percent are Christian, and about 10 percent are Druze. The country's Arab population is concentrated in the north, east-central, and southern parts of the country. There also are small numbers of evangelical Christians and Jehovah's Witnesses.

Most Israeli Arabs are concentrated in the north and south of the country. Many Israeli Arabs associate themselves with the secular parties in Israel, including the Communist Party, which has a majority Arab membership. Other Israeli Arabs associate with parties aligned with the Islamic Movement or with small, Arab-centered parties. Many Jews also associate with parties representing their religious or ethno-religious beliefs. The remainder of citizens identify with various secular parties.

There are a number of missionary groups operating in the country.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

Israel has no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice. The Declaration of Inde-

pendence describes the country as a “Jewish state,” but also provides for full social and political equality regardless of religious affiliation. The discrepancies that exist in the treatment of various communities in Israeli society are based on several variables, including the distinction between Jewish and non-Jewish citizens. Israeli Arabs and other non-Jewish Israelis are, in fact, generally free to practice their religions. Due to the historic influence of Orthodox Jewish political parties, the Government implements certain policies based on interpretations of religious law. For example, the national airline, El Al, and public buses in most cities do not operate on the Sabbath; however, some private bus companies operate on Saturday. According to the law, Jews in most professions may not work on the Sabbath. This law generally is enforced in the retail sector; however, it is inconsistently enforced in the entertainment sector. Additionally, streets in some Orthodox Jewish neighborhoods are closed to vehicles on the Sabbath.

The Government recognizes 5 religions, including 10 Christian groups. The status of some Christian organizations with representation in the country heretofore has been defined by a collection of ad hoc arrangements with various government agencies. Several of these organizations seek to negotiate with the Government in an attempt to formalize their status.

The Government funds both religious and secular schools in the country, including non-Jewish religious and secular schools. Some secular Jewish schools have adopted a religious education program developed by the non-Orthodox streams. Schools in Arab areas, including Arab parochial schools, receive significantly fewer resources than comparable Jewish schools.

Jewish religious holidays such as Rosh Hashana, Yom Kippur, Sukkot, and Passover are state holidays. Arab municipalities often recognize Christian and Muslim holidays.

#### *Restrictions on Religious Freedom*

Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and most burials. Many Jewish citizens object to such exclusive control, and it has been at times a source of serious controversy in society.

Under the Law of Return, the Government grants automatic citizenship and residence rights to Jewish immigrants and their families. Based on a recent decision by the Attorney General, residency rights will not be granted to relatives of converts to Judaism, except to children of female converts who are born after the mother’s conversion is complete. The Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith. Approximately 36 percent of the country’s Jewish population was born outside of the country. The Government designates nationality on national identity documents, but not on passports. Groups representing persons who consider themselves Jewish but who do not meet the Interior Ministry’s criteria have sought a change in the rules or to have the nationality designation completely removed from identity cards. Many Arab groups also support removing the clause from the cards. In the fall of 2000, then-Prime Minister Ehud Barak initiated an effort to remove the clause from identity cards; however, this policy was not enacted during the period covered by this report.

The Government generally continued to permit Muslim citizens to make the Hajj during the period covered by this report. However, for security reasons, the Government imposes restrictions on its Muslim citizens who perform the Hajj, including requiring that they be over the age of 30. The Government does not allow Hajj pilgrims to return if they leave the country without formal permission. The Government justifies these restrictions on the grounds that Saudi Arabia remains officially at war with the country, and that travel to Saudi Arabia therefore is subject to security considerations.

The Government states that it is committed to granting equal and fair conditions to Israeli Arabs, particularly in the areas of education, housing, and employment. However, the Government does not provide Israeli Arabs, who constitute approximately 20 percent of the population, with the same quality of education, housing, employment, and social services as Jews. In addition, government spending is proportionally far lower in predominantly Arab areas than in Jewish areas; on a per capita basis, the Government spends two-thirds as much for Arabs as for Jews. Although such policies are based on a variety of factors, they reflect de facto discrimination against the country’s non-Jewish citizens.

At least two of the Israel Defense Force (IDF) soldiers who were killed in action since September 2000 were Muslim. Additionally, one of the three IDF soldiers kidnapped by Hezbollah in October 2000 is a Muslim. After the family of one of the soldiers who was killed could not find a Muslim cleric to perform his burial, the public focused on the fact that the IDF does not employ a Muslim chaplain. In late 2000, Prime Minister Ariel Sharon ordered the IDF to hire a Muslim chaplain; however,

by the end of the period covered by this report, the IDF was unable to find a Muslim cleric who was willing to serve as an IDF chaplain.

There are approximately 130,000 Bedouin in the Negev; of this number, about half live in 7 state-planned communities and the other half live in 45 settlements that are not recognized by the Government. New building in the unrecognized villages is considered illegal and subject to demolition. In May 2001, the High Court sustained a demolition order for a mosque in the unrecognized village of Husseinya, which was built without a permit in 1996. The mosque had not been demolished by the end of the period covered by this report. In 2000 the Ministry of Interior and the Attorney General declared that residents of Husseinya could list their village's name as their place of residence on their identification cards.

Government funding to the different religious sectors is disproportionate. Non-Orthodox streams of Judaism and the non-Jewish sector receive proportionally less funding than the Orthodox Jewish sector. For example, only 2 percent of the Ministry of Religious Affairs budget goes to the non-Jewish sector. The High Court of Justice heard a case in 1997 alleging that the budgetary allocation to the non-Jewish sector constituted discrimination. In 1998 the Court ruled that the budget allocation constituted "prima facie discrimination" but that the plaintiff's petition did not provide adequate information about the religious needs of the various communities. In May 2000, the same plaintiffs presented a case on the specific needs of religious communities regarding burials. The court agreed that non-Jewish cemeteries were receiving inadequate resources and ordered the Government to increase funding to such cemeteries; the Government had begun implementing this decision by the end of the period covered by this report.

In civic areas in which religion is a determining criterion, such as the religious courts and centers of education, non-Jewish institutions routinely receive less state support than their Orthodox Jewish counterparts.

Government resources available to Arab public schools are less than proportionate to those available to Jewish public schools. Many public schools in Arab communities are dilapidated and overcrowded, lack special education services and counselors, have poor libraries, and have no sports facilities. Israeli Arab private religious schools are considered among the best in the country; however, parents often must pay tuition for their children to attend such schools due to inadequate government funding.

Israeli-Arab organizations have challenged the Government's "Master Plan for the Northern Areas of Israel," which listed as priority goals increasing the Galilee's Jewish population and blocking the territorial contiguity of Arab villages and towns, on the grounds that it discriminates against Arab citizens.

Each recognized religious community has legal authority over its members in matters of marriage and divorce. Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, may bring inheritance cases to religious courts. Jewish and Druze families may ask that some family status matters, such as alimony and child custody, be adjudicated in civil courts as an alternative to religious courts. Christians may only ask that child custody and child support be adjudicated in civil courts as an alternative to religious courts. Muslims have no recourse to civil courts in family-status matters.

Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and most burials. The State does not recognize marriages or conversions to Judaism performed in the country by non-Orthodox rabbis. In June 2001, the Chief Rabbinate issued new regulations stipulating that immigrants who arrived in the country after 1990 must be investigated to confirm that they are Jewish before they can be married in a Jewish ceremony. Many Israeli Jews who wish to marry in secular or non-Orthodox religious ceremonies do so abroad, and the Ministry of Interior recognizes such marriages. However, many Jewish citizens object to such exclusive control, and it has been at times a source of serious controversy in society, particularly in recent years, as thousands of immigrants from the former Soviet Union have not been recognized as Jewish by Orthodox authorities. For example, following the Dolphinarium discoteque bombing in June 2001, which killed 21 Israelis, some religious authorities questioned whether several of the young victims, who were immigrants from the former Soviet Union, qualified for Jewish burial. One of the victims ultimately was buried in a special part of a cemetery reserved for persons whose Jewish identity was "in doubt." Newspapers reported that the decision caused pain to many Russian immigrants.

In August 2000, former Prime Minister Barak announced his plans to "separate religion from politics" by promoting a "civil-social revolution," consisting of a number of measures including: Drafting a constitution, incorporating the Ministry of Religious Affairs into the Ministry of Justice, lifting restrictions on transportation during the Sabbath, allowing for some form of civil marriages, eliminating the nation-



ality clause from identification cards, and introducing a new core curriculum in all state-funded schools. These proposals triggered a national debate on religion and society. However, none of these proposed reforms had been implemented by the end of the period covered by this report.

Under the Jewish religious courts' interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband's consent. Consequently, there are thousands of so-called "agunot" in the country who are unable to remarry or have legitimate children because their husbands either have disappeared or refused to grant a divorce.

Rabbinical tribunals have the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept a divorce from their husbands. However, in some cases rabbinical courts have failed to invoke these sanctions. In cases in which a wife refuses to accept a divorce, the rabbinical courts occasionally allow a husband to take a second wife; however, a wife may never take a second husband. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli persons present in the country.

A group of more than 100 Orthodox, Conservative, and Reform women continued a long legal battle to hold women's prayer services at the Western Wall. In May 2000, the High Court ruled that women could pray aloud and wear prayer shawls at the Western Wall. In November 2000, an expanded High Court reheard the case; a decision was pending at the end of the period covered by this report. Most Orthodox Jews believe that mixed gender prayer services violate the precepts of Judaism, and Jews generally still are unable to hold egalitarian (mixed gender) prayer services at the Western Wall. The Conservative movement is experimenting with conducting services at a different, recently excavated portion of the wall. The North American Reform Movement has rejected such an alternative.

Some Islamic law courts have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Members of unrecognized religious groups (particularly evangelical Christians), sometimes face problems obtaining marriage certificates or burial services. However, informal arrangements provide relief in some cases.

The Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites Law. However, the Government states that it also protects the holy sites of other faiths. The Government also states that it has provided funds for some holy sites of other faiths. Muslim groups complain that the Government has been reluctant to refurbish mosques in areas where there is no longer a Muslim population.

A 1977 anti-proselytizing law prohibits any person from offering or receiving material benefits as an inducement to conversion; however, there have been no reports of the law's enforcement. A bill that would have restricted proselytizing further was promulgated in 2000; however, similar bills did not reach a final vote in the past and local observers do not believe that this bill will be enacted. Christian and other evangelical groups asserted that the draft bills were discriminatory and served to intimidate Christian groups.

Missionaries are allowed to proselytize, although the Church of Jesus Christ of Latter-Day Saints (Mormons) voluntarily refrains from proselytizing under an agreement with the Government.

There were no prosecutions of the over 120 cases of harassment filed by members of Jehovah's Witnesses between 1998 and 2000. There were no complaints of harassment of members of Jehovah's Witnesses during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Relations between different religious groups often are strained, both between Jews and non-Jews and among the different streams of Judaism. Tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict, and increased significantly during the period covered by this report.

In October 2000, Israeli Arabs held a number of demonstrations in the north to protest against discriminatory governmental policies and the Israeli Defense Force's use of excessive force to disperse Palestinian demonstrators in the occupied territories. Police used rubber bullets and live ammunition to disperse demonstrators, killing 13 Arab citizens and injuring over 300. These events, which coincided with

the beginning of the Intifada in the occupied territories and renewed tension on the country's northern border, significantly harmed Jewish-Arab relations in the country.

Religion generally was not a component of the demonstrations. However, there were a number of violent incidents between Arab and Jewish citizens following the demonstrations, including several incidents in which religious sites were targeted.

In early October 2000, in the Arab town of Sha'faram, a crowd of Arab youths attacked and damaged slightly an ancient synagogue during demonstrations held to protest police actions in nearby towns. The mayor and other Arab citizens of the town attempted unsuccessfully to protect the synagogue. Following the attack, the mayor of Sha'faram apologized publicly to Jewish Israelis.

In October 2000, a crowd of Jewish Israelis attacked and damaged moderately a mosque in Tiberias. Police attempted unsuccessfully to prevent the attack. On the same day, small crowds of Jewish Israelis attempted to damage mosques in Jaffa and Akko; however, police successfully prevented these attacks. Jewish participants in the attack reported that they were angry over Hezbollah's kidnapping of three Israeli soldiers near the border with Lebanon.

In June 2001, after a suicide bomber killed 21 young Israelis at the Dolphinarium discotheque in Tel Aviv, a large crowd of Jews attacked a mosque across the street from the explosion while 8 men were inside. The crowd threw stones at the mosque; however, police prevented the participants from reaching the building. After several hours, police used armored vehicles to evacuate the men from the mosque.

Animosity between secular and religious Jews continued during the period covered by this report. Non-Orthodox Jews have complained of discrimination and intolerance. Persons who consider themselves Jewish but who are not considered Jewish under Orthodox law particularly complained of discrimination. Instances of ultra-Orthodox Jewish groups or individuals verbally or physically harassing women for "immodest dress" or other violations of their interpretation of religious law are not uncommon.

Observant Jews also faced some discrimination. In May 2001, the Beersheva labor court ruled that employers could not discriminate against employees or job applicants who refuse to work on the Sabbath. The case was brought by an engineer who was refused a position because he did not work on the Sabbath. The judge ruled that "an employer is obligated to behave equally towards job seekers, including setting conditions of acceptance that do not take into account the potential employees' beliefs or religion, unless the job functions require distinctions, such as work on the Sabbath."

Israeli Arab groups allege that many employers use the prerequisite of military service to avoid hiring non-Jews, including for jobs that are unrelated to national security.

Israeli Arabs are underrepresented in the student bodies and faculties of most universities and in higher level professional and business ranks. Arab citizens hold only 50 of the country's 5,000 university faculty positions. Well-educated Arabs often are unable to find jobs commensurate with their level of education.

According to the National Insurance Institute, 42 percent of Israeli Arabs live below the poverty line, compared with 20 percent of the total population.

Societal attitudes toward missionary activities and conversion generally are negative. Israeli Jews frequently are opposed to missionary activity directed at Jews and occasionally are hostile toward Jewish converts to Christianity. Such attitudes often are attributed to the frequent periods in Jewish history in which Jews were coerced to convert to Christianity.

Christian and Muslim Israeli Arab religious leaders complain that missionary activity that leads to conversions frequently disrupts family coherence in their community. Muslims consider any conversion from Islam to be apostasy.

In recent years, evangelical Christians, Jehovah's Witnesses, and Reform and Conservative Jews complained of incidents of harassment, threats, and vandalism directed against their buildings, and other facilities, many of which were committed by two ultra-Orthodox groups, Yad L'Achim and Lev L'Achim. There were no such incidents reported during the period covered by this report.

There are numerous nongovernmental organizations maintaining dialog between different religions. Interfaith dialog often is linked to the peace process between Israel and its Arab neighbors.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy consistently raised issues of religious freedom with the Foreign Ministry, the police, and the Prime Minister's office. In March 2001, members of the U.S. International Commission on International Religious Freedom met with gov-

ernment officials, religious leaders, and nongovernmental (NGO) representatives to discuss a number of religious freedom issues.

Embassy representatives, including the Ambassador, routinely meet with religious officials. These contacts included meetings with Jewish, Christian, Muslim, and Baha'i leaders at a variety of levels.

Embassy officials maintain a dialog with NGO's that follow human and civil rights issues, including religious freedom. These NGO's include the Association for Civil Rights in Israel, the Israel Religious Action Center, Adalah, and others.

Embassy representatives attended meetings of groups seeking to promote interfaith dialog, including the Interreligious Coordinating Council in Israel, the Anti-Defamation League, and others. The Embassy provided small grants to local organizations promoting interfaith dialog and to organizations examining the role of religion in resolving conflict.

### **The Occupied Territories (Including Areas Subject to the Jurisdiction of the Palestinian Authority)**

The Palestinian Authority (PA) does not have a constitution, nor does it have a specific law guaranteeing religious freedom; however, the PA generally respects this right in practice. Although there is no official religion in the occupied territories, Islam is treated de facto as the official religion.

Israel exercises varying degrees of legal control in the West Bank. Israel has no constitution; however, Israeli law provides for freedom of worship, and the Israeli Government generally respects this right in practice.

There was no change in the status of the PA's respect for religious freedom during the period covered by this report. In previous years, there were allegations that a small number of Muslim converts to Christianity were harassed by PA officials; however, there were no such reports during the period covered by this report. The Israeli Government's closure policies in the occupied territories restricted the ability of Palestinians to reach places of worship, particularly during religious holidays.

There generally are amicable relations between Christians and Muslims. Societal attitudes are a barrier to conversions from Islam. Relations between Jews and non-Jews, as well as among the different branches of Judaism are strained. Following the outbreak of the Intifada in October 2000, there were a number of attacks on places of worship and religious shrines.

The U.S. Government discusses religious freedom issues with the PA in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The occupied territories are composed of the Gaza Strip, the West Bank, and East Jerusalem. The Gaza Strip covers an area of 143 square miles, and its population is 1,138,563 persons. The West Bank (excluding East Jerusalem) covers an area of 2,238 square miles, and its population is approximately 2,191,300 persons. East Jerusalem covers an area of 27 square miles and its population is approximately 390,000 persons.

The vast majority (98.4 percent) of the Palestinian residents of the occupied territories are Sunni Muslims. According to the Palestinian Central Bureau of Statistics, there are 40,055 Palestinian Christians living in the territories. However, according to the sum of estimates provided by individual Christian denominations, the total number of Christians is approximately 200,000. A majority of Christians are Greek Orthodox (approximately 120,000), and there also are a significant number of Roman Catholics and Greek Catholics (about 50,000 total), Protestants, Syriacs, Armenians, Copts, Maronites, and Ethiopian Orthodox. In general Christians are concentrated in the areas of Jerusalem, Ramallah, and Bethlehem. In early 2001, approximately 1,000 Christians from Bethlehem left the occupied territories for other countries. According to Christian leaders, most of the Christians left their homes for economic and security reasons and not due to religious discrimination. Jewish Israeli settlers reside in the West Bank (approximately 171,000), Gaza (about 6,500), and Jerusalem. There is a community of approximately 550 Samaritans (an ancient offshoot of Judaism) located on Mount Gerazim near Nablus.

Several evangelical Christian missionary groups operate in the West Bank, including the Jehovah's Witnesses.

Foreign missionaries operate in the occupied territories. These include a handful of evangelical Christian pastors who seek to convert Muslims to Christianity. While they maintain a generally low profile, the PA is aware of their activities and generally does not restrict them.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Palestinian Authority has no constitution, and no single law in force protects religious freedom; however, the PA generally respects religious freedom in practice. Although there is no official religion in the occupied territories, Islam is treated de facto as the official religion.

The PA has not adopted legislation regarding religious freedom; however, both the draft Basic Law and the draft Constitution address religion. The draft Basic Law stipulates that "Islam is the official religion in Palestine," and that "respect and sanctity of all other heavenly religions (i.e., Judaism and Christianity) shall be maintained." The draft Basic Law was submitted for PA President Yasser Arafat's signature in 1997; however, it has not been signed into law. The March 2001 version of a draft constitution stipulates that "Islam is the official religion of the State, while other divine religions and their sanctity are respected." It is unclear whether the injunction to "respect" other religions would translate into an effective legal guarantee of religious freedom. The draft Basic Law and Constitution both state that the principles of Shari'a (Islamic law) are the primary bases for legislation.

Churches in Jerusalem, the West Bank, and Gaza may be subdivided into three general categories: 1) churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century; 2) Protestant and evangelical churches that were established between the late 19th century and 1967, which are fully tolerated by the PA, although not officially recognized; and 3) a small number of churches that became active within the last decade, whose legal status is more tenuous.

The first group of churches is governed by the 19th century status quo agreements, which the PA respects and which specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Greek Catholic, Coptic, and Ethiopian Orthodox Churches. The Episcopal and Lutheran Churches were added later to the list. These churches and their rights were accepted immediately by the PA, just as the British, Jordanians, and Israelis had done before. Like Shari'a courts under Islam, these religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status issues and some land issues. Civil courts do not adjudicate on such matters.

According to the PA, no other churches have applied for official recognition. However, the second group of churches, including the Assembly of God, Nazarene Church, and some Baptist churches, has unwritten understandings with the PA based on the principles of the status quo agreements. They are permitted to operate freely and are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third group of churches consists of a small number of proselytizing churches, including Jehovah's Witnesses and some evangelical Christian groups. These groups have encountered opposition in their efforts to obtain recognition, both from Muslims, who oppose their proselytizing, and Christians, who fear that the new arrivals may disrupt the status quo. These churches generally operate unhindered by the PA. At least one of these churches reportedly planned to request official recognition from the PA during the period covered by this report; however, it deferred its request after the outbreak of the Intifada in October 2000.

