

MONGOLIA

Executive Summary

The constitution and other laws and policies protect religious freedom but, in practice, the government enforced legal and policy protections of religious freedom selectively. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom, which varied between provinces. The law limits proselytizing and some religious groups, particularly foreign-run religious organizations, faced bureaucratic harassment from local governments or were denied registration.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice, including pressure on persons who converted to Christianity. The growing influence of Christian religious groups worried some and in certain cases led to harassment of Christians. Observers noted some members of society, fearing foreign influence might lead to erosion of respect for the country's culture, pushed back against what they viewed as a "foreign" religion. Muslim institutions generally fared better as a result of their deeper historical roots in society.

During the year, U.S. embassy officials discussed religious freedom with government officials at the local, provincial, and national levels. Embassy officials also met frequently with religious leaders across the country.

Section I. Religious Demography

Buddhism is closely linked with the country's cultural traditions. Local scholars claim that more than 90 percent of citizens subscribe to some form of Buddhism, although practice varies widely. Lamaist Buddhism of the Tibetan variety is the traditional and dominant religion.

Ethnic Kazakhs, most of whom are Muslim, are the largest ethnic minority. They constitute approximately 5 percent of the population nationwide and 80 percent of the population of the western province of Bayan-Olgii. The Mongolian Muslim Association estimates there are 120,000 Kazakh Muslims and 30,000 Khoton Muslims, largely in the province of Uvs. Muslims operate more than 40 mosques and ten Islamic student centers, and there are an estimated 3,000 students of Islam.

There is a small but growing number of Christians. Christian groups estimate that more than 4 percent of the population practices Christianity, of which an estimated 90 percent are Protestant and 9 percent are members of The Church of Jesus Christ of Latter-Day Saints (Mormons). Roman Catholics and members of the Russian Orthodox Church together account for the remaining 1 percent.

Some citizens practice shamanism, often in tandem with another religion, but there are no reliable statistics on their number.

At the end of the year, there were 630 registered places of worship, 272 of which were Buddhist, 293 Christian, and 65 others belonging to various religious denominations. During the year the State General Registration Office registered 50 new places of worship. According to the Evangelical Alliance nongovernmental organization (NGO), there are approximately 600 evangelical churches operating in the country. Of the 368 churches that belong to the Evangelical Alliance, over 140 are not registered. The Evangelical Alliance reported that most churches not registered are in the countryside.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom and the constitution explicitly recognizes the separation of church and state. Although there is no state religion, the Law on Religion and State asserts the government shall grant proper respect to Buddhism as the predominant religion of the country for the sake of national unity and the maintenance of cultural and historic traditions. The government contributed financially to the restoration of several Buddhist sites that were important religious, historical, and cultural centers. The government did not otherwise subsidize Buddhism or any other religious groups.

Religious groups and NGOs must register with local and provincial authorities, as well as the General Authority of State Registration (General Authority), to function legally. Religious organizations are required to pay property taxes and social security. NGOs, including religious organizations, are not required to pay income tax. By law all foreign organizations must hire a certain number of nationals for every foreign employee. The mandatory percentage of national employees varies from 60 percent to 95 percent, depending on the industry. The law applies to both religious and secular organizations. Foreigners who enter on work visas are not allowed to undertake religious activities during their work hours.

National law also limits proselytizing. The law forbids spreading religious views by “force, pressure, material incentives, deception, or means which harm health or morals or are psychologically damaging.” Organizations involved in providing child care, welfare, or child protection services may not promote religion or religious customs counter to the child’s “national traditional religion.” The law also prohibits the use of gifts for religious recruitment.

All private religious schools are entitled to state funding for their secular curricula. The government is prohibited by law from giving state funds to religious schools for religious education. This policy was applied equally to all religious groups.

A Ministry of Education directive bans religious instruction in public schools. The government may revoke the request of a religious group for an extension of registration if the group violates the ban, or the ministry may recommend that employers fire teachers who teach religion in the classroom.

The government does not observe any religious holidays as national holidays.

Government Practices

There were no reports of abuses of religious freedom. In practice, the government enforced legal and policy protections of religious freedom selectively. There was no change in the status of respect for religious freedom by the government during the reporting period. Some religious groups seeking registration faced burdensome bureaucratic requirements and significant delays.

Problems with registration and operation varied significantly across the country, largely as a product of the policies and practices of local government officials. Registration requirements changed frequently and without public announcement; religious organizations reported these practices routinely caused confusion.

Registrations and renewals of religious groups allowed the government to vet applications, as well as to supervise and limit the number of places of worship and clergy. It also allowed the government to monitor the ratio of foreigners to nationals of the country conducting religious activities. A religious group must provide the following documentation to the General Authority when applying to register: a letter requesting registration, a letter from the city council or other local authority granting approval to conduct religious services, a brief description of the organization, its charter, documentation of its founding, a list of leaders, financial information, documentation of ownership of a building, brief biographic

information on the person wishing to conduct religious services, and the expected number of worshippers. Although the General Authority possessed the ultimate authority to approve an organization's application, approval was often made difficult by local officials who refused to cooperate with the applicants.

Registrations were only valid for 12 months and religious institutions must renew their registrations annually with up to six different government institutions across local and national levels. Foreign-run churches in certain regions mentioned that Mongolian-run Christian churches were sometimes permitted to register every three years rather than every year, suggesting a bias against foreign missionaries.

The Ulaanbaatar City Representative Hural registered 23 religious organizations (17 Christian, five Buddhist, and one Catholic) and extended the permits granted to 121 preexisting religious organizations in Ulaanbaatar between July 1 and December 31. At year's end, there was a total of 59 Buddhist, 153 Christian, nine Shaman, four Muslim, and one Baha'i religious organizations registered at the Ulaanbaatar Hural office.

In practice local legislative bodies adjudicated the applications and administered a separate local registration process. Officials in Ulaanbaatar reportedly employed an arbitrary and extemporaneous means of registering places of worship and were cited by multiple religious groups as justifying their approach by stating that relevant laws were outdated. The Ulaanbaatar City Council also refused to recognize branch churches as being affiliated with one religion; instead it required each individual church to register as a separate entity. This caused particular problems for various Christian denominations seeking to operate multiple churches within Ulaanbaatar. Church groups with multiple branches suspected the Ulaanbaatar authorities preferred this system because it allowed the government to collect greater tax revenue. At the same time, this past year Khovd Province began to allow one common registration umbrella for faiths containing multiple branch places of worship. The regulations and procedures for registering religious organizations were not fixed and were subject to change based on the whim of local and city government legislatures.

Both the preliminary registration and annual renewal process were burdensome for religious groups. However, unregistered religious institutions were often able to function in practice. The application process, which can range from two weeks to several years, may deter religious organizations that wish to register. Some Christian groups alleged one of the main reasons for government officials' refusal was that there were "too many" churches or that there should at least be parity in

the registration of Buddhist temples and Christian churches. Registration problems were reported particularly for Tuv Province, while certain other regions reported few issues regarding registration for minority religious groups