In practice the PA requires individuals to be at least nominally affiliated with some religion. Religion must be declared on identification papers, and all personal status legal matters must be handled in either Shari'a or Christian ecclesiastical courts. In the absence of legal protection of religious freedom, there are no statutory or regulatory remedies for violations of that freedom.

Islam is the de facto official religion of the Palestinian Authority, and its Islamic institutions and places of worship receive preferential treatment. The PA has a Ministry of Waqf and Religious Affairs that pays for the construction and maintenance of mosques and the salaries of many Palestinian imams. The Ministry also provides some Christian clergymen and Christian charitable organizations with limited financial support. The PA does not provide financial support to any Jewish institutions or holy sites in the occupied territories; however, it paid for the refurbishment of Joseph's Tomb after it was damaged by Palestinian demonstrators (see Section II).

The PA requires that religion be taught in PA schools. Until recently, only courses on Islam were taught, and Christian students were excused from them. However, during the period covered by this report, the PA implemented a compulsory curriculum that requires the study of Christianity for Christian students in grades one through six.

The Palestinian Authority observes several religious holidays, including, Eid al-Fitr, Eid al-Adha, Zikra al-Hijra al-Nabawiya, and the Prophet Muhammed's birthday. Christians also may observe the holidays of Christmas and Easter.

The PA does not officially sponsor interfaith dialog; however, it does attempt to foster goodwill among religious leaders. The PA makes a strong effort to maintain good relations with the Christian community, and there is no pattern of PA harassment of Christians. Within the Ministry of Religious Affairs, there is a portfolio covering Christian affairs, and PA Chairman Arafat has an advisor on Christian affairs. Six Christians and one Samaritan sit on the 88-member Palestinian Legislative Council in seats set aside for representatives of these religions.

Israel has no constitution; however, the law provides for freedom of worship, and the Government generally respects this right in practice.

The Israeli Government gives preferential treatment to Jewish residents of the occupied territories and East Jerusalem in the areas of permits for home building and civic services. For example, Muslim Arab residents of Jerusalem pay the same taxes as Jewish residents; however, Arab residents receive significantly fewer municipal services than Jewish residents. There is a general consensus among Palestinian and Israeli human rights organizations that many of the national and municipal policies enacted in Jerusalem are designed to limit or diminish the non-Jewish population of Jerusalem. According to these activists, the Israeli Government uses a combination of zoning restrictions on building for Palestinians, confiscation of Palestinian lands, and demolition of Palestinian homes to "contain" non-Jewish neighborhoods.

The Israeli Government attempts to maintain amicable relations with all of the major religious denominations represented in Jerusalem, and to facilitate their worship requirements. For example, the Israeli Government provides police support to facilitate processions in and around the Old City during the Holy Week of Easter.

#### *Restrictions on Religious Freedom*

In previous years, the PA limited speech on religious subjects in some instances.

Since the outbreak of the Intifada, officials in the PA's Ministry of Waqf and Islamic Affairs have prohibited non-Muslims from entering the sanctuary of the Haram al-Sharif. Waqf officials stated that this is a temporary closure because they cannot justify allowing non-Muslims to visit the Haram at a time when Palestinian Muslims from the occupied territories are prevented from worshiping there.

Personal status law for Palestinians is based on religious law. For Muslim Palestinians, personal status law is derived from Shari'a, and the varied ecclesiastical courts rule on personal status issues for Christians. In the West Bank and Gaza, Shari'a pertaining to women is part of the Jordanian Status Law of 1976, which includes inheritances and marriage laws. Under the law, women inherit less than male members of the family do. The marriage law allows men to take more than one wife, although few do so. Women are permitted to make "stipulations" in the marriage contract to protect them in the event of divorce and questions of child custody. However, only an estimated 1 percent of women take advantage of this section of the law, leaving most women at a disadvantage when it comes to divorce or child custody.

Due to the Intifada, political violence escalated significantly during the period covered by this report. At least 654 persons were killed between late September 2000 and late June 2001 in demonstrations, violent clashes, and military and civilian attacks, including 516 Palestinians, 136 Israelis, and 6 foreign nationals. Additionally, at least 14,959 persons were injured during this period. On September 28, Israeli opposition leader Ariel Sharon visited the Temple Mount (Haram al-Sharif) in Jerusalem. On September 29, some Palestinians attending Friday prayer services at the Haram al-Sharif threw stones at police in the vicinity of the Western Wall. Police used rubber-coated metal bullets and live ammunition to disperse the demonstrators, killing 4 persons and injuring approximately 200. Palestinians throughout the occupied territories reacted to this incident by participating in violent demonstrations against IDF soldiers; such demonstrations and ensuing clashes between Palestinians and IDF soldiers occurred daily during the period covered by this report. A number of Israelis and Palestinians also were killed in politically related violence perpetrated by individuals and groups during the year. Israeli settlers harassed, attacked, and sometimes killed Palestinians in the West Bank and Gaza Strip. Palestinian civilians also harassed, attacked, and sometimes killed Israelis civilians and settlers.

Due to the increased violence and security concerns, the Israeli Government imposed closure on the occupied territories in October 2000, and this closure still was in place at the end of the period covered by this report. Closure on the West Bank and Gaza and between towns and cities within the occupied territories ("internal closure") impeded significantly freedom of worship for Muslims and Christians dur-

ing the period covered by this report. Even before the outbreak of the Intifada in October 2000, Palestinians in the occupied territories were required to obtain a permit to enter Jerusalem. The Israeli Government frequently denied requests for permits and Israeli security personnel sometimes denied permit holders access to Jerusalem, even to visit holy sites. During periods of closure, Palestinians from the occupied territories were prevented from traveling to pray inside the Haram al-Sharif (Temple Mount) in Jerusalem. In practice Israeli closure policies prevented tens of thousands of Palestinians from reaching places of worship in Jerusalem and the West Bank, including during religious holidays, such as Ramadan, Christmas, and Easter. On a number of occasions, the Israeli Government also prevented worshipers under the age of 45 from attending Friday prayers inside the Haram al-Sharif; the Israeli Government stated that it did so in an effort to prevent outbreaks of violence following Friday prayers (see Section III). The Israeli Government states that it imposes closure on the occupied territories for security reasons; however, many Palestinians believe that the real purpose of closure is ethnically-based harassment and humiliation.

In early April 2001, Israeli authorities prevented thousands of Muslims from reaching the Nabi Musa shrine near Jericho, the site of an annual three-week Muslim celebration. Israeli officials stated that they decided to cancel the religious festival because the PA intended to turn the event into a "political rally."

During the period covered by this report, due to the Israeli Government's closure policy, a number of Palestinian religious leaders were prevented from reaching their congregations. For example, on March 9, 2001, Israeli soldiers prevented the Latin Patriarch, Michel Sabbah, from entering the town of Ein Areek to perform a Mass. On April 14, 2001, Israeli soldiers prevented the Legal Advisor at the Latin Patriarchate, Majdi al-Siryani, from attending the Ritual of the Holy Fire in Jerusalem. A second group of soldiers then prevented him from reaching a mass in Bethlehem. The Israeli Government pledged to create a "hotline" to facilitate the movement of clerics through checkpoints in March 2001; however, it had not done so by the end of the period covered by this report. Several clergymen reported that they were subject to verbal harassment at checkpoints during the period covered by this report.

Palestinian violence against Israeli settlers sometimes prevented settlers from reaching Jewish holy sites in the occupied territories during the period covered by this report. Other Israelis were unable to reach Jewish sites in the occupied territories such as Rachel's Tomb and the Tomb of the Patriarchs in Hebron due to the ongoing violence, including on religious holidays.

A 1995 ruling by the Israeli High Court of Justice theoretically allowed small numbers of Jews under police escort to pray on the Temple Mount/Haram al-Sharif. Israeli police consistently have declined to enforce this ruling, citing public safety concerns. Since the outbreak of the Intifada, Israeli police have prevented all non-Muslims (including Jews seeking to pray) from entering the Temple Mount/Haram al-Sharif.

#### *Abuses of Religious Freedom*

Since the establishment of the PA, there have been periodic allegations that a small number of Muslim converts to Christianity sometimes are subject to societal discrimination and harassment by PA officials, including detention and questioning by security forces. In recent years, there were several unconfirmed allegations that converts to Christianity were subjected to such treatment. In some cases, conversion may have been only one of several factors leading to the mistreatment. In previous years, the PA stated that it investigated such allegations, but it did not make known to any outside party the results of these investigations.

One Christian religious leader in Jerusalem was attacked by IDF personnel during the period covered by this report. On January 9, 2001, Israeli soldiers at a checkpoint in the West Bank fired at the car of Latin Vice-Patriarch and Archbishop of Nazareth Paul Marcuzzo; his car bore diplomatic license plates and was flying the Vatican flag. Archbishop Marcuzzo was not injured in the shooting. The following day, the Israeli Minister of Justice visited Marcuzzo and apologized for the incident.

According to some Palestinian individuals and human rights organizations, Israeli soldiers sometimes arbitrarily enforced closure to offend religious sensibilities. For example, the Palestinian Society for the Protection of Human Rights and the Environment (LAW) reported instances in which Israeli soldiers closed the al-Ram checkpoint at sundown during Ramadan preventing thousands of Muslims from returning home to break their fasts. There also were several unconfirmed accounts that IDF personnel at checkpoints coerced Palestinians to break their fasts during Ramadan as a condition for being allowed to pass through the checkpoint.

On June 4, 2001, the day that Muslims celebrate the Prophet Mohammed's birthday, IDF personnel closed the al-Ibrahimi mosque in Hebron in violation of the Hebron Protocol, which stipulates that the mosque should be available to Muslims worshippers on Muslim holidays. Israeli police personnel also arrested 7 Muslims who were near the mosque.

There is no evidence that the IDF has deliberately targeted places of worship. However, mosques and churches were damaged during exchanges of gunfire between IDF personnel and Palestinian gunmen. For example, on October 20, 2000, IDF gunfire damaged the mosque in the Aida Refugee Camp. On December 20, 2000, Israeli forces reportedly fired at the al-Abrar mosque in Salfit. On several occasions between November 2000 and March 2001, the al-Nur mosque in Rafah reportedly was hit by Israeli shells.

There were no reports of religious detainees or prisoners in the occupied territories.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the PA or the Israeli Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Generally there are amicable relations between Christians and Muslims. However, tensions do exist and occasionally surface. Relations between Jews and non-Jews, as well as among the different branches of Judaism, often are strained. Tensions between Jews and non-Jews exist primarily as a result of the Arab-Israeli conflict, as well as Israel's control of access to sites holy to Christians and Muslims. Non-Orthodox Jews have complained of discrimination and intolerance.

Societal attitudes are a barrier to conversions, especially for Muslims converting to Christianity. During the period covered by this report, one senior Christian cleric reportedly quietly dissuaded a number of such prospective converts from being baptized in Jerusalem for fear that they would be ostracized by their families or subjected to violence. In previous years, there were reports that some Christian converts from Islam who publicized their religious beliefs were harassed.

There are some reports of Christian-Muslim tension in the occupied territories. In May and June 2001, Israeli press reports accused Muslim Tanzim militia members of deliberately opening fire on the Israeli neighborhood of Gilo from Christian areas in Beit Jala in order to draw IDF fire onto the Christian homes. In response to inquiries, several Palestinian Christian leaders in the area denied that the shooting was motivated by anti-Christian sentiments.

Interfaith romance is a sensitive issue. Most Christian and Muslim families in the occupied territories encourage their children—especially their daughters—to marry within the faith. Couples that have challenged this societal norm have encountered considerable societal and familial opposition. Some Christian women who have married Muslim men received death threats from Christian family members and community figures.

In general evangelical churches have not been welcomed by the more established Christian denominations.

The strong correlation between religion, ethnicity, and politics in the occupied territories at times imbues the Israeli-Palestinian conflict with a religious dimension. The rhetoric of some Jewish and Muslim religious leaders was harsher during the period covered by this report, especially following the outbreak of the Intifada in October 2000. There also were a number of attacks on Muslim and Jewish places worship and religious shrines in the occupied territories. On October 7, following the IDF evacuation from the Jewish religious site of Joseph's Tomb, about 1,000 Palestinian protesters entered the religious site, desecrated religious literature, burned the site, and damaged the roof and an outer wall in an unsuccessful attempt to demolish the tomb. Some Israeli Government officials criticized the PA for failing to prevent the attack. The PA began to repair the tomb the following day.

On October 10, 2000, a crowd of Palestinians attempted to burn the Shalom al Yisrael synagogue in Jericho. The PA began to repair the synagogue immediately following the attack.

On October 10, 2000, a crowd of Jewish settlers threw rocks at apartment buildings that are part of a Franciscan project that provides housing to low-income parishioners on the property of St. James's Latin Church (Mar Ya'acoub) in Beit Hanina. The church itself was not damaged; however, several windows and solar panels on the apartment buildings were broken.

Palestinian human rights groups reported on several incidents in which Israeli settlers vandalized mosques in Hebron in the presence of IDF personnel; the IDF soldiers reportedly did not attempt to intervene. On October 12, 2000, Israeli settlers set fire to a mosque in Huwara, causing more than \$20,000 in damage. On November 21, 2000, settlers set fire to the Imam Ali mosque in Huwara. On December 29, 2000, Israeli settlers ransacked the Prophet Yaqeen mosque in Hebron. On April 8, 2001, settlers vandalized the al-Aqtat mosque in Hebron and desecrated religious literature.

On a number of occasions, Muslims on the Temple Mount/Haram al-Sharif threw stones at Jews who were praying at the Western Wall below (also see Section II).

The rhetoric of some Jewish and Muslim religious leaders was harsh and at times constituted an incitement to violence during the period covered by this report. For example, PA-controlled television stations frequently broadcast anti-Semitic statements by Palestinian political and spiritual leaders and PA officials. Some prominent Israelis also made public anti-Arab statements.

Instances of ultra-Orthodox Jewish groups verbally or physically harassing Jewish citizens for “immodest dress” or other violations of their interpretation of religious law occurred in previous years.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Consulate General in Jerusalem maintains an ongoing, high-level dialog with officials in the Palestinian Authority, including Chairman Arafat, and (in conjunction with Embassy Tel Aviv) with Israeli officials on human rights issues, including issues of religious freedom. The Consulate also maintains contacts with representatives of the Islamic Waqf—an Islamic trust and charitable organization that owns and manages large amounts of real estate, including the al-Aqsa mosque in Jerusalem—as well as with the various Christian churches and Jewish communities in Jerusalem.

The Consulate investigates allegations of abuses of religious freedom. During the period covered by this report, the Consulate investigated a range of charges, including allegations of Israeli settler violence against places of worship; allegations regarding Christian emigration from the Bethlehem area; allegations regarding the harassment of Christian clergymen in the Jewish Quarter; and allegations concerning access to holy sites.

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## JORDAN

The Constitution provides for freedom of religion, provided that religious practices are consistent with “public order and morality;” however, the Government imposed some restrictions on freedom of religion. According to the Constitution, Islam is the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Members of unrecognized religious groups and religious converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases. The Government prohibits non-Muslims from proselytizing Muslims.

Relations between Muslims and Christians in the country generally are amicable. Adherents of unrecognized religions face some societal discrimination.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 55,436 square miles and its population is approximately 5 million persons. Over 95 percent of the population are Sunni Muslim. Official government figures estimate that Christians make up 4 percent of the population; however, government and Christian officials privately estimate the true figure to be closer to 2 percent. There also are at least 20,000 Druze, a small number of Shi’a Muslims, and less than 800 adherents of the Baha’i faith. There are no statistics available regarding the number of atheists or persons who are not adherents of any particular religious faith.

Officially recognized Christian denominations include the Greek Orthodox, Roman Catholic, Greek Catholic (Melkite), Armenian Orthodox, Maronite Catholic, Assyrian, Anglican, Lutheran, Seventh-Day Adventist, United Pentecostal, and Presbyterian Churches. Other churches, including the Baptist Church, the Free Evan-



gical Church, the Church of the Nazarene, the Assembly of God, and the Christian Missionary Alliance, are registered with the Ministry of Justice as “societies,” but not as churches. Some Egyptian immigrants are adherents of Coptic Christianity and there are a number of both Chaldean and Syriac Christians and Muslim Shi’as represented in the immigrant Iraqi population.

Among the foreign missionaries operating in the country are the Church of Jesus Christ of Latter-Day Saints (Mormons); Jehovah’s Witnesses; Campus Crusaders for Christ; Life Agape; Intersivarsity; Navigators; Christar; Arab World Ministries; Operation Mobilization; Southern Baptist International Mission Board; the Conservative Baptist; Frontiers; Brother Andrew; Jesuits; Christian Brothers; Rosary Sisters; Benedictines; Anglican Church Mission Society; the Society of Friends (Quakers); Comboni Sisters; Little Sisters of Jesus; the Religious of Nazareth; Sisters of St. Dorothy; the Daughters of Mary the Helper (Salesian Sisters); the Little Sisters of Nazareth; the Little Family of the Annunciation; Sisters of St. Joseph of the Apparition; Basiliennes Chouerites; Focolare Sisters; Franciscans (OFM); Sons of Divine Providence (Don Orione Fathers); Association Fraternal International (AFI); Institute of the Incarnate Word; Franciscans of the Cross; Dominican Sisters of St. Catherine; Franciscan Missionaries of Mary (FMM); Franciscan Missionaries of the Immaculate Heart of Mary; Daughters of Mary of the Enclosed Garden; Theresian Institute; and the Missionaries of Charity.

With few exceptions, there are no major geographic concentrations of particular religious groups. The cities of Husn, in the north, and Fuheis, near Amman, are predominantly Christian. Madaba and Karak, both south of Amman, have significant Christian populations. The northern part of the city of Azraq is predominantly Druze, as is Umm Al-Jabal in the city of Mafraq. There also are significant populations of Druze in Amman and Zarka, and a smaller number of Druze in Irbid and Aqaba. There are a number of nonindigenous Shi’a living in the Jordan Valley and the south of the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for the safeguarding of “all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality;” however, the Government imposes some restrictions on freedom of religion. The Constitution also states that “there shall be no legal discrimination with regard to Jordanians’ rights and duties based on race, language, or religion.” However, some members of unrecognized religious groups and religious converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases.

According to the Constitution, Islam is the state religion. Neither Islam nor the Government recognizes religious faiths other than the three main monotheistic religions: Islam, Christianity, and Judaism. In addition, not all Christian denominations have been accorded legal recognition as religions. Since 1998 the Prime Minister has unofficially conferred with an interfaith council of bishops representing local churches on all matters relating to the Christian community, including the registration of new churches in the country. The Government uses the following criteria when considering recognition of Christian churches as separate official religions: The faith does not contradict the nature of the Constitution, public ethics, customs, or traditions; the faith is recognized by the Middle East Council of Churches; the faith does not oppose the national religion; and the group includes some citizen followers.

According to the Government, the role of the State in religious affairs is limited to supervision. Groups that have practices that violate the law and the nature of Jordanian society—such as Satan worship—are prohibited.

Religious institutions, such as churches that wish to receive official government recognition, must apply to the Prime Ministry for registration. Recognized non-Muslim religious institutions do not receive subsidies; they are financially and administratively independent from the Government and are tax-exempt.

The Muslim feasts of Eid al-Adha, Eid al-Fitr, the Prophet Mohammed’s Birthday, the Prophet’s Ascension, and the Islamic New Year are celebrated as national holidays. Christmas and the Gregorian Calendar New Year also are national holidays. Easter is a government holiday for Christians, and Christians may request leave for other Christian feasts prescribed by the local Council of Bishops.

Religious instruction is mandatory for all Muslim students in public schools. Christian and Baha’i students are not required to attend courses in Islam. In 1996 the late King Hussein and the Ministry of Education approved religious instruction for Christian students in public schools. In 1998 the Government established an ex-

perimental program in four districts to incorporate Christian education in the public school curriculum. In 1999 the local Council of Bishops approved the use of the Syrian model of catechism in these test districts; however, the program has not progressed due to a lack of follow-up by both the Ministry of Education and the local Christian hierarchy.

The Constitution provides that congregations have the right to establish schools for the education of their own members “provided that they comply with the general provision of the law and are subject to the control of government in matters relating to their curricula and orientation.”

There are two major government-sponsored institutions that promote interfaith understanding: The Royal Institute for Interfaith Studies and the Royal Academy for Islamic Civilization Research (al-Bayt Foundation). Both institutions sponsor research, international conferences, and discussions on a wide range of religious, social, and historical questions from the perspective of both Muslims and Christians. The Government facilitated the holding of two international Christian conferences in government facilities in September 2000 and May 2001.

#### *Restrictions on Religious Freedom*

The Government does not recognize the Druze or Baha’i faiths as religions but does not prohibit the practice of the faiths. Druze face official discrimination but do not complain of social discrimination. Baha’is face both official and social discrimination. The Government does not record the bearer’s religion on national identity cards issued to Druze or Baha’is. The small Druze and Baha’i communities do not have their own courts to adjudicate personal status and family matters; such matters are heard in Shari’a courts. The Government does not officially recognize the Druze temple in Azraq, and four social halls belonging to the Druze are registered as “societies.” The Government does not permit Baha’is to register schools or places of worship.

The Government does not recognize Jehovah’s Witnesses, the Church of Christ, or the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to conduct religious services and activities without interference.

The Government does not interfere with public worship by the country’s Christian minority. Although the majority of Christians are allowed to practice freely, some activities, such as encouraging Muslims to convert to the Christian faith—considered legally incompatible with Islam—are prohibited.

Shari’a law prohibits non-Muslims from proselytizing Muslims. Conversion to the Muslim faith by Christians is allowed; however, a Muslim may not convert to another religion. Muslims who convert to other faiths complain of social and government discrimination. The Government does not fully recognize the legality of such conversions. Under Shari’a converts are regarded as apostates and legally may be denied their property and other rights. However, in practice this principle is not applied. According to the Government, it neither encourages nor prohibits apostasy. Converts from Islam do not fall under the jurisdiction of their new religion’s laws in matters of personal status and still are considered Muslims under Shari’a. Conversely, converts to Islam fall under the jurisdiction of the Shari’a courts. Shari’a law prescribes the death penalty for Muslims who convert to another religion; however, there is no corresponding statute under national law, and such punishment has never been applied.

According to one Christian cleric, the Government does not generally prohibit citizens from proselytizing if it is within the limits of the law and based on “the principle of maintaining personal security and safety and provided that it does not contradict the customs and traditions of society.” Government policy requires that foreign missionary groups (which the Government believes are not familiar with the customs and traditions of Jordanian society) refrain from public proselytizing “for the sake of their own personal safety from fundamentalist members of society that oppose such practices.” The Government has taken action against some Christian proselytizers in response to the complaints of recognized Christian groups who charge that the activities of these missionaries “disrupt the cohesiveness and peace between religious groups in the society.”

There were some reports of local government officials encouraging Christian females involved in relationships with Muslim males to convert to Islam to diffuse family or tribal disputes caused by the relationship (see Section III). However, there were no known cases in which local officials harassed or coerced individuals to convert during the period covered by this report.

The Ministry of Religious Affairs and Trusts manages Islamic institutions and the construction of mosques. It also appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques. The Government loosely monitors sermons at mosques and requires

that speakers refrain from criticizing the Royal Family or instigating social or political unrest.

According to the Constitution, religious community trusts (“Awqaf”) and matters of personal status such as marriage, divorce, child custody, and inheritance fall within the exclusive jurisdiction of the Shari’a courts for Muslims, and separate non-Muslim tribunals for each religious community recognized by the Government. There is no civil marriage. The head of the department that manages Shari’a court affairs (a cabinet-level position) appoints Shari’a judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. All judicial nominations are approved by the Prime Minister and commissioned officially by royal decree. The Protestant denominations registered as “societies” come under the jurisdiction of one of the recognized Protestant church tribunals. There are no tribunals assigned for atheists or adherents of unrecognized religions. These individuals must request one of the recognized courts to hear their personal status cases.

Shari’a is applied in all matters relating to family law involving Muslims or the children of a Muslim father, and all citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance.

All minor children of a male citizen who converts to Islam are automatically considered to be Muslim. Adult children of a male Christian who has converted to Islam become ineligible to inherit from their father if they do not themselves convert to Islam. In cases in which a Muslim converts to Christianity, the act is not legally recognized by the authorities, and the subject continues to be treated as a Muslim in matters of family and property law, and the minor children of a male Muslim who converts to Christianity continue to be treated as Muslims under the law.

Some Christians are unable to divorce under the legal system because they are subject to their faith’s religious court system, which does not allow divorce. Many of these individuals convert to another Christian denomination or the Muslim faith in order to divorce legally.

The Government notes individuals’ religions (except for Druze, Baha’is, and other unrecognized religions) on the national identity card and “family book” (a national registration record that is issued to the head of every family and that serves as proof of citizenship) of all citizens. Atheists must associate themselves with a recognized religion for official identification purposes.

The Government traditionally reserves some positions in the upper levels of the military for Christians; however, all senior command positions have been traditionally reserved for Muslims. Division-level commanders and above are required to lead Islamic prayer for certain occasions. There are no Christian clergy in the military.

In early 2000, radical Islamists criticized a poem published by Muslim poet Musa Hawamdeh. In March 2000, the Government banned the book in which the poem was published. In June 2000, Hawamdeh was summoned to a Shari’a court to face allegations of apostasy. The complainant requested that Hawamdeh publicly retract the controversial statements in his poem and requested that the Shari’a judge order that he divorce his wife and lose his rights to inherit property or manage his own wealth. The Shari’a court referred the case to a civil court. In July 2000, Hawamdeh, without retracting any portion of his poem, was acquitted on all charges in both the Shari’a and civil courts. However, according to June 2001 press reports, the Shari’a appeals court ordered Hawamdeh retried on the apostasy charge. According to some reports, the retrial is based on a procedural error; however, some observers believe that the procedural error is being used as a pretext to continue harassing the poet. At the end of the period covered by this report, most observers believed that the Shari’a court would find Hawamdeh innocent of apostasy.

In June 2000, due to a dispute stemming from an intrachurch rivalry between the Jerusalem Patriarchate and the Antioch Orthodox Patriarchate, the Government closed an Arab Orthodox church in Amman that was aligned with the Antioch Patriarch in Damascus, Syria. The Government closed the church following a request from the local Orthodox hierarchy to enforce a 1958 law that grants the Jerusalem Patriarchate authority over all Orthodox churches in the country. The church reopened in December 2000 with permission from the Government, but was closed again a week later based largely on pressure from the Orthodox hierarchy. The Government stated that the church was free to open under a different name that would not imply affiliation with the Orthodox Church. The church remained closed at the end of the period covered by this report (see Section III).

Non-Jordanian Christian missionaries operate in the country but are subject to restrictions. Christian missionaries may not proselytize Muslims. During the period covered by this report, U.S.-affiliated Christian mission groups in the country con-

tinued to complain of bureaucratic difficulties, including refusal by the Government to renew residence permits.

In February 2000, the governor of the Amman municipality closed the office of Life Agape—an organization associated with the Baptist Church—after the director refused to sign a letter stating that he would not “deal with Muslims.” The office remained closed at the end of the period covered by this report.

In April and September 1999, a foreign employee of a small language school in Amman applied for a residence permit from the Ministry of Interior. His application was denied, reportedly because government officials believed that he had been trying to convert Muslims to Christianity. He reapplied in April 2000 and was still awaiting a response from the Government at the end of the period covered by this report.

In December 1999, the municipality of Amman closed the Roy and Dora Whitman Academy—a small, nonprofit school founded by U.S.-affiliated missionaries in Amman—because it was not registered with the Ministry of Education. The board of the academy had initiated the process of registering the school in 1997. After being contacted by embassies representing a number of countries, the Ministry of Education assisted the school in properly fulfilling registration requirements. In April 2000, the school received registration and once again began teaching students. In July 2000, the Ministry of Labor issued work permits to two faculty members at the school.

The Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, applied in August 1998 for a permit to purchase land on which to construct a seminary and campus. In May 1999, permission was granted to purchase the land on the condition that JETS receive accreditation from the Ministry of Education. In May 1999, JETS submitted its first application for registration to the Council of Higher Education (CHE). However, pending such registration authorities suspended renewal of the residence permits of all of the seminary’s 36 foreign students and 2 members of the faculty. In 1998 and early 1999, some noncitizen Arab Muslim students were deported or asked to leave the country as a result of their association with JETS. In mid-1999, the Ministry of Interior issued visas and residence permits to some students and staff of JETS. However, in September 1999, JETS received a letter from the CHE stating that it had postponed reviewing the application until “a complete strategy for higher education was in place.” In December 1999, the Ministry again began refusing to issue or to renew visas or resident permits for students and staff of the school until it received accreditation from the Ministry of Education. JETS reapplied for registration in January 2000. In May 2000, the Secretary General of the CHE told JETS that the CHE may not register colleges that have religion as the only discipline of study. In February 2001, JETS submitted a third application to the Ministry of Education with an expanded curriculum. At the request of the CHE, the application also contained a new name without the word “evangelical”—Jordan Minara University. At the end of the period covered by this report, the school’s application still was pending, and the Ministry’s failure to issue visas has affected 24 of 140 students (and their families), as well as 4 staff members at the school.

During the Muslim holy month of Ramadan, all citizens, including non-Muslims, are discouraged from eating, drinking, or smoking in public or in vehicles and are discouraged strongly from dressing in a manner that is considered inconsistent with Islamic standards. Restaurants are closed during daylight hours unless specifically exempted by the Government and alcohol is only served in those facilities catering specifically to tourists.

Of the 80 seats in the Lower House of Parliament, 9 are reserved for Christians. No seats are reserved for Druze or adherents of other religious faiths. The country’s parliamentary election law historically has limited the number of Islamists elected to Parliament. The major Islamic political party boycotted the 1997 elections, stating that the election law must be amended before it will participate in future elections. On June 16, 2001, the King dissolved Parliament and charged the Government with drafting a new election law. In March 2000, Jordan University amended the student council election law, granting the university president the authority to appoint half of the university’s 80-member student council, including the chair. This decision reportedly was made to curb the influence of Islamists on campus. In April 2000, many students—Islamists and non-Islamists—protested this decision. Islamist groups also called for a boycott of the elections on April 25, 2000 and some persons associated with these groups physically attempted to prevent students from voting.

The Political Parties Law prohibits houses of worship from being used for political party activity. The law was designed primarily to prevent Islamist politicians from preaching in mosques.

Under Shari'a as applied in the country, female heirs receive half the amount of a male heir's inheritance, and the non-Muslim widow of Muslim spouses has no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits both of his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Men are able to divorce their spouses more easily than women.

Shari'a as applied in the country regards the testimony of a woman to be equal to half that of a man. This provision technically applies only in religious courts; however, in the past it has been imposed in civil courts as well, regardless of religion.

#### *Abuses of Religious Freedom*

There were no reports of religious detainees or prisoners who remained in custody at the end of the period covered by this report. However, the security services detained approximately 50 persons, described in the press as "Islamists" during the period covered by this report. These detentions were related to allegations of involvement in terrorist or strictly political activities rather than religious affiliation or belief.

In October 2000 and May 2001, security forces briefly detained and released several Muslim religious leaders for inciting public unrest following the outbreak of Israeli-Palestinian violence in the West Bank and Gaza.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States. However, according to Jordanian law the father of the child may restrict the child's travel. There reportedly are at least 35 cases of U.S. citizen children residing in Jordan against the will of their U.S. citizen mothers. Under the law, these children are considered Muslim if their fathers are Muslim.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In July 2000, the Ministry of Labor issued work permits to two faculty members at the Roy and Dora Whitman Academy, a small, nonprofit school founded by U.S.-affiliated missionaries in Amman.

### SECTION III. SOCIETAL ATTITUDES

Relations between Muslims and Christians in the country generally are amicable. Relations within the Christian community sometimes are difficult, especially among the evangelical Christian community. In June 2000, due to a dispute stemming from an intrachurch rivalry between the Jerusalem Patriarchate and the Antioch Orthodox Patriarchate, the Government closed an Arab Orthodox church in Amman, which was aligned with the Antioch Patriarch in Damascus, Syria (also see Section II).

In general Christians do not suffer discrimination. Christians hold high-level government and private sector positions and are represented in the media and academia approximately in proportion to their presence in the general population. Senior command positions in the military traditionally have been reserved for Muslims (see Section II). Baha'is face some societal and official discrimination.

The majority of the indigenous population views religion as central to personal identity and religious conversions are not widely tolerated. Muslims who convert to other religions often face social ostracism, threats, and abuse from their families and Muslim religious leaders. Romantic relationships between members of different religions, which may lead to conversion—either to the Muslim or Christian faiths—usually are strongly discouraged by the families. Interfaith relationships may lead to ostracism and, in some cases, violence against the couple or feuds between members of the couple's families. When such situations arise, families may approach local government officials for resolution. There were reports that in some cases, local government officials encouraged Christian women involved in relationships with Muslim men to convert to Islam in order to defuse potential family or tribal problems. However, there were no known cases in which local officials harassed or coerced persons to convert. In previous years, when the Government intervened, it sometimes placed the women concerned into "protective custody" to prevent retribution by one of the families.

Employment applications occasionally contain questions about an applicant's religion.

During the period covered by this report, local newspapers occasionally published articles critical of evangelical organizations.

## SECTION IV. U.S. GOVERNMENT POLICY

U.S. Embassy officials raised religious freedom and other human rights issues with government authorities on a number of occasions. Embassy officers met frequently with members of the various religious and missionary communities in the country, as well as with private religious organizations. Embassy officers assisted private religious groups to obtain official registration during the period covered by this report. The Embassy's American Citizens' Services officer is in regular contact with members of the American missionary community in the country, many of whom serve as emergency wardens.

In January 2001, the Embassy sponsored a successful program on interreligious dialog and tolerance by Dr. Mahmoud Ayoub, a professor of religion at a university in the United States.

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**KUWAIT**

Islam is the state religion; although the Constitution provides for freedom of religion, the Government places some limits on this right. The Constitution also provides that the State protect the freedom to practice religion in accordance with established customs, "provided that it does not conflict with public policy or morals." The Constitution states that Shari'a (Islamic law) is "a main source of legislation."

There was some improvement in the status of respect for religious freedom during the period covered by this report, particularly for the country's Shi'a. The Government licensed the construction of three new Shi'a mosques. It overturned a decision by the municipality of Kuwait to deny the Government-approved construction of a mosque in the Al-Qurain area (approval had been pending for 9 years). The Government also resolved two longstanding Shi'a concerns by creating a Shi'a appellate court to try family law cases and approving the creation of a Shi'a charity authority comparable to the Sunni Awqaf (Ministry of Islamic Affairs) and nongovernmental entities. The Government prohibits proselytizing of Muslims and prohibits the naturalization of non-Muslims.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 6,880 square miles and its population is 2.2 million. Of the country's total population, approximately 1.5 million persons are Muslim, including the vast majority of its 820,000 citizens. The remainder of the overall population consists of the large foreign labor force and nearly 100,000 Arabs with residence ties to Kuwait who claim to have no documentation of their nationality. The ruling family and many prominent families belong to the Sunni branch of Islam. The total Sunni Muslim population is over 1 million, about 525,000 of whom are citizens. The remaining 30 to 40 percent of Muslim residents (approximately 550,000) are Shi'a, nearly 300,000 of whom are citizens. Estimates of the nominal Christian population range from 250,000 to 500,000 (including approximately 200 citizens, most of whom belong to 12 large families).

The Christian community includes the Roman Catholic Diocese, with 2 churches and an estimated 75,000 members (Maronite Christians also worship at the Catholic cathedral in Kuwait city); the Anglican (Episcopalian) Church, with 115 members (several thousand other Christians use the Anglican Church for worship services); the National Evangelical Church (Protestant), with 3 main congregations (Arabic, English, and "Malayalee") and 15,000 members (several other Christian denominations also worship at the National Evangelical Church Compound); the Greek Orthodox Church (referred to locally as the "Roman Orthodox" Church), with 3,500 members; the Armenian Orthodox Church, with 4,000 members; the Coptic Orthodox Church, with 60,000 members; and the Greek Catholic (Eastern Rite) Church, whose membership totals are unavailable.

There are many other unrecognized Christian denominations in the country, with tens of thousands of members. These denominations include Seventh-Day Adventists, the Church of Jesus Christ of Latter-Day Saints (Mormons), Marthoma, and the Indian Orthodox Syrian Church.

There are also members of religions not sanctioned in the Koran, such as Hindus (100,000 adherents), Sikhs (10,000), Baha'is (400), and Buddhists (no statistics available).

There are no available statistics on the number of atheists.

Missionary groups in the country serve non-Muslim congregations.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

Islam is the state religion; although the Constitution provides for freedom of religion, the Government places some limits on this right. The Constitution also provides that the State protect the freedom to practice religion in accordance with established customs, "provided that it does not conflict with public policy or morals." The Constitution states that Shari'a is "a main source of legislation."

The procedures for registration and licensing of religious groups are unclear. The Ministry of Awqaf and Islamic Affairs has official responsibility for overseeing religious groups. Officially recognized churches must deal with a variety of government entities, including the Ministry of Social Affairs and Labor (for visas and residence permits for pastors and other staff) and the municipality of Kuwait (for building permits). While there reportedly is no official government "list" of recognized churches, seven Christian churches have at least some form of official recognition that enables them to operate openly. These seven churches have open "files" at the Ministry of Social Affairs and Labor, allowing them to bring in the pastors and staff necessary to operate their churches. Further, by tradition three of the country's churches are widely recognized as enjoying "full recognition" by the Government and are allowed to operate compounds officially designated as churches: The Catholic Church (both the Roman Catholic Church and the Maronite Church), the Anglican Church, and the National Evangelical Protestant Church of Kuwait. The Roman Catholic Church faces problems of overcrowding at its two official church facilities. Its cathedral in downtown Kuwait City regularly draws as many as 100,000 worshippers to its more than 30 weekly services.

The other four churches reportedly are allowed to operate openly, hire employees, invite religious speakers, etc., all without interference from the Government; however, their compounds are, according to government records, registered only as private homes. Church officials themselves appear uncertain about the guidelines or procedures for recognition. Some have argued that these procedures are purposely kept vague by the Government so as to maintain the status quo. No other churches and religions have legal status but they are allowed to operate in private homes.

The procedures for registration and licensing of religious groups also appear to be connected with government restrictions on nongovernmental organizations (NGO's), religious or otherwise. In 1993 all unlicensed organizations were ordered by the Council of Ministers to cease their activities. This order never has been enforced; however, since that time all but three applications by NGO's have been frozen. There were reports that in the last few years at least two groups have applied for permission to build their own churches, but the Government has not responded to their requests.

### *Restrictions on Religious Freedom*

Shi'a are free to conduct their traditional forms of worship without government interference; however, members of the Shi'a community have complained about the scarcity of Shi'a mosques due to the Government's slow approval of the construction of new Shi'a mosques and the repair of existing mosques, or of its failure to approve such construction or repair at all. The community was particularly critical in May 2000 when the municipality of Kuwait rejected a 9-year-old petition for construction of a Shi'a mosque in the Al-Qurain area. Although the municipality apparently relented due to direct government intervention, there still are complaints about the lack of sufficient Shi'a mosques. (There are approximately 30 Shi'a mosques compared with the 1,300 Sunni mosques in the country.) During the period covered by the report, the Government began to address such concerns by approving the construction of three new Shi'a mosques. The Government resolved two other longstanding Shi'a concerns by creating a Shi'a appellate court to try family law cases (Shi'a and Sunni family law differ in some details) and by approving the creation of a Shia charity authority comparable to the Sunni Awqaf (which formerly controlled all government and private donations to religious charities).

Shi'a leaders also have complained that Shi'a who aspire to serve as imams are forced to seek appropriate training and education abroad due to the lack of Shi'a jurisprudence courses at Kuwait University's College of Islamic Law, which only offers Sunni jurisprudence. However, to address this longstanding concern the Min-

istry of Education currently is reviewing an application to establish a private college to train Shi'a clerics within the country. If approved the new college could reduce Shi'a dependence on foreign study, particularly in Iran, for the training of Shi'a clerics. Shi'a reportedly no longer express concern that certain pending proposed legislation within the National Assembly does not take beliefs specific to the Shi'a into account.

The Roman Catholic, Anglican, National Evangelical, Greek Orthodox, Armenian Orthodox, Coptic Orthodox, and Greek Catholic Churches operate freely on their compounds, holding worship services without government interference. These leaders also state that the Government generally has been supportive of their presence, even providing police security and traffic control as needed. Other Christian denominations (including Mormons, Seventh-Day Adventists, Marthoma, and Indian Orthodox), while not recognized legally, are allowed to operate in private homes or in the facilities of recognized churches. Members of these congregations have reported that they are able to worship without government interference, provided that they do not disturb their neighbors and do not violate laws regarding assembly and proselytizing.

Members of religions not sanctioned in the Koran, such as Hindus and Buddhists, may not build places of worship, but are allowed to worship privately in their homes without interference from the Government.

The Government prohibits missionaries from proselytizing to Muslims; however, they may serve non-Muslim congregations. The law prohibits organized religious education for religions other than Islam, although this law is not enforced rigidly. Informal religious instruction occurs inside private homes and on church compounds without government interference. However, there were reports that government inspectors from the Awqaf Ministry periodically visit public and private schools outside of church compounds to ensure that religious teaching other than Islam does not take place. The Roman Catholic Church has requested that Catholic students be allowed to study the catechism separately during the period in which Muslim students receive mandatory instruction in Islam. The Government did not respond to the request during the period covered by this report.

The Government does not permit the establishment of non-Islamic publishing companies or training institutions for clergy. Nevertheless, several churches do publish religious materials for use solely by their congregations. Further, some churches, in the privacy of their compounds, provide informal instruction to individuals interested in joining the clergy.

A private company, the Book House Company Ltd., is permitted to import a significant number of Bibles and other Christian religious material—including, as of early 2000, videotapes and compact discs—for use solely among the congregations of the country's recognized churches. The Book House Company is the only bookstore that has an import license to bring in such materials, which also must be approved by government censors. There have been reports of private citizens having non-Islamic religious materials confiscated by customs officials upon arrival at the airport.

Although there is a small community of Christian citizens, a law passed in 1980 prohibits the naturalization of non-Muslims. However, citizens who were Christians before 1980 (and children born to families of such citizens since that date) are allowed to transmit their citizenship to their children.

According to the law, a non-Muslim male must convert to Islam when he marries a Muslim woman if the wedding is to be legal in the country. A non-Muslim female does not have to convert to Islam to marry a Muslim male, but it is to her advantage to do so. Failure to convert may mean that, should the couple later divorce, the Muslim father would be granted custody of any children.

Women continue to experience legal and social discrimination. In the family courts, one man's testimony is sometimes given the same weight as the testimony of two women; however, in the civil, criminal, and administrative courts, the testimony of women and men is considered equally. Unmarried women 21 years old and over are free to obtain a passport and travel abroad at any time. However, married women who apply for passports must obtain their husbands' signature on the application form. Once she has a passport, a married woman does not need her husband's permission to travel, but he may prevent her departure from the country by contacting the immigration authorities and placing a 24-hour travel ban on her. After this 24-hour period, a court order is required if the husband still wishes to prevent his wife from leaving the country. All minor children must have their father's permission to travel outside of the country.

Inheritance is governed by Islamic law, which differs according to the branch of Islam. In the absence of a direct male heir, Shi'a women may inherit all property,



while Sunni women inherit only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased.

The joint interministerial committee formed by the Government in 2000 to study ways to control extremist groups reported no findings during the period covered by this report.

The law requires jail terms for journalists who ridicule religion. In the period covered by this report, Islamists used this law to threaten writers with prosecution for publishing opinions deemed insufficiently observant of Islamic norms. However, there were no instances in the period covered by this report of religiously based prosecutions of authors or journalists. In January 2000, the Court of Misdemeanors found two female authors, Alia Shuaib and Leila Al-Othman, guilty of writing books that were blasphemous and obscene. Shuaib and Al-Othman were sentenced to 2 months in prison which could be suspended upon payment of a \$160 (50 Kuwaiti dinars) fine. In March 2000, an appeals court acquitted Shuaib of the charges of blasphemy and publishing works that ridicule religion. Al-Othman's conviction of using indecent language was upheld. The court's judgments represented the latest in a series of cases brought by Islamists against secular authors. The court did not provide explanations for its rulings.

A Vatican mission, headed by a Charge d'Affaires, has been established in the country to represent Vatican interests in the Gulf states and Yemen. The Charge d'Affaires moved into permanent offices during the period covered in this report. The Catholic Church views the Government's acquiescence to establish relations with the Vatican as significant in terms of government tolerance of Christianity.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States. There have been cases in which U.S. citizen children have been abducted from the United States and not allowed to return (under the law, the father receives custody in such cases, and his permission is required for the children to leave the country); however, there were no reports that such children were forced to convert to Islam, or that forced conversion was the reason that they were not allowed to return.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

The overall situation for Shi'a improved during the period covered by this report. The Government licensed the construction of three new mosques. It also overturned a decision by the municipality of Kuwait to deny the government-approved construction of a mosque in the Al-Qurain area. In addition the Government took steps toward greater equality for Shi'a by creating a distinct appellate court to try Shi'a family law cases and by agreeing to establish an independent Shi'a charity authority to manage Shi'a donations.

### SECTION III. SOCIETAL ATTITUDES

In general, there are amicable relations among the various religions, and citizens generally are open and tolerant of other religions. While there is a small minority of ultraconservatives opposed to the presence of non-Muslim groups, there were no new reports of vandalism or other actions against the country's Christian churches during the period covered by this report.

In April 2000, the Government arrested seven men for allegedly beating a 19-year-old woman for not wearing a "hijab" (head scarf). The Government acted quickly in bringing the seven men to trial, criticizing the assault as a vigilante action by extremists. The case prompted a lively debate in society and the press. Most citizens expressed outrage, viewing the attack as a direct assault on their personal freedoms, while Islamists urged against making hasty judgments. Conflicting versions of what exactly occurred and the motives involved emerged during the trial, and the criminal court acquitted all seven accused men in June, finding that there was insufficient evidence to convict them. In November 2000, the Court of Appeals overturned the acquittal of five of the seven men, and sentenced four to 1 year in prison and \$6,000 (2,000 dinars) each in compensatory damages. The fifth man was ordered to pay \$3,000 (1,000 dinars) with no jail term.

Also in April 2000, unidentified gunmen fired shots at a "husseiniya" (religious meeting place for Shi'a). Although the identities of the assailants were never determined, the incident contributed to a perception by some that extremists (the presumed attackers) are becoming increasingly disruptive to society. There were no reports of such shootings during the period covered by this report.

While some discrimination based on religion reportedly occurs on a personal level, most observers agree that it is not widespread. There is a perception among some domestic employees and other members of the unskilled labor force, particularly nationals of Southeast Asian countries, that they would receive better treatment from employers as well as society as a whole if they converted to Islam. However, others do not see conversion to Islam as a factor in this regard.

The conversion of Muslims to other religions is a very sensitive matter. While it is reported that such conversions have occurred, they have been done quietly and discreetly. Muslim conversions that become public are likely to cause hostility within society, as demonstrated by a 1996 case in which the convert received death threats.

#### SECTION IV. U.S. GOVERNMENT POLICY

The Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights.

U.S. Embassy officials frequently meet with representatives from Sunni, Shi'a, and various Christian groups. Intensive monitoring of religious issues has long been an embassy priority. Embassy officers have met with most of the leaders of the country's recognized Christian churches, as well as representatives of various unrecognized faiths. Such meetings have afforded embassy officials the opportunity to learn the status and concerns of these groups.

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## LEBANON

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Discrimination based on religion is built into the system of government.

Citizens still are struggling with the legacy of a 15-year civil war fought along religious lines. There are periodic reports of friction between religious groups; however, it frequently is difficult to distinguish between political and religious differences. There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment discourage such activity.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 4,035 square miles and its population is approximately 3–3.5 million. Because the matter of religious balance is such a sensitive political issue, a national census has not been conducted since 1932, before the founding of the modern Lebanese State. Consequently there is an absence of accurate data on the relative percentages of the population of the major religions and groups. Most observers believe that Muslims make up the majority, but Muslims do not represent a homogenous group. There also are a variety of other religious groups, primarily from the Christian denominations, as well as a small Jewish population.

There are 18 officially recognized religious groups. Their ecclesiastical and demographic patterns are extremely complex. Divisions and rivalries between groups date back as far as 15 centuries, and still are a factor today. The pattern of settlement has changed little since the 7th century, although there has been a steady numerical decline in the number of Christians compared to Muslims. The main branches of Islam are Shi'a and Sunni. Since the 11th century, there has been a sizable Druze presence, concentrated in rural, mountainous areas east and south of Beirut. The smallest Muslim minorities are the Alawites and the Ismaili ("Sevener") Shi'a order. The "Twelver" Shi'a, Sunni, and Druze each have state-appointed clerical bodies to administer family and personal status law through their own religious courts, which are subsidized by the State. The Maronites are the largest of the Christian groups. They have had a long and continuous association with the Roman Catholic Church, but have their own patriarch, liturgy, and customs. The second largest group is the Greek Orthodox Church (composed of ethnic Arabs who maintain a Greek-language liturgy). The remainder of the Christians are divided among Greek Catholics, Armenian Orthodox (Gregorians), Armenian Catholics, Syrian Orthodox (Jacobites), Syrian Catholics, Assyrians (Nestorians), Chaldeans, Copts, evangelicals (including

Protestant groups such as the Baptists, Seventh-Day Adventists, and Friends), and Latins (Roman Catholic). There also are some atheists in the country.

There are a number of foreign missionaries in the country, primarily from Catholic and evangelical Christian churches.

The country's religious pluralism and climate of religious freedom have attracted many refugees fleeing religious persecution in neighboring states. They include Kurds, Shi'a, and Chaldeans from Iraq and Coptic Christians from Egypt and Sudan.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion and the Government generally respects this right in practice. The State is required to ensure the free exercise of all religious rites with the caveat that public order not be disturbed. The Constitution also provides that the personal status and religious interests of the population be respected. The Government permits recognized religions to exercise authority over matters pertaining to personal status such as marriage, divorce, child custody, and inheritance. There is no state religion; however, politics are based on the principle of religious representation, which has been applied to every conceivable aspect of public life. The unwritten "National Pact" of 1943 stipulates that the President, the Prime Minister, and the Speaker of Parliament be a Maronite Christian, a Sunni Muslim, and a Shi'a Muslim, respectively. The Taif Accord, which ended Lebanon's 15-year civil war in 1989, reaffirmed this arrangement but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that such principles do not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity.

Alternatively, religious groups may apply to obtain recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the religion's codes to personal status matters. An individual may change his religion if the head of the religious group approves of this change.

The Government allows private religious education. The issue of religious education in public schools no longer is the subject of vigorous debate. Muslim and Christian clergy currently are working together to prepare unified religious educational materials to be used in public schools.

A number of both Christian and Muslim religious holidays are considered national holidays. The Christian holidays are Christmas, Good Friday, Easter (for both Western and Eastern rites), St. Maroun Day, All Saints Day, Assumption Day, and New Year. The Muslim holidays are Eid al-Adha, the Muslim New Year, the Prophet Mohammed's birthday, Eid al-Fitr, and Ashura. The Government also excuses from work public sector employees of the Armenian churches on Armenian Christmas and St. Vartan Day.

The Government promotes interfaith understanding by supporting a committee on Islamic-Christian dialog, which is cochaired by a Muslim and a Christian, and includes representatives of the major religious groups. Leading religious figures who promote Islamic-Christian dialog and ecumenicism are encouraged to visit and are received by government officials at the highest levels.

### *Restrictions on Religious Freedom*

The 1989 Taif Accord called for the ultimate abolition of political sectarianism in favor of "expertise and competence." However, little substantive progress has been made in this regard. A "Committee for Abolishing Confessionalism," called for in the Taif Accord, has not yet been formed. One notable exception is the Lebanese Armed Forces (LAF), which, through universal conscription and an emphasis on professionalism, has significantly reduced the role of confessionalism (or religious sectarianism) in that organization. Christians and Muslims are represented equally in the Parliament. Seats in the Parliament and Cabinet, and posts in the civil service, are distributed proportionally among the 18 recognized groups. State recognition is not a legal requirement for religious practice. For example, although Baha'is, Buddhists, and Hindus are not recognized officially, they are allowed to practice their faith without government interference; however, they legally may not marry, divorce, or inherit in the country.

Many families have relatives who belong to different religious communities, and intermarriage is not uncommon; however, intermarriage may be difficult to arrange

in practice between members of some groups because there are no procedures for civil marriage. An attempt in 1998 by then-President Elias Hrawi to forward legislation permitting civil marriage failed in the face of opposition from the religious leadership of all confessions. However, civil ceremonies performed outside the country are recognized by the State.

The Government does not require citizens' religious affiliations to be indicated on their passports; however, the Government requires that religious affiliation be encoded on national identity cards.

Publishing of religious materials in different languages is permitted.

Religious groups administer their own family and personal status laws (see Section II). Many of these laws discriminate against women. For example, Sunni inheritance law provides a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands.

Article 473 of the Penal Code stipulates that one who "blasphemes God publicly" will face imprisonment for up to a year. In 1999 a leading singer and songwriter was accused of insulting Islam for incorporating lines from a poem based on verses from the Koran into a song; however, he was acquitted of the charges in December 1999. No one was prosecuted under this law during the period covered by this report.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Citizens still are struggling with the legacy of a 15-year civil war fought along religious lines. Some of the harshest fighting of the war occurred within religious groups.

There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discourage such activity. There were reports that members of the Christian community in Kesirwan with the knowledge of local clergy occasionally harassed verbally church leaders and persons who attend an unrecognized Protestant evangelical church.

The Committee of Islamic-Christian Dialog remains the most significant institution for fostering amicable relations between religious communities.

On October 3, 1999, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb. There were no arrests made in this case during the period covered by this report.

Throughout the fall of 1999, approximately 6 random bombings were carried out against Orthodox churches and shops that sold liquor; the bombings took place in the northern city of Tripoli and in surrounding areas (see Section II). The Government suspected that radical Sunni extremists carried out the bombings in retaliation for Russian military operations in Chechnya. Police officials detained and allegedly tortured a number of Sunni youths for suspected involvement in these bombings. Police arrested four persons in connection with the bombings and their trials were underway at the end of the period covered by this report.

Clerics play a leading role in many ecumenical movements worldwide. For example, the Armenian Orthodox Patriarch, Aram I, is the moderator for the World Council of Churches. The Imam Musa Sadr Foundation also has played a role in fostering the ecumenical message of Musa Sadr, a Shi'a cleric who disappeared in Libya in 1978.

### SECTION IV. U.S. GOVERNMENT POLICY

U.S. policy supports the preservation of pluralism and religious freedom, and the U.S. Embassy advances that goal through contacts at all levels of society, public remarks, embassy public affairs programs, and U.S. Agency for International Development (USAID) programming. The issue of political sectarianism remains a delicate one. The United States supports the principles of the Taif Accord and embassy staff regularly discuss the issue of sectarianism with political, religious, and civic leaders. Embassy staff members meet periodically with the leadership—both national and regional—of officially recognized groups, all of whom have a long tradition of meeting with foreign diplomats and discussing issues of general public interest. The Embassy regularly attends events sponsored by the Committee on Islamic-Christian Dialog. USAID programs in rural areas of the country also require civic participation,

often involving villages of different religious backgrounds, with the aim of promoting cooperation between religions.

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## LIBYA

The Government restricts freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. According to recent reports, persons rarely are harassed because of their religious practices unless such practices are perceived as having a political dimension or motivation.

Information regarding relations among the country's different religious groups is limited.

The U.S. Government has no official presence in the country and maintains no bilateral dialog with the Government.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is approximately 679,362 square miles and its population is approximately 5,115,450. The country is overwhelmingly Sunni Muslim (97 to 98 percent). There are small Christian communities, composed almost exclusively of foreigners. There is a small Anglican community, made up mostly of African immigrant workers in Tripoli, that is part of the Egyptian Diocese; the Anglican Bishop of Libya is resident in Cairo. There are Union churches in Tripoli and Benghazi. There are an estimated 40,000 Roman Catholics who are served by 2 Bishops—1 in Tripoli (serving the Italian community) and 1 in Benghazi (serving the Maltese community). Catholic priests and nuns serve in all the main coastal cities, and there is one priest in the southern city of Sebha. Most of them work in hospitals and with the handicapped; they enjoy good relations with the Government. There are also Coptic and Greek Orthodox priests in both Tripoli and Benghazi.

In March 1997, the Vatican established diplomatic relations with the country, stating that Libya had taken steps to protect freedom of religion. The Vatican hoped to be able to address more adequately the needs of the estimated 50,000 Christians in the country.

There still may be a very small number of Jews. Most of the Jewish community, which numbered around 35,000 in 1948, left for Italy at various stages between 1948 and 1967. The Government has been rehabilitating the "medina" (old city) in Tripoli and has renovated the large synagogue there; however, the synagogue has not reopened.

Adherents of other non-Muslim religions, such as Hindus, Baha'is, and Buddhists are present.

There is no information on the number of atheists in the country.

There is no information on the number of foreign missionaries in the country, or whether proselytizing is restricted.

### SECTION II. STATUS OF RELIGIOUS FREEDOM

#### *Legal/Policy Framework*

The Government restricts freedom of religion. The country's leadership states publicly its preference for Islam. In an apparent effort to eliminate all alternative power bases, the regime has banned the once powerful Sanusiyya Islamic order. In its place, Libyan leader Colonel Mu'ammarr Al-Qadhafi established the Islamic Call Society (ICS), which is the Islamic arm of the Government's foreign policy and is active throughout the world. The ICS also is responsible for relations with other religions, including the Christian churches in the country. The ICS's main purpose is to promote a moderate form of Islam that reflects the religious views of the Government, and there are reports that Islamic groups whose beliefs and practices are at variance with the state-approved teaching of Islam are banned. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducts activities, suggesting that the organization remains operational. Although most Islamic institutions are under government control, prominent families endow some mosques; however, the mosques generally remain within the government-approved interpretation of Islam.

#### *Restrictions on Religious Freedom*

The Government controls most mosques and Islamic institutions, and even mosques endowed by prominent families generally remain within the government-

approved interpretation of Islam. According to recent reports, individuals rarely are harassed because of their religious practices, unless such practices are perceived as having a political dimension or motivation.

Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities; however, Christians are restricted by the lack of churches and there is a government limit of one church per denomination per city. The Government reportedly has failed to honor a promise made in 1970 to provide the Anglican Church with alternative facilities when it took the property used by the Church. Since 1988 the Anglicans have shared a villa with other Protestant denominations.

There are no known places of worship for other non-Muslim religions such as Hinduism, the Baha'i Faith, and Buddhism, although adherents are allowed to practice within the privacy of their homes. Foreign adherents of these religions are allowed to display and sell religious items at bazaars and other gatherings.

#### *Abuses of Religious Freedom*

In June 1998, at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Libyan Islamic Group, an underground Islamic movement that is not known to have used or advocated violence. Some practicing Muslims have shaved their beards to avoid harassment from security services. Qadhafi has criticized publicly Libyan "mujaheddin" (generally, conservative Islamic activists who fought with the Afghan resistance movement against Soviet forces) as threats to the regime.

There continue to be reports of armed clashes between security forces and Islamic groups that oppose the current regime and advocate the establishment of a more traditional form of Islamic government.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

Information on religious freedom is limited, although members of minority religions report that they do not face harassment by authorities or the Muslim majority on the basis of their religious practices.

### SECTION IV. U.S. GOVERNMENT POLICY

The United States has no official presence in the country and maintains no bilateral dialog with the Government on religious freedom issues.

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## MOROCCO

The Constitution provides for freedom of religion and, although Islam is the official state religion, Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. The Government monitors the activities of mosques and, places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

There was no change in the status of respect for religious freedom during the period covered by this report. Since July 23, 1999, when King Mohammed VI succeeded his father, the late King Hassan II, who ruled for 38 years, the new King has continued to uphold a tradition of respect for interfaith dialog.

The generally amicable relationship among religions in society contributed to religious freedom; however, converts to Christianity sometimes face social ostracism.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 172,320 square miles and its population is approximately 30,122,350. Ninety-nine percent of citizens are Sunni

Muslims. The Jewish community numbers approximately 5,000 persons and predominantly resides in the Casablanca and Rabat urban areas, as well as some smaller cities throughout the country. The foreign Christian community (Roman Catholic and Protestant) consists of 5,000 practicing members, although estimates of Christians residing in the country at any particular time range up to 25,000. Most reside in the Casablanca and Rabat urban areas. Also located in Rabat and Casablanca, the Baha'i community numbers 350 to 400 persons. There is no information regarding the number of atheists in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful" with the responsibility of ensuring "respect for Islam." The Constitution provides for freedom of religion and Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. A small foreign Hindu community has received the right to perform cremations and to hold services. Baha'is are forbidden to meet or participate in communal activities. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

The Government does not license or approve religions or religious organizations. The Government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

The teaching of Islam in public schools benefits from discretionary funding in the Government's annual education budget, as do other curriculum subjects. The annual budget also provides funds for religious instruction to the parallel system of Jewish public schools. The Government has funded several efforts to study the cultural, artistic, literary, and scientific heritage of Moroccan Jews. In 1998 the Government created a chair for the study of comparative religions at the University of Rabat.

In August 2000, the King declared in a nationally televised speech that 100 mosques throughout the country would be used as teaching centers to fight illiteracy. In the first (and pilot) year of the announced program, 10,000 citizens between the ages of 15 and 45 were to receive literacy courses on Islam, civic education, and hygiene. If successful the program is expected to be expanded to include a larger part of the population in subsequent years. The King designated 200 unemployed university graduates to administer the literacy courses during the program's pilot stages, which began in September 2000.

The Government regularly organizes events and receives foreign religious delegations to encourage tolerance and respect among religions. In July 2000, at the Royal Palace in Tangiers, King Mohamed VI received two Jewish delegations from the Representative Jewish Council of Great Britain and Moroccan Jews residing in the United Kingdom. In September 2000, Royal Counselor Andre Azoulay, a leading Jewish citizen, represented King Mohamed VI at the New York opening of the 2-week exposition sponsored by the palace, entitled "Morocco: Jews and Art in the Muslim world."

Each May the Government organizes the annual "Fez Festival of Sacred Music," which includes musicians from many religions. In the past, the Government has organized numerous symposiums among local and international clergy, priests, rabbis, imams, and other spiritual leaders to examine ways to reduce religious intolerance and to promote interfaith dialog. Each year during the Islamic holy month of Ramadan, the King hosts colloquiums of Islamic religious scholars to examine ways to promote tolerance and mutual respect within Islam and between Islam and other religions. In July 2000, Royal Counselor Andre Azoulay delivered the opening speech in Seville, Spain, at the annual conference of the International Institute for Religious Dialog.

Also in July 2000, King Mohamed VI received a delegation from the Boston-based American nongovernmental organization (NGO) Middle East University, which was visiting to open its first summer university program in Morocco. The NGO eventually chose Rabat for its summer site, and opened its program to interested Moroccan university students. Visiting professors and experts from the United States and the Middle East, as well as academics from North African countries, participated in conferences, lectures, and courses during the program.

*Restrictions on Religious Freedom*

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppress the activities of Islamists but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

According to the press reports in late spring and summer 2000, the authorities allegedly blocked the publication of two newspapers associated with the Justice and Charity Organization (JCO)—*Al-Adl Wal Ihsane* and *Rissalat Al-Futuwa*—by ordering printers to suspend their distribution. According to press reports the Government continued to block the publication of the JCO's newspapers through the end of the period covered by this report, and in mid-April 2001, seized thousands of copies of the JCO's weekly youth organization newspaper, *Rissalat Al-Futuwa*. Two of the JCO's websites also were blocked by the authorities at the same time, with domestic access to them cut off. The head of the Paris-based NGO, *Journalists Without Borders* sent a protest letter, also in April 2001, to Minister of Interior Midaoui, criticizing the Government's actions. In May 2001, the Moroccan Organization for Human Rights issued a similar communique expressing its concern over the banning of JCO newspapers.

Islamic law and tradition call for punishment of any Muslim who converts to another faith. Citizens who convert to Christianity and other religions sometimes face social ostracism, and in the past a small number of persons have faced short periods of questioning or detention by the authorities. Voluntary conversion is not a crime under the Criminal or Civil Codes; however, in the past the authorities have jailed some converts on the basis of references to Koranic law.

Any attempt to induce a Muslim to convert is illegal. (According to Article 220 of the Penal Code, any attempt to stop one or more persons from the exercise of their religious beliefs, or attendance at religious services, is unlawful and may be punished by 3 to 6 months' imprisonment and a fine of \$10–\$50 (115–575 dirhams). The Article applies the same penalty to “anyone who employs incitements in order to shake the faith of a Muslim or to convert him to another religion.”) Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly. The Government cited the prohibition on conversion in the Penal Code in most cases in which courts expelled foreign missionaries.

During the period covered by this report, there were no known cases of foreigners being denied entry into the country because they were carrying Christian materials, as had occurred in 1998 and the first half of 1999.

Since the time of the French Protectorate (1912–1956), a small foreign Christian community has opened churches, orphanages, hospitals, and schools without any restriction or licensing requirement being imposed. Missionaries who conduct themselves in accordance with societal expectations largely are left unhindered. Those whose activities become public face expulsion.

The Government permits the display and sale of Bibles in French, English, and Spanish, but confiscates Arabic-language Bibles and refuses licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless, Arabic Bibles reportedly have been sold in local bookstores.

The small Baha'i community has been forbidden to meet or participate in communal activities since 1983. However, during the period covered by this report, no members of the Baha'i community were reported to have been summoned to the Ministry of the Interior for questioning concerning their faith or for meeting, as had occurred in past years. For the third year in a row, there were no reports of Baha'is being denied passports because of their religion.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are run, depending on the law that applies, by rabbinical and Islamic authorities who are court officials. Parliament authorizes any changes to those laws. Non-Koranic sections of Muslim law on personal status are applied to non-Muslim and non-Jewish persons. Alternatively, non-Muslim and non-Jewish foreigners in the country may refer to their embassies or consulates for marriage, divorce, inheritance, and other personal issues if they choose not to adhere to Moroccan law.

Women suffer various forms of legal and cultural discrimination, in part because of the codification of Islamic tenets in criminal and civil law. The civil-law status of women is governed by the Code of Personal Status (sometimes referred to as the “*Moudouwana*”), which is based on the Maliki school of Islamic law. Although the Code of Personal Status was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage, divorce, and in-



heritance. To marry, a woman generally is required to obtain the permission of her “tuteur,” or legal guardian, usually her father. Only in rare circumstances may she act as her own “tuteur.” It is far easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man simply may repudiate his wife outside of court. Under the 1993 reforms to the Code of Personal Status, a woman’s presence in court is required for her husband to divorce her, although women’s groups report that this law frequently is ignored. However, human rights activists reported that in one NGO-sponsored test in the late 1990’s, officials refused to order a divorce without the wife being present, despite offers of bribes. Nevertheless, women’s groups complain that men resort to ruses to evade the new legal restrictions. The divorce may be finalized even over the woman’s objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a *khol’a* divorce). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women’s groups, many men pressure their wives to pursue this kind of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her; however, divorce procedures in these cases are lengthy and complicated. In November 1998, the Minister of Islamic Affairs proposed the institutionalization of additions to the basic marriage contract that would outline the rights and duties agreed upon between husband and wife and permit legal recourse for the enforcement of the contract.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal status, cultural norms often prevent a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

The Government and the King continued to promote their proposal to reform the Personal Status Code to advance women’s rights. Islamists and some other traditional segments of society firmly opposed the proposal, especially with respect to its more controversial elements, such as reform of women’s legal status in marriage and family law issues.

#### *Abuses of Religious Freedom*

After 11 years of house arrest for refusing to acknowledge the religious authority of the King, Islamist dissident Sheikh Abdessalam Yassine was allowed to leave his Sale home in May 2000. Subsequent to the lifting of his house arrest, Sheikh Yassine began receiving at his home leading members of his organization, the JCO, attending mosque prayer services, and speaking before representatives of the national and foreign press corps. Yassine’s books, articles, and audiocassettes were sold at some bookstores, and editorials that had called for his release were published without impediment.

On December 10, 2000—International Human Rights Day—security forces around the country arrested hundreds of JCO activists conducting sit-ins in eight of Morocco’s largest cities to protest human rights abuses and operational obstacles imposed on their organization by the authorities. Many of those arrested, including multiple members of Sheikh Yassine’s immediate family, later were released; however more than 100 were charged, and many of their trials still were ongoing at the end of the period covered by this report. Over half of those charged were prosecuted and sentenced to suspended prison sentences and fines by the end of the period covered by this report. Some of those charged received 1-year prison sentences for participating in an unauthorized demonstration, illegal gathering in public, and possessing dangerous objects. The OMDH also expressed in its May communique its concern about the arrest and trials of the JCO members.

The JCO has an active presence on university campuses and occasionally had organized protests of Yassine’s house arrest prior to his release. In November 2000, security forces violently clashed with JCO students at Mohammedia University (in the Casablanca suburbs) as the JCO prepared for annual student elections. According to news reports, security forces injured more than 100 students and arrested 14. Police claimed that they responded because the students illegally remained on campus overnight and committed acts of vandalism. The students were sentenced to 2 years’ imprisonment and fines ranging from \$50 to \$150 (575 to 1,725 dirhams). Other reports indicated that similar although less violent clashes occurred between security forces and JCO students at other university campuses around the country engaged in student elections.

In November 2000, security forces in Agadir (in the south) forcibly broke up a sit-in demonstration by an Islamist trade union that was striking for better working conditions in a cannery. The violent actions allegedly led to one death, and eight persons were seriously injured.

Prominent members of the JCO are subject to constant surveillance and sometimes are unable to obtain passports and other necessary documents. During the summer of 2000, the Government prevented members of the JCO from gaining access to campgrounds and beaches for group prayer sessions, and arrested and jailed some of the group's members. In August 2000, two JCO members were sentenced to 3 months' imprisonment for their proselytizing activities on a beach in El-Jadida. During the same month, Interior Minister Ahmed Midaoui declared before Parliament that "we are one sole nation and nobody can impose upon others their own vision of Islam," and that "people go to beaches for recreational purposes and we do not have Islamic beaches." He also added that "we cannot tolerate the appearance of sectarianism in our society."

In 2000 the Gendarmerie Royale summoned several members of the foreign Christian community for questioning concerning the practice of their faith. The Gendarmerie began an investigation into their activities at that time. The investigation reportedly still was ongoing at the end of the period covered by this report. Despite not possessing a resident visa, the subjects of the investigation continued to face no problem residing in, exiting, and returning to the country.

In the past, the Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that ranged from arms smuggling in the 1980's to participation in a bomb attack on a hotel in Marrakech in 1994. In the past, there also were claims that some of these Islamists were imprisoned solely for calling for an Islamic state during the 1980's. The AMDH claims that 2 members of the "Group of 26," an Islamist group involved in smuggling arms into the country from Algeria in the mid-1980's, remain in prison. The other 24 members completed their sentences or otherwise were released at various times between 1994 and the end of the year.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Foreigners attend religious services without any restrictions or fear of reprisals, and Jews live throughout the Kingdom in safety. While free expression of Islamic faith and even the free academic and theological discussion of non-Islamic religions are accepted on television and radio, public efforts to proselytize are discouraged by society. Most citizens view such public acts as provocative threats to law and order in an overwhelmingly Muslim country. In addition, society expects public respect for the institutions and mores of Islam, although private behavior and beliefs are unregulated and unmonitored. Because many Muslims view the Baha'i Faith as a heretical offshoot of Islam, most members of the tiny Baha'i community maintain a low religious profile; however, Baha'is live freely and without fear for their persons or property, and some even hold government jobs.

Because the populace is overwhelmingly Muslim, because Islam is the religion of the State, and because the King enjoys temporal and spiritual authority through his role as "Commander of the Faithful," there is widespread consensus among Muslims about religious practices and interpretation. Other sources of popular consensus are the councils of ulemas, unofficial religious scholars who serve as monitors of the monarchy and the actions of the Government. Because the ulemas traditionally hold the power to legitimize or delegitimize kings through their moral authority, government policies closely adhere to popular and religious expectations. While dissenters such as Sheikh Yassine and his followers challenge the religious authority of the King and call for the establishment of a government more deeply rooted in their vision of Islam, the majority of citizens do not appear to share their views.

In mid-October 2000, two Moroccan youths attempted to vandalize a synagogue in Tangiers following the outbreak of Israeli-Arab violence in the Middle East. King Mohamed VI publicly declared in a televised speech on November 6, 2000 that the government would not tolerate mistreatment of Morocco's Jews. A Tangiers court sentenced the two youths to 1 year in prison.

## SECTION IV. U.S. GOVERNMENT POLICY

During the period covered by this report, U.S. Embassy officers continued to raise religious freedom issues in an effort to help resolve the few outstanding cases of restrictions on religious freedom. Prior to the release of Sheikh Yassine, the Embassy discussed his house arrest with government interlocutors, Sheikh Yassine's lawyer, his family, and some of his associates. Similarly, embassy officers sought openly to meet directly with Sheikh Yassine prior to his release and were informed by credible sources that "as a matter of principle" he would not meet with either journalists or diplomats. Prior to and after Yassine's release, embassy officers who sought to meet with Sheikh Yassine, members of his family, and his close associates encountered no interference from the Government in seeking these contacts.

U.S. Embassy officials also meet regularly with religious officials, including the Minister of Islamic Affairs, Islamic religious scholars, the leader of the Jewish community, and local Christian leaders and missionaries. The Embassy maintains contacts with the small Baha'i community as well.

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**WESTERN SAHARA**

The Constitution provides for freedom of religion; due to continuing Moroccan administrative control of the territory of the Western Sahara, the laws and restrictions regarding religious organizations and religious freedom are similar to those found in the Kingdom of Morocco.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The territory has a total area of approximately 102,706 square miles and its population is approximately 245,000. The overwhelming majority of the population is Sunni Muslim.

There is a tiny foreign community working for the United Nations Interposition Force in the territory (known by its French acronym, MINURSO).

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion; due to continuing Moroccan administrative control of the territory of the Western Sahara, the laws and restrictions regarding religious organizations and religious freedom are similar to those found in the kingdom of Morocco.

*Restrictions on Religious Freedom*

Restrictions on religious freedom in the Western Sahara are similar to those found in Morocco.

There were no reports of religious prisoners or detainees.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the authorities' refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy in Morocco discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights in the Western Sahara.

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## OMAN

Islam is the state religion, and the Basic Charter preserves the freedom to practice religious rites, in accordance with tradition, provided that it does not breach public order. The Basic Charter also provides that Shari'a (Islamic Law) is the basis for legislation. The Government permits worship for non-Muslim residents; however, non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

There was no change in the status of respect for religious freedom during the period covered by this report. Christian and Hindu worship is permitted, and Sultan Qaboos has given land for the construction of centers of worship for these religions. It is illegal to proselytize Muslims to abandon Islam.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 79,035 square miles, and its population is approximately 2,553,000. Most citizens are Ibadhi or Sunni Muslims, but there also is a minority of Shi'a Muslims. There are about 527,000 Sunni Muslims. There is a small community of ethnically Indian Hindu citizens and reportedly a very small number of Christian citizens, who originally were originally India or the Levant and who have been naturalized.

The majority of non-Muslims are noncitizen immigrant workers from South Asia. There are many Christian denominations in Muscat.

There is no information available regarding the number of atheists in the country.

There is no information regarding missionary groups. The Government prohibits non-Muslims from proselytizing Muslims.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

Islam is the state religion, which is affirmed by the 1996 Basic Charter. The 1996 Basic Charter provides that Shari'a is the basis for legislation and preserves the freedom to practice religious rites, in accordance with tradition, provided that it does not breach public order. The Charter also provides that discrimination against individuals on the basis of religion or religious group is prohibited; however, decrees implementing the prohibition against religious discrimination have not yet been established. The Government permits freedom of worship for non-Muslims as well. Some non-Muslims worship at churches and temples built on land donated by the Sultan, including two Catholic and two Protestant churches. Hindu temples also have been built on government-provided land. The Government also provided land for Catholic and Protestant missions in Sohar and Salalah. However, non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

The Government has sponsored forums at which differing interpretations of Islam have been examined; there are no known instances during the period covered by this report in which the Government has publicly promoted interfaith dialog.

*Restrictions on Religious Freedom*

Citizens and noncitizen residents are free to discuss their religious beliefs; however, the Government prohibits non-Muslims from proselytizing Muslims. Under Islamic law, a Muslim who recants belief in Islam would be considered an apostate and dealt with under applicable Islamic legal procedure. Non-Muslims are permitted to change their religious affiliation to Islam. The authorities reportedly have asked members of the Baha'i community not to proselytize, in accordance with the country's law and custom.

The Government prohibits non-Muslim groups from publishing religious material, although material printed abroad may be brought into the country. Members of all religions and religious groups are free to maintain links with coreligionists abroad and undertake foreign travel for religious purposes. Ministers and priests from abroad also are permitted to visit the country for the purpose of carrying out duties related to registered religious organizations.

The police monitor mosque sermons to ensure that the preachers do not discuss political topics and stay within the state-approved orthodoxy of Islam. The Govern-

ment expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs.

Citizen children must attend a school that provides instruction in Islam; non-citizen children may attend schools that do not offer instruction in Islam.

Some aspects of Islamic law and tradition as interpreted in the country discriminate against women. Shari'a favors male heirs in adjudicating inheritance claims. Many women are reluctant to take an inheritance dispute to court for fear of alienating the family.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

### SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. Religious discrimination in the private sector largely is absent. In the past, some members of the Shi'a minority claimed that they faced discrimination in employment and educational opportunities.

Christian theologians have met with local Islamic authorities and with members of the faculty at the country's major university. Private groups that promote interfaith dialog are permitted to exist as long as discussions do not constitute an attempt to cause Muslims to recant their Islamic beliefs.

In May 2001, the Sultan invited Islamic leaders from many countries and all major branches and schools of Islam to the opening of the Sultan Qaboos Grand Mosque.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Members of the staff at the U.S. Embassy routinely participate in local religious ceremonies and have contact with non-Muslim practitioners.

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## QATAR

The Constitution provides no explicit protection for freedom of religion and the Government continues to prohibit public worship by non-Muslims; however, it does permit private worship for "peoples of the book," (i.e., Christians and Jews). The official state religion follows the conservative Wahhabi tradition of the Hanbali school of Islam.

During the period covered by this report, the Government took substantive steps to improve religious freedom somewhat by continuing to recognize officially some Christian congregations and by proceeding with plans to construct Christian churches in the capital, Doha. Non-Muslims may not proselytize, and the Government formally prohibits the publication, importation, and distribution of non-Islamic religious books and materials. However, in practice, individuals generally are not prevented from importing Bibles and other religious items for personal use. At times government practices may have the effect of discriminating along religious lines. For example, all government positions of authority are reserved for citizens, which effectively limits those positions to Muslims. Also, Shi'a Muslims, with close family and sectarian ties to other countries in the region, effectively are barred from employment in certain sensitive areas involving state security.

There are generally amicable relations among persons of differing religious beliefs; however, many Muslims oppose the construction of permanent Christian churches.

The U.S. Government discussed religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Ambassador and embassy officials meet regularly with government officials to discuss issues of religious freedom.

### SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of approximately 4,254 square miles and its population is estimated at more than 650,000 persons, of whom approximately

170,000 are believed to be citizens. The majority of the 480,000 non-citizens are Sunni Muslims mostly from other Arab countries working on temporary employment contracts, and their accompanying family members. The remaining foreigners include Shi'a Muslims, Christians, Hindus, Buddhists, and Baha'is.

The Christian community is a diverse mix of Indians, Filipinos, Europeans, Arabs, and Americans. It includes Catholic, Orthodox, Anglican, and other Protestant denominations. The Hindu community is almost exclusively Indian, while Buddhists include South and East Asians. Most Baha'is come from Iran. Both citizens and foreigners attend a small number of Shi'a mosques. There is no information regarding the number of atheists in the country.

No foreign missionary groups operate openly in the country.

Most foreign workers and their families live near the major employment centers in and around the city of Doha, although a growing number now live near the natural gas projects located in the northern part of the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

There is no constitutional protection for freedom of religion, and the Government officially prohibits public worship by non-Muslims; however, it does permit and protect private religious services that have received prior authorization. The state religion is Islam, as interpreted by the conservative Wahhabi order of the Sunni branch. While Shi'a Muslims practice most aspects of their faith freely, they do not organize traditional Shi'a ceremonies or perform rites such as self-flagellation.

The Government and ruling family are linked inextricably to Islam. The Minister of Islamic Affairs controls the construction of mosques, the administration of clerical affairs, and Islamic education. The Emir participates in public prayers during both Eid holiday periods, and personally finances the Hajj journeys of poor pilgrims who cannot afford to travel to Mecca.

The Catholic, Anglican, and Orthodox churches received de facto official recognition in the latter part of 1999, when the Government made a verbal commitment to allow the churches to operate without interference. The Government has respected this commitment in practice, but it has not granted these churches formal recognition by the end of the period covered by this report. The Government does not recognize any other religions, officially or unofficially. It does not maintain an official approved register of religious congregations.

The Government officially celebrates Eid Al-Fitr, following the holy month of Ramadan, and the Eid Al-Adha, which commemorates Abraham's sacrifice, as well as the country's independence day.

### *Restrictions on Religious Freedom*

The Orthodox, Catholic, and Anglican churches operate openly, and the Anglican Church, with its ties to preindependence British influence, has bank accounts in its name. However, the lack of formal government recognition limits their ability to obtain trade licenses, sponsor clergy, or, for Catholic and Orthodox churches, the ability to open bank accounts in the name of the church.

Non-Muslims may not proselytize, and the Government officially prohibits public worship by non-Muslims. However, it does permit and protect private services. Converting from Islam is considered apostasy, and is technically a capital offense; however, there is no record of an execution for such a crime since 1971.

Non-Muslim religious services must be authorized in advance by the Government. Although traffic police may direct cars at these services, the congregations may not publicly advertise them in advance or use visible religious symbols such as outdoor crosses. Some services, particularly those on Easter and Christmas, can draw more than 1,300 worshippers.

The Government does not permit Hindus, Buddhists, or other polytheistic religions to operate as freely as Christian congregations. (The Koran does not specifically enjoin toleration for such religions.) However, there is no official effort to harass or hamper adherents of these faiths in the private practice or their religion.

Discrimination in the areas of employment, education, housing, and health services do occur, but nationality is usually a more important determinant than religion. For example, Muslims hold nearly all high-ranking government positions because they are reserved for citizens. On the other hand, Shi'a Muslims generally are restricted from employment in areas deemed critical to national security.

Non-citizens, including both Muslims and non-Muslims, do not receive the same benefits as citizens. They must pay for health care, electricity, water, and education (services that are provided free of charge to citizens), and they are not permitted to own property.

The Government formally prohibits the publication, importation, and distribution of non-Islamic religious literature; however, in practice individuals generally are not prevented from importing Bibles and other religious items for personal use. In previous years, there were sporadic reports of confiscation of such materials by customs officials; however, during the period covered by this report, Christian worship groups reported having no trouble importing religious instructional materials (i.e., Sunday school materials and devotionals) for their use. In addition, religious materials for use at Christmas and Easter now are available readily in local shops.

Islamic instruction is compulsory in public schools. While there are no restrictions on non-Muslims providing private religious instruction for children, most foreign children attend secular private schools.

Muslims may enjoy some advantages in legal proceedings. For example, Muslim litigants may request the Shari'a courts to assume jurisdiction in commercial or civil cases; non-Muslims are restricted to civil courts. Also, Muslim criminals may have their sentences reduced by memorizing the Koran.

The legal system follows Shari'a law in matters of inheritance and child custody. Muslims have the automatic right to inherit from their spouses; however non-Muslim spouses (invariably wives, since Muslim women cannot legally marry non-Muslims) do not inherit unless their spouse formally wills them a portion (up to one third of the total) of their estates. In cases of divorce, young children usually remain with the mother, whatever her religion. However, the Government will not allow noncitizen parents, even if they have custody of their children, to take them out of the country without the permission of the citizen parent, which effectively discriminates against non-Muslim parents.

There were no reports of religious prisoners or detainees.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

The overall trend during the period covered by this report was toward somewhat more religious freedom for Christian worship. Private conversations between the Government and the ambassadors of the United States, the United Kingdom, France, Germany, Italy, Romania, and South Korea have encouraged the Government to maintain this atmosphere.

During the period covered by this report, the Catholic Church developed plans and raised funds to begin construction of a church. The church building is to be located on a portion of the site reserved by the Government for the Catholic, Anglican, and Orthodox communities. However, fundraising problems have delayed the other congregations in completing their plans. The Government has voiced concerns that a rapid pace of progress may provoke opposition among more conservative citizens.

### SECTION III. SOCIETAL ATTITUDES

Relations between persons of differing religious beliefs generally are amicable and tolerant; however, a sizable percentage of the citizen population opposes the construction of permanent Christian churches.

### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Ambassador and other embassy officers regularly meet with government officials, both publicly and privately, to address religious freedom issues. Such matters have been raised with the Emir (the Chief of State), the Foreign Minister, and several other government officials. To increase the impact, the U.S. Embassy coordinates these discussions with the embassies of the United Kingdom, France, Germany, Italy, Romania, and South Korea.

U.S. Embassy officers have taken the lead in bringing government officials and lay church leaders together to discuss toleration and understanding of non-Islamic worship. The Government has been receptive to quiet dialog, as evidenced by its offer to donate land for, and assist in, the construction of Christian churches.

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## SAUDI ARABIA

Saudi Arabia is an Islamic monarchy without legal protection for freedom of religion, and such protection does not exist in practice. Islam is the official religion, and

all citizens are Muslims. Based on its interpretation of the hadith, or sayings of the Prophet Muhammad, the Government prohibits the public practice of non-Muslim religions. The Government recognizes the right of non-Muslims to worship in private; however, the distinction between public and private worship is not clearly defined, and at times the Government does not respect in practice the right to private worship.

There generally was no change in the status of religious freedom during the period covered by this report; however, the number of arrests for public worship of other religions decreased compared with the previous period. Freedom of non-Muslims to worship privately has received increasing attention and respect in recent years through published interviews with government officials and press articles that addressed the subject in the context of human rights; however, the right to private worship still is restricted. The Government has stated publicly that its policy is to protect the right of non-Muslims to worship privately; however, it does not provide explicit guidelines for determining what constitutes private worship, which makes distinctions between public and private worship unclear. Such lack of clarity, as well as instances of arbitrary enforcement by the authorities, force most non-Muslims to worship in such a manner as to avoid discovery by the Government or others.

Members of the Shi'a minority continued to face institutionalized political and economic discrimination, including restrictions on the practice of their faith. However, the Government lifted the requirement that Shi'a obtain advance permission to travel to Iran, thus effectively allowing them to visit religious sites in Iran without prior notice.

The overwhelming majority of citizens support an Islamic state and oppose public non-Muslim worship. There is societal discrimination against adherents of the Shi'a minority.

Senior U.S. government officials and members of the U.S. Commission on International Religious Freedom raised the issue of religious freedom with the Government on numerous occasions during the period covered by this report.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 5,273,965 square miles and its population is 15 million. There are approximately 14 million Sunni Muslims in the country. Approximately 1 million citizens are Shi'a Muslims, who live mostly in the eastern province, where they constitute approximately one-third of the population.

Seven million foreigners also reside in the country, including approximately 1.5 million Indians, 900,000 Bangladeshis, 800,000 Egyptians, nearly 800,000 Pakistanis, 600,000 Filipinos, 130,000 Sri Lankans, and 36,000 Americans. Comprehensive statistics for the denominations of foreigners are not available, but they include Muslims from the various branches of Islam, Christians, Hindus, Buddhists, and Jews. For example, the Embassy of the Philippines reports that over 90 percent of the Filipino community (or over half a million persons) is Christian. The Embassy of India reports that the Indian community includes Muslims and Hindus, as well as Christians and Buddhists. The U.S. Conference of Catholic Bishops estimates there are well more than 500,000 Catholics in the country, and perhaps as many as 1 million. There is no information regarding the number of atheists in the country.

There is no information regarding whether there are foreign missionaries in the country. Proselytizing is not permitted.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

Freedom of religion does not exist. Islam is the official religion, and all citizens must be Muslims. The Government prohibits the public practice of other religions. The Government recognizes the right of private worship by non-Muslims; however, it does not always respect this right in practice. Saudi Arabia is an Islamic monarchy and the Government has declared the Holy Koran and the Sunna (tradition) of the Prophet Muhammad to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of the rigorously conservative and strict interpretation of the Hanbali school of the Sunni branch of Islam and discriminates against other branches of Islam. Neither the Government nor society in general accepts the concepts of separation of religion and state, and such separation does not exist.

The legal system is based on Shari'a (Islamic law), with Shari'a courts basing their judgments largely on a code derived from the Holy Koran and the Sunna. The



Government permits Shi'a Muslims to use their own legal tradition to adjudicate noncriminal cases within their community.

*Restrictions on Religious Freedom*

Islamic practice generally is limited to that of the Wahhabi order, which adheres to the Hanbali school of the Sunni branch of Islam as interpreted by Muhammad Ibn Abd Al-Wahhab, an 18th century Arab religious reformer. Practices contrary to this interpretation, such as visits to the tombs of renowned Muslims, are discouraged, as is the practice of other schools of Sunni Islam. The spreading of Muslim teachings not in conformance with the officially accepted interpretation of Islam is prohibited. Writers and other individuals who publicly criticize this interpretation, including both those who advocate a stricter interpretation and those who favor a more moderate interpretation than the Government's, reportedly have been imprisoned and faced other reprisals, although there were no reports of such actions during the period covered by this report.

The Ministry of Islamic Affairs supervises and finances the construction and maintenance of almost all mosques in the country. The Ministry pays the salaries of imams (prayer leaders) and others who work in the mosques. A governmental committee defines the qualifications of imams. The Mutawwa'in (religious police, who make up the Committee to Promote Virtue and Prevent Vice) are government employees, and the president of the Mutawwa'in holds the rank of cabinet minister.

Foreign imams are barred from leading worship during the most heavily attended prayer times and prohibited from delivering sermons during Friday congregational prayers. The Government states that its actions are part of its "Saudiization" plan to replace foreign workers with citizens.

Under Shari'a conversion by a Muslim to another religion is considered apostasy, a crime punishable by death if the accused does not recant. There were no executions for apostasy during the period covered by this report, and no reports of any such executions for the past several years.

The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, lashing, and deportation for engaging in overt religious activity that attracts official attention. The Government has stated publicly, including before the U.N. Committee on Human Rights in Geneva, that its policy is to protect the right of non-Muslims to worship privately; however, it does not provide explicit guidelines—such as the number of persons permitted to attend and acceptable locations—for determining what constitutes private worship, which makes distinctions between public and private worship unclear. Such lack of clarity, as well as instances of arbitrary enforcement by the authorities, force most non-Muslims to worship in such a manner as to avoid discovery by the Government or others. During the period covered by this report, the number of reports of detentions and deportations related to non-Muslim worship has decreased compared to the previous period, and there were no reports of lashings.

The Government does not permit non-Muslim clergy to enter the country for the purpose of conducting religious services, although some come under other auspices. Such restrictions make it very difficult for most non-Muslims to maintain contact with clergymen and attend services. Catholics and Orthodox Christians, who require a priest on a regular basis to receive the sacraments required by their faith, particularly are affected.

Proselytizing by non-Muslims, including the distribution of non-Muslim religious materials such as Bibles, is illegal. There were no reports during the period covered by this report of arrests for proselytizing. Muslims or non-Muslims wearing religious symbols of any kind in public risk confrontation with the Mutawwa'in. Under the auspices of the Ministry of Islamic Affairs, approximately 50 so-called "Call and Guidance" centers employing approximately 500 persons work to convert foreigners to Islam. Some non-Muslim foreigners convert to Islam during their stay in the country, including more than 200 persons in Jeddah each year. The press often carries articles about such conversions, including testimonials.

The Government requires noncitizens to carry Iqamas, or legal resident identity cards, which contain a religious designation for "Muslim" or "non-Muslim."

Members of the Shi'a minority are the subjects of officially sanctioned political and economic discrimination. The authorities permit the celebration of the Shi'a holiday of Ashura in the eastern province city of Qatif, provided that the celebrants do not undertake large, public marches or engage in self-flagellation (a traditional Shi'a practice). The celebrations are monitored by the police; however, police presence at the April 2001 Ashura celebrations reportedly was much less prominent than in previous years. No other Ashura celebrations are permitted in the country, and many Shi'a travel to Qatif or to Bahrain to participate in Ashura celebrations.

The Government continued to enforce other restrictions on the Shi'a community, such as banning Shi'a books.

Shi'a have declined government offers to build state-supported mosques because they fear the Government would prohibit the incorporation and display of Shi'a motifs in any such mosques. The Government seldom permits private construction of Shi'a mosques. In March 2001, religious police reportedly closed a Shi'a mosque in Hofuf because it had been built without government permission.

Members of the Shi'a minority are discriminated against in government employment, especially with respect to positions that relate to national security, such as in the military or in the Ministry of the Interior. The Government restricts employment of Shi'a in the oil and petrochemical industries. The Government also discriminates against Shi'a in higher education through unofficial restrictions on the number of Shi'a admitted to universities.

Since the 1979 Iranian revolution some Shi'a suspected of subversion have been subjected periodically to surveillance and limitations on travel abroad. Prior to 2001, the Government actively discouraged Shi'a travel to Iran to visit pilgrimage sites due to security concerns. Shi'a who went to Iran without government permission, or who were suspected of such travel, normally had their passports confiscated upon their return for periods of up to 2 years. However, according to press reports, in early 2001, the Government lifted the requirement that citizens intending to travel to Iran seek permission in advance from authorities. This change corresponds with improving relations between Saudi Arabia and Iran. Advance permission for travel to Iraq, whether for business or religious pilgrimage, has been necessary for some time due to security concerns, but such travel remains possible.

Under the Hanbali interpretation of Shari'a law, judges may discount the testimony of people who are not practicing Muslims or who do not have the correct faith. Legal sources report that testimony by Shi'a is often ignored in courts of law or is deemed to have less weight than testimony by Sunnis. For example, in May 2001, a judge in the eastern province asked two witnesses to an automobile accident if they were Shi'a. When they so confirmed, the judge announced to the court that their testimony was inadmissible. Sentencing under the legal system is not uniform. Laws and regulations state that defendants should be treated equally; however, under Shari'a as interpreted and applied in the country, crimes against Muslims may result in harsher penalties than those against non-Muslims.

Customs officials routinely open mail and shipments to search for contraband, including non-Muslim materials, such as Bibles and religious videotapes. Individuals generally are able to bring religious materials into the country for personal use.

Islamic religious education is mandatory in public schools at all levels. All children receive religious instruction, which generally is limited to that of the Hanbali school of Islam. Non-Muslim students in private schools are not required to study Islam.

Women are subject to discrimination under Shari'a as interpreted in the country. In a Shari'a court, a woman's testimony does not carry the same weight as that of a man: The testimony of one man equals that of two women. Female parties to court proceedings, such as divorce and other family law cases, generally must deputize male relatives to speak on their behalf.

Although Islamic law permits polygyny, with up to four wives, it is becoming less common due to demographic and economic changes. Islamic law enjoins a man to treat each wife equally. In practice such equality is left to the discretion of the husband. Some women participate in Al-Mesyar (or "short daytime visit") marriages, in which the women relinquish their legal rights to financial support and nighttime cohabitation. In addition, the husband is not required to inform his other wives of the marriage, and any children resulting from such a marriage have no inheritance rights. Women may not marry noncitizens without government permission; men must obtain approval from the Ministry of Interior to marry women from countries outside the six states of the Gulf Cooperation Council. In accordance with Shari'a, women are prohibited from marrying non-Muslims; men may marry Christians and Jews, as well as Muslims.

While Shari'a provides women with a basis to own and dispose of property independently, women often are constrained from asserting such rights because of various legal and societal barriers, especially regarding employment and freedom of movement. In addition, daughters receive half the inheritance awarded to their brothers.

Women must demonstrate legally specified grounds for divorce, but men may divorce without cause. In doing so, men are required to pay immediately an amount of money agreed upon at the time of the marriage, which serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce still are entitled to this alimony. If divorced or widowed, a Muslim woman normally may keep her

children until they attain a specified age: 7 years for boys, 9 years for girls. Children over these ages are awarded to the former husband or the deceased husband's family. Numerous divorced foreign women continued to be prevented by their former husbands from visiting their children after divorce.

Failure of Muslim women to wear an abaya or headscarf can lead to admonishment (and in the past occasionally has led to arrest) by some Mutawwa'in enforcing their own interpretation of religious doctrine.

#### *Abuses of Religious Freedom*

During the period covered by this report, the Government continued to commit abuses of religious freedom. Information about government practices is incomplete because judicial proceedings are closed to the public and the Government restricts freedom of speech and association. In addition, the media exercises self-censorship regarding sensitive issues such as religious freedom, there are no independent non-governmental organizations that monitor religious freedom, and the Government does not issue visas to foreign human rights organizations to conduct independent investigations. Thus, reports of abuses often are difficult or impossible to corroborate.

The Government continued to commit abuses against members of the Shi'a minority. Since beginning the investigation of the 1996 bombing of the U.S. military installation at Al-Khobar, in which a number of eastern province Shi'a were arrested, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims. The Government reportedly continued to detain an unknown number of Shi'a who were arrested in the aftermath of the Al-Khobar bombing. Government security forces reportedly arrest Shi'a based on the smallest suspicion, hold them in custody for lengthy periods, and then release them without explanation.

According to various reports, a number of Shi'a sheikhs (religious leaders) were arrested and detained during the period covered by this report. Amnesty International (AI) reported that Sheikh Ali bin Ali al-Ghanim was arrested in August 2000 at the border with Jordan and held by the Mabahith, the national investigative bureau that is part of the Ministry of Interior. In March 2001, Mabahith officers reportedly arrested and detained Sheikh Mohammed Al Amri in Medina.

Early in 2000, a Shi'a sheikh was taken into custody and three other sheikhs were arrested for unknown reasons near the border with Jordan. Human Rights Watch reported that at least seven additional Shi'a religious leaders reportedly remained in detention at the end of the period covered by this report for violating restrictions on Shi'a religious practices. According to AI, Hashim Al-Sayyid Al-Sada, a Shi'a cleric suspected of political or religious dissent, was arrested in his home in April 2000 and reportedly remained held incommunicado at the end of the period covered by this report.

The Government continued to detain non-Muslims engaged in worship services, although at times it was unclear whether the services constituted public or private worship. For example, on November 30, 2000, police broke up a gathering of 60 Christians worshipping in a rented building and detained 5 of the worshipers for approximately 1 hour for questioning. In December 2000, authorities broke up a private Christian worship service of 12 Filipino citizens, arrested 6 of the Filipinos, and detained 3 of those arrested for nearly 2 months. On April 20, a Filipino Christian man reportedly was stopped at a routine police checkpoint while driving a woman from a Christian service. After discovering religious materials in the car, the police detained the man for 2 days.

In August 2000, authorities released a Christian Indian national who had been arrested in June 2000 for possession of a videotape of a religious event. According to the Indian Embassy, the man spent approximately 2 months in jail and was released pending deportation on charges of violating the labor law. There were reports during the period covered by this report that authorities interrogated members of the tiny Baha'i community regarding the size and status of their community, although there were no reports of any additional actions taken against them.

In April 2000, in the city of Najran, in the southwest region bordering Yemen, rioting by members of the Makarama Ismaili Shi'a eventually led to an attack by an armed group of Shi'a on a hotel that contained an office of the regional governor. Security forces responded, leading to extended gun battles between the two sides. Some press reports indicated that the rioting followed the arrest of a Makarama Ismaili Shi'a imam and some of his followers on charges of "sorcery." Various other reports attributed the unrest to the closure of two Ismaili Shi'a mosques and the provincial governor's refusal to permit Ismailis to hold public observances of the Shi'a holiday of Ashura. Still other reports attributed the unrest to a local crackdown on smuggling and resultant tribal discontent. Officials at the highest level of the Government stated that the unrest in Najran was not the result of Shi'a-Sunni

tension or religious discrimination. After the unrest ended the Government stated that 5 members of the security forces were killed, and Ismaili leaders claimed that as many as 40 Ismaili tribesmen were killed. There was no independent confirmation of these claims. In October 2000, AI reported that two Ismaili Shi'a teachers, who were arrested in April 2000 following the unrest, were convicted on charges of sorcery and sentenced to 1,500 lashes; however, this report could not be confirmed.

Magic is widely believed in and sometimes practiced, often in the form of fortune-telling and swindles; however, under Shari'a, the practice of magic is regarded as the worst form of polytheism, an offense for which no repentance is accepted and which is punishable by death. There are an unknown number of detainees held in prison on the charge of "sorcery," including the practice of "black magic" or "witchcraft." In a few cases, self-proclaimed "miracle workers" have been executed for sorcery involving physical harm or apostasy.

Mutawwa'in practices and incidents of abuse varied widely in different regions of the country. While reports of incidents were most numerous in the central Nejd region, which includes the capital Riyadh, reports of incidents in the eastern province increased during the period covered by this report. In certain areas, both the Mutawwa'in and religious vigilantes acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners. The Government requires the Mutawwa'in to follow established procedures and to offer instruction in a polite manner; however, Mutawwa'in do not always comply with the requirements. The Government has not criticized abuses by the Mutawwa'in directly, but criticism of the group has appeared in the largely government-controlled English-language press. The Government has sought to curtail these abuses; however, the abuses continue.

Mutawwa'in enforcement of strict standards of social behavior included closing commercial establishments during five daily prayer observances, insisting upon compliance with strict norms of public dress and dispersing gatherings in public places. Mutawwa'in frequently reproached citizen and foreign women for failure to observe strict dress codes, and detained men and women found together who were not married or closely related.

The Mutawwa'in have the authority to detain persons for no more than 24 hours for violation of strict standards of proper dress and behavior; however, they sometimes exceeded this limit before delivering detainees to the police. Procedures require a police officer to accompany the Mutawwa'in at the time of arrest. Mutawwa'in generally complied with this requirement. According to reports, the Mutawwa'in also are no longer permitted to detain citizens for more than a few hours, may not conduct investigations, and may no longer allow unpaid volunteers to accompany official patrols.

#### *Forced Religious Conversion*

Under the law, children of Saudi fathers are considered Muslim, regardless of the county or the religious tradition in which they may have been raised. In some cases, children raised in other countries and in other religious traditions who came to Saudi Arabia or who were taken by their Saudi fathers to Saudi Arabia reportedly were coerced to conform to Islamic norms and practices, although forcible conversion is prohibited. There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States during the period covered by this report, or of the Government's refusal to allow such citizens to be returned to the United States. However, there was a report that prior to the period covered by this report, at least one U.S. citizen child in the country was subjected to pressure—and at times force—by her Saudi relatives to renounce Christianity and conform to Islamic norms and practices. The child has since returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

The Government welcomed two delegations on freedom of religion from the United States: Members of the U.S. Commission on International Religious Freedom visited in March 2001 and the Director of the Office of International Religious Freedom in the U.S. Department of State visited in January 2001. In meetings with these officials and others, senior Saudi government officials stated that the Government will not interfere in private non-Muslim worship and invited the U.S. Government to provide specific information if that policy is violated.

According to press reports, in early 2001, the Government quietly lifted the requirement that Shi'a obtain advance permission to travel to Iran, thus effectively allowing them to visit pilgrimage sites in Iran without prior notice.

## SECTION III. SOCIETAL ATTITUDES

There is societal discrimination against members of the Shi'a minority; however, improved relations between Iran (a predominately Shi'a nation) and Saudi Arabia in the period covered by this report continued to improve the climate of Sunni-Shi'a relations in the country.

The overwhelming majority of citizens support an Islamic state and oppose public non-Muslim worship. The majority of non-Muslims who undertook religious observances privately and discreetly during the period covered by this report were not disturbed; however, problems occurred after some Saudis complained to the authorities about services by their neighbors. While some non-Muslims claim that paid informants infiltrate their private worship groups and that employers did not renew the work contracts of non-Muslim employees who were found to be participating in worship groups, employers indicated contracts were not renewed because of performance problems or efforts to increase employment opportunities for Saudi workers.

Relations between Saudi Muslims and foreign Muslims are generally good. Each year the country welcomes approximately 2 million Muslim pilgrims from all over the world and of all branches of Islam, who visit the country during a 2-week period to perform the Hajj. Foreign Muslims of all denominations may pray freely in mosques as long as they follow Saudi Sunni prayer practices, although foreign imams have a more difficult time obtaining employment in mosques than their Saudi counterparts.

In certain areas, religious vigilantes unaffiliated with the Government and acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners.

## SECTION IV. U.S. GOVERNMENT POLICY

Senior U.S. government officials and members of the U.S. Commission on International Religious Freedom raised the issue of religious freedom with government officials on numerous occasions during the period covered by this report. U.S. government officials met with senior government officials to confirm the Government's commitment to permit private non-Muslim worship and to discuss other concerns related to religious freedom. In September 2000, U.S. Embassy officers met with Ministry of Foreign Affairs (MFA) officials to deliver and discuss the U.S. Government's 2000 Annual Report on International Religious Freedom and to protest the detention of Filipino worshippers arrested in December 2000. In addition, Embassy officers met with MFA officials at various other times during the year on matters pertaining to religious freedom.

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**SYRIA**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes restrictions in some areas.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government monitors the activities of all groups, including religious groups, discourages aggressive proselytizing, and has banned the Jehovah's Witnesses as a politically-motivated Zionist organization.

Both government policy and the generally amicable relationship among religions in society contribute to the generally free practice of religion. However, there are periodic reports of friction between religious faiths.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 71,498 square miles and its population is approximately 17 million. Sunni Muslims represent about 74 percent of the population (approximately 12.6 million persons). Other Muslim groups, including Druze, Alawi, Ismailis, Shi'a, and Yazidis, constitute an estimated 16 percent of the population (approximately 2.7 million persons). A variety of Christian denominations make up the remaining 10 percent of the population (approximately 1.7 million persons). The great majority of Christians belong to the Eastern groups that have existed in the country since the earliest days of Christianity. The main Eastern groups belong to autonomous Orthodox churches, the Uniate churches, which recognize the Roman Catholic Pope, and the independent Nestorian Church. There also are believed to be about 100 Jews. It is difficult to obtain precise population

estimates for various religious denominations due to government sensitivity to sectarian demographics.

The largest Christian denomination is the Greek Orthodox Church, known in Syria as the Greek Orthodox Patriarchate of Antioch and All the East. The Syrian Orthodox Church is notable for its use of a Syriac liturgy. Most Syrians of Armenian origin belong to the Armenian Apostolic Church, which uses an Armenian liturgy. The largest Uniate church in the country is the Greek Catholic Church. Other Uniate denominations include the Maronite Church, the Syrian Catholic Church, and the Chaldean Catholic Church, which derives from the Nestorian Church. The Government also permits the presence, both officially and unofficially, of other Christian denominations, including Baptist, Mennonite, and the Church of Jesus Christ of Latter-Day Saints (Mormons).

Sunni Muslims are found throughout the country. Christians tend to be urbanized and most live in Damascus and Aleppo, although significant numbers live in the Hasaka governorate in the northeast. A majority of the Alawis live in the Latakia governorate. A significant majority of the Druze population resides in the rugged Jabal al-Arab region in the southeast. The few remaining Jews are concentrated in Damascus and Aleppo. Yazidis are found primarily in the northeast.

Foreign missionary groups are present but operate discreetly.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

The Constitution provides for freedom of religion and the Government generally respects this right in practice; however, it imposes restrictions in some areas. The only advantage given to a particular religion by the Constitution is the requirement that the President be a Muslim. There is no official state religion, although the majority of the population is Sunni Muslim.

All religions and orders must register with the Government, which monitors fundraising and requires permits for all meetings by religious (and non-religious) groups, except for worship. Recognized religious groups receive free utilities and are exempt from real estate taxes and personal property taxes on official vehicles.

There is a strict de facto separation of church and state. Religious groups tend to avoid any involvement in internal political affairs. The Government, in turn, generally refrains from becoming involved in strictly religious issues, including direct support for programs promoting interfaith understanding. Nevertheless, government policies tend to support the study and practice of moderate forms of Islam.

The Government generally does not prohibit links by its citizens with coreligionists in other countries or with a supranational hierarchy. In May 2001, Pope John Paul II visited the country and conducted a public mass in Damascus, which representatives of all of the country's Orthodox and Uniate Christian denominations attended. The Government also allowed the Pope to tour the Ummayyad Mosque in Damascus, which was the first time in history that a Pontiff visited a mosque. At a ceremony welcoming the Pope to the country, President Bashar al-Asad gave a speech that was widely denounced as anti-Semitic (see Section IV).

Officially, all schools are government run and nonsectarian, although some schools are run in practice by Christian and Jewish minorities. There is mandatory religious instruction in schools, with government-approved teachers and curricula. Religion courses are divided into separate classes for Muslim and Christian students. Jews have a separate primary school, which offers religious instruction on Judaism, in addition to traditional subjects. Although Arabic is the official language in public schools, the Government permits the teaching of Armenian, Hebrew, Syriac (Aramaic) and Chaldean in some schools on the basis that these are "liturgical languages."

Both Orthodox and Western Easter and three Muslim religious holidays (Eid al-Adha, Eid al-Fitr, and the Prophet Mohammed's birthday) are recognized as national holidays.

Religious groups are subject to their respective religious laws on marriage, divorce, child custody, and inheritance.

### *Restrictions on Religious Freedom*

In 1964 the Government banned Jehovah's Witnesses as a politically-motivated Zionist organization. Although Jehovah's Witnesses have continued to practice their faith privately despite the official ban, the Government arrested several members of Jehovah's Witnesses as they gathered for religious meetings in 1997. It is not known whether they still are in custody.

Although the law does not prohibit proselytizing, the Government discourages such activity in practice, particularly when such activity is deemed a threat to the generally good relations among religious groups.

The security services constantly are alert to any possible political threat to the State and all groups, religious and non-religious, are subject to surveillance and monitoring by government security services. The Government considers militant Islam in particular a threat to the regime and follows closely the practice of its adherents. The Government has allowed many mosques to be built; however, sermons are monitored and controlled and mosques are closed between prayers.

For primarily political rather than religious reasons, Jews generally are barred from government employment and do not have military service obligations. Jews also are the only religious minority group whose passports and identity cards note their religion.

Government policy officially disavows sectarianism of any kind. However, in the case of Alawis, religion can be a contributing factor in determining career opportunities. For example, members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population.

For Muslims personal status law on divorce is based on Shari'a (Islamic law), and some of its provisions discriminate against women. For example, husbands may claim adultery as grounds for divorce, but wives face more difficulty in presenting the same case. If a woman requests a divorce from her husband, she may not be entitled to child support in some instances. In addition under the law a woman loses the right to custody of boys when they reach age 9 and girls at age 12. Inheritance for Muslims also is based on Shari'a. Accordingly Muslim women usually are granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. For example, a brother who inherits an unmarried sister's share from their parents' estate is obligated to provide for the sister's well-being. If the brother fails to do so, she has the right to sue. Polygyny is legal but it practiced only by a small minority of Muslim men.

#### *Abuses of Religious Freedom*

There were credible reports of large-scale arrests of Syrian and Palestinian Islamists affiliated with the Muslim Brotherhood and the Liberation Party in late 1999 and early 2000. Some of the Islamist prisoners reportedly were tortured in detention. These arrests were motivated primarily by political reasons based on the Government's view of militant Islamists as potential threats to the stability of the regime. In November 1999, the Government declared an amnesty for 600 political prisoners and detainees and a general pardon for some nonpolitical prisoners. There were credible reports that several hundred Islamists were among those political prisoners who benefited from the amnesty, but it is believed that some remained in custody at the end of the period covered by this report.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

Following an October 2000 attack by a group of Palestinians on a synagogue in Damascus (see Section III), the Government took immediate steps to ensure that the Jewish community would be protected from further attacks, including arresting the perpetrators and posting guards around synagogues and the Jewish quarter of Damascus.

### SECTION III. SOCIETAL ATTITUDES

Relations among the various religious communities generally are amicable, and there is little evidence of societal discrimination or violence against religious minorities. However, there are periodic reports of friction between religious faiths, which may be related to deteriorating economic conditions and internal political issues. On October 12, 2000, a group of Palestinians threw bricks, stones, and Molotov cocktails at a synagogue in Damascus, apparently in reaction to the Israeli Government's use of force against Palestinians in the occupied territories. No one was injured in the attack; however, the synagogue was damaged slightly and closed for approximately 1 month. The Government took immediate steps to ensure that the Jewish community would be protected from further attacks (see Section II).

Although no law prohibits religious denominations from proselytizing, the Government is sensitive to complaints by religious groups of aggressive proselytizing by other groups and has intervened when such activities threatened the relations among religions. Societal conventions make conversions relatively rare, especially in the case of Muslim-to-Christian conversions. In many cases, societal pressure forces those who undertake such conversions to relocate within the country or to depart Syria in order to practice their new religion openly.

#### SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Ambassador and other embassy officials meet routinely with religious leaders and adherents of almost all denominations at the national, regional, and local levels. In May 2001, the State Department spokesman criticized as unacceptable and regrettable President Asad's speech during the Pope's visit, in which he characterized Jews as the betrayers of Christ and the Prophet Mohammed (see Section II).

The Embassy funded two programs to promote religious freedom and tolerance during the period covered by this report. Embassy officials remain sensitive to any change in the degree of religious freedom in the country.

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## TUNISIA

Islam is the state religion. The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, there were some restrictions and abuses.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government does not permit the establishment of political parties on the basis of Islam, prohibits proselytizing, and partially limits the religious freedom of Baha'is.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's land area is 63,170 square miles and the vast majority of its population of 9.2 million is nominally Muslim. There is no reliable data on the number of practicing Muslims. There is a small indigenous Sufi Muslim community but no statistics regarding its size. Reliable sources report that many Sufis left the country shortly after independence when their religious buildings and land reverted to the Government (as did those of Orthodox Islamic foundations), leaving them no place to worship. Although the Sufi community is small, its tradition of mysticism permeates the practice of Islam throughout the country. During annual Ramadan festivals, Sufis provide public cultural entertainment with whirling dervish dances.

The nominal Christian community—composed of foreign temporary and permanent residents and a small group of native-born citizens of both European and Arab origin—numbers approximately 20,000 and is dispersed throughout the country. According to church leaders, the practicing Christian population numbers approximately 2,000 and includes an estimated 200 native-born ethnic Arab citizens who have converted to Christianity. The Catholic Church operates 5 churches, 14 private schools, and 7 cultural centers throughout the country, as well as 1 hospital in Tunis, the capital. It has approximately 1,400 practicing members, composed of temporary and permanent foreign residents and a small number of native-born citizens of European and Arab origin. In addition to holding religious services, the Catholic Church also freely organizes cultural activities and performs charitable work throughout the country. The Russian Orthodox Church has 100 practicing members and operates two churches—one in Tunis and one in Bizerte. The French Reform Church operates one church in Tunis, with a congregation of 140 primarily foreign members. The Anglican Church has approximately 50 foreign members who worship in a church in Tunis. The 30-member Greek Orthodox Church maintains one church each in Tunis, Sousse, and Jerba. A community of 43 Jehovah's Witnesses, of which about half are foreign residents and half are native-born citizens, also exists.

With 1,800 adherents split nearly equally between the capital and the island of Jerba, the Jewish community is the country's largest indigenous religious minority.



The Jewish community on the island of Jerba dates back 2,500 years. There are also 150 members of the Baha'i Faith.

There is no information available regarding the number of atheists in the country. Foreign missionary organizations and groups do not operate in the country.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

### *Legal/Policy Framework*

Islam is the state religion. The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, it does not permit the establishment of political parties based on religion, prohibits proselytizing, and partially limits the religious freedom of Baha'is. The Constitution stipulates that the President of the Republic must be a Muslim.

The Government recognizes all Christian and Jewish religious organizations that were established before independence in 1956. Although the Government permits Christian churches to operate freely, only the Catholic Church has formal recognition from the postindependence Government. The other churches operate under land grants signed by the Bey of Tunis in the 18th and 19th centuries, which are respected by the Government. During the period covered by this report, the Government refused recognition of a Jewish religious organization in Jerba; however, the group has been permitted to operate, and it performs religious activities and charity work unhindered.

The Muslim holidays of Aid El-Kebir, Ras Al-Am El-Hejri, Mouled, and Aid Essighir are observed as national holidays; there is no reported adverse effect on other religious groups related to such observance.

The Government promotes interfaith understanding by sponsoring regular conferences and seminars on religious tolerance and by facilitating and promoting the annual Jewish pilgrimage to the El-Ghriba Synagogue.

### *Restrictions on Religious Freedom*

The Government controls and subsidizes mosques and pays the salaries of prayer leaders. The President appoints the Grand Mufti of the Republic. The 1988 Law on Mosques provides that only personnel appointed by the Government may lead activities in mosques, and stipulates that mosques must remain closed except during prayer times and other authorized religious ceremonies, such as marriages or funerals. New mosques may be built in accordance with national urban planning regulations but become the property of the State. The Government also partially subsidizes the Jewish community.

The Government does not permit the establishment of political parties on the basis of religion, and uses this prohibition to refuse recognition of the An-Nahda party and to prosecute suspected party members on the grounds of membership in an illegal organization. The Government maintains tight surveillance over Islamists and members of the Islamic fundamentalist community. The Government has revoked the identity cards of an estimated 10,000 to 15,000 Islamists and fundamentalists, which prevents them from being employed legally, attending court hearings, or using public telephones or faxes. According to reliable sources, the Government has refused to issue passports to Islamists and fundamentalists. The Government forbids the wearing of hijab (traditional headscarves worn by Islamist and Islamic fundamentalist women) in government offices.

The Government allows the Jewish community freedom of worship and pays the salary of the Grand Rabbi. It also partially subsidizes restoration and maintenance costs for some synagogues. In October 1999, the provisional Jewish community elected a new board of directors, its first since independence in 1956, but continues to await approval from the governor of Tunis. Once approval is obtained from the governor, which originally was expected to be only a formality, the committee is expected to receive permanent status. The acting board has changed its name to the Jewish Committee of Tunisia. The Government permits the Jewish community to operate private religious schools and allows Jewish children on the island of Jerba to split their academic day between secular public schools and private religious schools. The Government also encourages Jewish émigrés to return for the annual Jewish pilgrimage to the historic El-Ghriba Synagogue on the island of Jerba. However, during the period covered by this report, the Government refused recognition of a Jewish religious organization in Jerba, although the group has been permitted to operate and perform religious activities and charity work unhindered.

The Government regards the Baha'i Faith as a heretical sect of Islam and permits its adherents to practice their faith only in private. Although the Government permits Baha'is to hold meetings of their National Council in private homes, it report-

edly has prohibited them from organizing local councils. The Government reportedly pressures Baha'is to eschew organized religious activities. There are credible reports that police periodically call in prominent Baha'is for questioning. The Government also unofficially denied Baha'i requests during the period covered by this report for permission to elect local assemblies. The Government also does not permit Baha'is to accept a declaration of faith from persons who wish to convert to the Baha'i Faith. There were credible reports that four members of the Baha'i Faith were interrogated by Ministry of Interior officials in 1999 and pressed to sign a statement that they would not practice their religion and would not hold meetings in their homes.

In general the Government does not permit Christian groups to establish new churches, and proselytizing is viewed as an act against the public order. Foreign missionary organizations and groups do not operate in the country. Authorities ask foreigners suspected of proselytizing to depart the country and do not permit them to return. There were no reported cases of official action against persons suspected of proselytizing during the period covered by this report; however, there were reports that materials distributed by Christian missionaries in Sfax were confiscated from local secondary students.

There were reports of cases during the period covered by this report in which the Government punished individuals who converted to another faith from Islam by denying them the ability to obtain a passport, to vote, and to enlist in the military, among other rights.

Islamic religious education is mandatory in public schools, but the religious curriculum for secondary school students also includes the history of Judaism and Christianity. The Zeitouna Koranic School is part of the Government's national university system.

Both religious and secular nongovernmental organizations (NGO's) are governed by the same law and administrative regulations on association that impose some restrictions on freedom of assembly. For example, all NGO's are required to notify the Government of meetings to be held in public spaces at least 3 days in advance and to submit lists of all meeting participants to the Ministry of Interior. During the period covered by this report, there were credible reports that two Christian religious organizations did not attempt to register because they believed that their applications would be rejected, although they were able to function freely under the auspices of their respective churches. Neither group believed that it was a victim of religious discrimination. A third group, composed of foreign Christians mostly from Sweden and the United Kingdom, is active in providing medical and social services in the city of Kasserine in the west. Despite its ambiguous legal status, this group (with 15 to 20 members) reports that it has been free to pursue its social and medical work without interference and states that it does not believe that it has been subject to religious discrimination.

Religious groups are subjected to the same restrictions on freedom of speech and the press as secular groups. Primary among these restrictions is "depot legal," the requirement that printers and publishers provide copies of all publications to the Chief Prosecutor, the Ministry of Interior, and the Ministry of Culture prior to publication. Similarly, distributors must deposit copies of publications printed abroad with the Chief Prosecutor and various ministries prior to their public release. Although Christian groups reported that they were able to distribute previously approved religious publications in European languages without difficulty, they claimed that the Government generally did not approve either publication or distribution of Arabic-language Christian material. Moreover, authorized distribution of religious publications was limited to existing religious communities, because the Government views public distribution of both religious and secular documents as a threat to the public order and hence an illegal act.

Muslim women are not permitted to marry outside their religion. Marriages of Muslim women to non-Muslim men abroad are considered common-law, which are prohibited and thus void when the couple returns to the country. Non-Muslim women who marry Muslim men are not permitted to inherit from their husbands, nor may the husbands and any children (who are considered to be Muslim) from the marriage inherit from the non-Muslim wife.

Although civil law is codified, judges are known to override codified law with their interpretation of Shari'a (Islamic law) if codified law contradicts it. For example, codified laws provide women with the legal right to have custody over minor children; however, judges have refused to grant women permission to leave the country with minor children, holding that Shari'a appoints the father as the head of the family who must grant children permission to travel. In 1999 one human rights activist reported that Ministry of Interior officials refused to issue her minor son a passport because the child's father, who was then jailed, was not present to give permission.

*Abuses of Religious Freedom*

During the period covered by this report, credible sources estimate as many as 1,000 persons were serving prison sentences because of their membership in the illegal Islamist group An-Nahda or for their alleged Islamist sympathies; however, there were no reports of cases in which it was clear that persons were arrested or detained based solely on their religious beliefs.

During the period covered by this report, the Government tried and convicted numerous suspected members of the Islamist community on charges of belonging to an illegal organization. For example, Mehdi Zoughah was convicted in February 2001 of belonging to an illegal organization for purportedly holding a meeting with An-Nahda leader Salah Kerker in Marseille, France, in the early 1990s. Zoughah was convicted on the basis of a single witness whom the Government could not produce in court. Haroun M'barak was convicted in March 2001 of belonging to an illegal organization, An-Nahda, on the basis of a statement by a witness that had been retracted. On August 30, 2000, An-Nahda prisoner Taoufik Chaieb was released from jail after he held a 51-day hunger strike. Presiding judges in trials of Islamists routinely refuse to investigate claims by defendants that their confessions were extracted under torture.

Sources report that police awaken suspected Islamists in the night and bring them to police headquarters for interrogation. Human rights activists allege that the Government subjected the family members of Islamist activists to arbitrary arrest, reportedly utilizing charges of "association with criminal elements" to punish family members for the actions of the activists.

According to human rights lawyers, the Government regularly questioned Muslims who were observed praying frequently in mosques. Reliable sources report that the authorities instruct imams to espouse government social and economic programs during prayer times in Mosques.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who have been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

## SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom.

There were no incidents of religiously motivated violence. However, there is great societal pressure for Muslims not to convert to other religions, and conversion from Islam is relatively rare. Muslims who do convert may face social ostracism for converting. There is some conversion among individuals in the Christian and Jewish communities.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains good relations with leaders of majority and minority religious groups throughout the country, and the Ambassador and other embassy officials met regularly with Muslim, Christian, Jewish, and Baha'i religious leaders throughout the period covered by this report. Embassy officials discussed religious freedom issues with government officials on various occasions during the year.

**UNITED ARAB EMIRATES**

The federal Constitution designates Islam as the official religion, and Islam is also the official religion of all seven of the constituent emirates of the federal union. The federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals, and the Government generally respects this right in practice and does not interfere with the private practice of religion; however, it limits the number of officially recognized religions, controls virtually all Sunni mosques, grants only a small number of Christian denominations recognition, prohibits proselytizing, and restricts the ability of nonrecognized religions to conduct business as organized groups.

There was no change in the status of religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to a relatively tolerant atmosphere for the practice of a wide variety of faiths, albeit within the context of a predominantly Muslim society in which Islam has a privileged status and not all non-Islamic religions have equal legal standing.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

#### SECTION I. RELIGIOUS DEMOGRAPHY

The country's total land area is 32,300 square miles and its population is approximately 3.1 million. More than 80 percent of the population are non-citizens. All of the country's citizens are Muslims, with approximately 85 percent followers of Sunni Islam and the remaining 15 percent followers of Shi'a Islam. Naturalization of new citizens is limited to Sunni Muslims. Approximately 80 percent of the population are foreigners, predominantly from South and Southeast Asia. A substantial number of foreign professionals are citizens of countries in the Middle East, Europe, and North America. Although no official figures are available, local observers estimate that approximately 55 percent of the foreign population are Muslim, 25 percent are Hindu, 10 percent are Christian, 5 percent are Buddhist, and 5 percent are a mixture of other faiths, including Ismailis, Parsis, Baha'is, and Sikhs (most of whom reside in the Dubai and Abu Dhabi).

No foreign missionaries operate in the country.

There are no available statistics on the number of atheists.

#### SECTION II. STATUS OF RELIGIOUS FREEDOM

##### *Legal/Policy Framework*

The federal Constitution designates Islam as the official religion, and Islam is also the official religion of all seven of the individual emirates in the federal union. The federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals, and the Government generally respects this right in practice. The Government controls virtually all Sunni mosques. It funds or subsidizes virtually all such mosques and employs all Sunni imams. The Government also distributes guidance on religious sermons and monitors for political content sermons delivered in all mosques, whether Sunni or Shi'a; however, the Government does not appoint the imams in the country's Shi'a mosques. The Government prohibits proselytizing by non-Muslims.

The Government does not recognize all non-Muslim religions. In those emirates that officially recognize and thereby grant a legal identity to non-Muslim religious groups, only a limited number of Christian groups are granted this recognition. While recognizing the difference between Roman Catholic, Eastern Orthodox, and Protestant Christianity, the authorities make no legal distinction between Christian groups, particularly Protestants. Several often unrelated Christian congregations are required to share common facilities because of limitations on the number of Christian denominations that are recognized officially. Non-Muslim and non-Christian religions are not recognized legally in any of the emirates. Partly as a result of emirate policies regarding recognition of non-Muslim denominations, facilities for Christian congregations are far greater in number and size than those for non-Christian and non-Muslim groups, despite the fact that Christians are a small minority of non-Muslim foreigners.

##### *Restrictions on Religious Freedom*

Virtually all Sunni mosques are government funded or subsidized; about 5 percent of Sunni mosques are entirely private, and several large mosques have large private endowments. The federal Ministry of Awqaf and Religious Affairs distributes weekly guidance to both Sunni and Shi'a sheikhs regarding religious sermons and ensures that clergy do not deviate frequently or significantly from approved topics in their sermons. All Sunni imams are employees of either the federal Ministry of Awqaf and Religious Affairs or of individual emirate ministries. In 1993 the Emirate of Dubai placed private mosques under the control of its Department of Islamic Affairs and Endowments. This change gave the Government control over the appointment of preachers and the conduct of their work.

The Shi'a minority, which is concentrated in the northern emirates, is free to worship and maintain its own mosques. All Shi'a mosques are considered private and receive no funds from the Government. The Government does not appoint sheikhs for Shi'a mosques. Shi'a Muslims in Dubai may pursue Shi'a family law cases through a special Shi'a council rather than the Shari'a courts.

Major cities have Christian churches, some built on land donated by the ruling families of the emirates in which they are located. In early 2001, ground was broken for the construction of several churches on a parcel of land in Jebel Ali donated by the Government of Dubai for four Protestant congregations and a Catholic congregation. In May 2001, the Crown Prince of Dubai authorized the construction of a Greek Orthodox church on donated land. Also in 2001, the Catholic church received permission to establish a secondary school in Fujairah. Abu Dhabi, Dubai, and Sharjah are also home to Catholic primary and secondary schools. In 1999 land was designated in Ras Al-Khaimah Emirate for the construction of a new Catholic Church. In Sharjah a new Catholic church was opened in 1997 and a new Armenian Orthodox church in 1998, both with public ceremonies. Also in 1998, land was designated in Jebel Ali for the construction of a second Christian cemetery, and Abu Dhabi emirate donated land for the expansion of existing Christian burial facilities. The Dubai Government permits one Hindu temple and two Sikh temples to operate. There are no such temples elsewhere in the country. There are no Buddhist temples; however, Buddhists, along with Hindus and Sikhs in cities without temples, conduct religious ceremonies in private homes without interference. In 1998 Abu Dhabi Emirate donated land for the establishment of the country's first Baha'i cemetery. There are only two operating cremation facilities and associated cemeteries for the large Hindu community, one in Dubai and one in Sharjah. Official permission must be obtained for their use in every instance, posing a hardship for the large Hindu community, and neither facility accepts Hindus who have died in other parts of the country for cremation or burial. The remains of Hindus who die outside Dubai and Sharjah in all cases must be repatriated to their home country at considerable expense.

Non-Muslims in the country are free to practice their religion but may not proselytize publicly or distribute religious literature. The Government follows a policy of tolerance towards non-Muslim religions and, in practice, interferes very little in the religious activities of non-Muslims. Apparent differences in the treatment of Muslim and non-Muslim groups often have their origin in the dichotomy between citizens and noncitizens rather than in religious difference.

Apart from donated land for the construction of churches and other religious facilities, including cemeteries, non-Muslim groups are not supported financially or subsidized by the Government. However, they are permitted to raise money from among their congregants and to receive financial support from abroad. Christian churches are permitted to openly advertise certain church functions, such as memorial services, in the press.

The conversion of Muslims to other religions is regarded with extreme antipathy. While there is no law against missionary activities, authorities have threatened to revoke the residence permits of persons suspected of such activities, and customs authorities have questioned the entry of large quantities of religious materials (Bibles, hymnals, etc.) that they deemed in excess of the normal requirements of existing congregations, although in most instances the questions have been resolved and the items have been admitted.

There have been reports that customs authorities are less likely to question the importation of Christian religious items than non-Muslim, non-Christian religious items, although in virtually all instances importation of the material in question eventually has been permitted.

Although immigration authorities routinely ask foreigners to declare their religious affiliation, the Government does not collect or analyze this information, and religious affiliation is not a factor in the issuance or renewal of visas or residence permits.

Family law for Muslims is governed by Shari'a and the local Shari'a courts. As such, Muslim women are forbidden to marry non-Muslims. Such a marriage may result in both partners being arrested and tried. Shari'a, according to the Maliki school of jurisprudence, is also applied in cases of divorce. Women are granted custody of female children until they reach the age of maturity and are granted temporary custody of male children until they reach the age of 12. If the mother is deemed unfit, custody reverts to the next able female relative on the mother's side. Shari'a permits polygyny.

In November 1999, the Government sponsored the country's first ecumenical meeting, officially designated a seminar on "Islam and the West," in Abu Dhabi, in honor of the visit to the country of the United Kingdom's Prince Charles. The half-day seminar included statements by Islamic and Christian clerics and a brief discussion. In addition, the principal advisor to the ruler of the Emirate of Abu Dhabi on relations with Christian denominations regularly represents the country at ecumenical conferences and events in other countries. In 1999 Dubai emirate established a center for the promotion of cultural understanding aimed at expanding contact and

interchange between the citizen and foreign populations. One of the center's goals is to expose foreigners to aspects of the indigenous culture, including Islam.

There were no reports of religious detainees or prisoners.

*Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

While citizens regard the country as a Muslim nation that should respect Muslim religious sensibilities on matters such as public consumption of alcohol, proper dress, and proper public comportment, society also places a high value on respect for privacy and on Islamic traditions of tolerance, particularly with respect to forms of Christianity. Casual attire for men and women is tolerated in areas and facilities frequented by foreigners, while hotels, stores, and other businesses patronized by both citizens and foreigners are permitted to sell alcohol and pork to non-Muslims, and to acknowledge, in modest displays, non-Muslim holidays such as Christmas, Easter, and Diwali (although such displays are not permitted during the month of Ramadan). Citizens occasionally express concern regarding the influence on society of the cultures of the country's foreign majority. However, in general citizens are familiar with foreign societies and believe that they can best limit unwanted foreign influence by supporting and strengthening indigenous cultural traditions. Slightly less tolerant attitudes by citizens toward non-Muslim and non-Christian faiths reflect both traditional Islamic views of these religions and the fact that Hindus and Buddhists in the country are overwhelmingly less-educated, less-affluent, and work in less desirable occupations.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

In early 1998, the Ambassador sent a letter to the Government of Dubai emirate in support of the request of three Protestant congregations for expanded facilities in Dubai, and later raised the issue in official meetings with Dubai emirate leaders. In response to these requests—and with the support of the U.S. and UK Embassies—Dubai emirate donated land for these facilities and granted permission for their construction. While originally three churches were proposed, the Dubai municipality instructed that the number of churches to be built on the site increase from three to seven. In early 2001, ground was broken for the construction of several churches on the site. In early 2001, the U.S. Ambassador sent a letter to the government of the Dubai emirate in support of the request of the Greek Orthodox congregation for the construction of a church in Dubai; the request was quickly approved by the Crown Prince of Dubai. The Ambassador and other embassy personnel also have participated regularly in ceremonies marking the opening or expansion of religious facilities, and embassy officers meet on occasion with Muslims, Christians, and representatives of other religious faiths.

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**YEMEN**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Constitution declares that Islam is the state religion. The Constitution also states that Shari'a (Islamic law) is the source of all legislation.

There was no change in the status of respect of religious freedom during the period covered by this report. Followers of religions other than Islam are free to worship according to their beliefs; however, the Government forbids conversions and prohibits non-Muslims from proselytizing.

The amicable relationship among religions in society contributed to the generally free practice of religion.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

## SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of about 330,000 square miles and its population is approximately 18 million. Virtually all citizens are Muslims, either of the Zaydi order of Shi'a Islam or the Shafa'i order of Sunni Islam, representing approximately 35 percent and 65 percent of the total population, respectively. There are also a few thousand Ismaili Muslims, mostly in the north.

Almost all Christians are temporary foreign residents, except for a few families living in Aden that trace their origins to India. There are a few Hindus in Aden who also trace their origins to India. There are several churches and Hindu places of worship in Aden, but no non-Muslim public places of worship exist in the former North Yemen, largely because northern Yemen does not have a history of a large, resident foreign community as in the south.

Christian missionaries operate in Yemen and most are dedicated to the provision of medical services; others are employed in teaching and social services. Invited by the Government, the Sisters of Charity run homes for the poor and disabled in Sana'a, Taiz, Hodeida, and Aden. The Government has asked the Vatican to open additional Sisters of Charity facilities. The Government issues residence visas to priests so that they may provide for the community's religious needs. There is also a German Christian charitable mission in Hodeida and a Dutch Christian medical mission in Saada. An American Baptist congregation has run a hospital in Jibla for over 30 years. The Anglican Church runs a charitable clinic in Aden. An American nongovernmental organization (NGO), run by the Seventh-Day Adventists, works in the governorate of Hodeida.

Nearly all of the country's once sizable Jewish population has emigrated. Approximately 500 Jews are scattered in a handful of villages between Sana'a and Saada in northern Yemen.

## SECTION II. STATUS OF RELIGIOUS FREEDOM

*Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Constitution declares that Islam is the state religion. Followers of other religions are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress; however, the Government forbids conversions, requires permission for the construction of new places of worship, and prohibits non-Muslims from proselytizing and holding elected office. The Constitution states that Shari'a is the source of all legislation.

*Restrictions on Religious Freedom*

The Government prohibits non-Muslims from proselytizing. Under Islam as applied in the country, the conversion of a Muslim to another religion is considered apostasy, a crime punishable by death. There were no reports of cases in which the crime has been charged or prosecuted by government authorities. In January 2000, the director of the Aden office of the U.N. High Commissioner for Refugees (UNHCR) received a report that a Somali refugee, who allegedly had converted from Islam to Christianity after his arrival in Yemen, had been arrested for apostasy. The UNHCR's investigation found that the refugee had been detained on criminal charges previously by police in Aden and at the UNHCR's Al-Jahin camp. Although the refugee was registered with the UNHCR under a Christian name, he maintained an address in Sana'a under a Muslim name, was married to a Muslim woman, and possessed an Islamic marriage certificate. The UNHCR believed that authorities detained the refugee on criminal rather than religious grounds. The refugee was not charged formally and his trial was canceled. He was remanded to immigration detention, then released in July 2000. The UNHCR, with the Government's knowledge, arranged for the refugee to be resettled in a third country; he and his family departed the country on August 25, 2000.

The Government does not allow the building of new non-Muslim public places of worship without permission; however, in 1998 the country established diplomatic relations with the Vatican and agreed to the construction and operation of a "Christian center" in Sana'a. Weekly services for Catholic, Protestant, and Ethiopian Christians are held in the auditorium of a private company in Sana'a without government interference. Christian church services are held regularly in other cities without harassment in private homes or facilities such as schools, and these facilities appear adequate to accommodate the small numbers involved. The Papal Nuncio, resident in Kuwait, presented his credentials to the Government in March 2000. The country's ambassador to Italy was accredited to the Vatican in July 1999. Presi-

dent Ali Abdullah Saleh paid an official visit to the Vatican at the time of his state visit to Italy in April 2000.

Public schools provide instruction in Islam but not in other religions. However, almost all non-Muslims are foreigners who attend private schools.

There are no legal restrictions on the few hundred Jews who remain in the country, although there are traditional restrictions on places of residence and choice of employment (see Section III). In mid-2000, the Government suspended its policy of allowing Yemeni-origin Israeli passport holders to travel to Yemen on laissez-passer documents. However, Yemeni, Israeli, and other Jews may travel freely to and within Yemen on non-Israeli passports.

The Government monitors mosques for sermons that incite violence or other political statements that it considers harmful to public security. Private Islamic organizations may maintain ties to pan-Islamic organizations and in the past have operated private schools. However, in May 2001, the Government mandated the implementation of a 1992 law to unify educational curriculums and administration of all publicly funded schools. Publicly funded Islamic schools will be absorbed into the national system.

Non-Muslims may vote; however, they may not hold elected office.

Following unification of North and South Yemen in 1990, owners of property previously expropriated by the Communist government of the former People's Democratic Republic of Yemen, including religious organizations, were invited to seek restitution of their property. However, implementation of the process, including for religious institutions, has been extremely limited, and very few properties have been returned to any previous owner.

Shari'a-based law and social custom discriminate against women. Men are permitted to take as many as four wives, although very few do so. By law the minimum age of marriage is 15. However, the law largely is not enforced, and some girls marry as early as age 12. The law stipulates that the wife's "consent" to the marriage is required; "consent" is defined as "silence" for previously unwed women and "pronouncement of consent" for divorced women. The husband and the wife's "guardian" (usually her father) sign the marriage contract; in Aden and some outlying governorates, the wife also signs. The practice of bride-price payments is widespread, despite efforts to limit the size of such payments.

The law provides that the wife must obey the husband. She must live with him at the place stipulated in the contract, consummate the marriage, and not leave the home without his consent. Husbands may divorce wives without justifying their action in court; however, courts routinely mandate lengthy reconciliation periods prior to granting the husband's petition for divorce. A woman has the legal right to divorce; however, she must provide a justification, such as her husband's nonsupport, impotence, abrogation of the marriage contract (for example, of guarantees regarding her education or employment options), or taking of a second wife without her consent. A woman seeking a divorce also must repay the mahr (a portion of her bride price), which creates an additional hardship.

Women who seek to travel abroad must obtain permission from their husbands or fathers to receive a passport and to travel. They also are expected to be accompanied by male relatives. However, enforcement of this requirement is irregular. Shari'a-based law permits a Muslim man to marry a Christian or Jewish woman, but no Muslim woman may marry outside of Islam. Yemeni women do not have the right to confer citizenship on their foreign-born spouses; however, they may confer citizenship on children born in Yemen of foreign-born fathers.

#### *Abuses of Religious Freedom*

Official government policy does not prohibit or provide punishment for the possession of non-Islamic religious literature. However, there are unconfirmed reports that foreigners, on occasion, have been harassed by police for possessing such literature. In addition, some members of the security forces occasionally censor the mail of Christian clergy who minister to the foreign community, ostensibly to prevent proselytizing.

There are unconfirmed reports that some police, without the authorization or knowledge of their superiors, on occasion have harassed and detained persons suspected of apostasy in order to compel them to renounce their conversions.

There were no reports of religious detainees or prisoners.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.



## SECTION III. SOCIETAL ATTITUDES

The country is overwhelmingly Muslim. There are very small numbers of religious minorities, and relations among religious groups generally are amicable. There were no reported incidents of violence or discrimination between the adherents of the two main orders, Zaydi and Shafa'i Islam. Religiously motivated violence is neither incited nor tolerated by the Islamic clergy, except for a small politically motivated clerical minority, often with ties to foreign extremist elements.

The tiny number of religious minorities generally live in harmony with their Muslim neighbors. Apart from a small but undetermined number of Christians and Hindus of South Asian origin in Aden, Jews are the only indigenous religious minority. Their numbers have diminished significantly—from several tens of thousands to a few hundred—due to voluntary emigration over the last 50 years. Although the law makes no distinction, Jews traditionally are restricted to living in one section of a city or village and often are confined to a limited choice of employment, usually farming or handicrafts (primarily silver working). They are respected for their craftsmanship and their silver work is highly prized. Jews may, and do, own land. They may vote; however, as non-Muslims, they may not hold elected office (see Section II). Traditionally the tribal leaders of the regions in which the Jews have resided are responsible for protecting the Jews in their areas. A failure to provide this protection is considered a serious personal dishonor.

Christian clergy who minister to the foreign community are employed in teaching, social services, and health care.

A small bomb blasted a 12-foot hole in the wall of Christ Church in Aden on January 1, 2001; there were no reported injuries. The perpetrator, whom authorities believe is linked to extremist Islamic groups, was arrested in January 2001 and was awaiting trial at the end of the period covered by this report. On January 10, 2001, in the village of Dhabyan in Amran governorate, an armed individual opened fire on worshipers during evening prayers at the local mosque. Four men were killed and 17 wounded, 7 critically. The shootings appeared to be criminally rather than religiously motivated.

## SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy maintains an active dialog on human rights issues with the Government, NGO's, and others, and discusses religious freedom issues in the overall context of the promotion of human rights. Embassy officers, including the Ambassador, meet periodically with representatives of the Jewish and Christian communities.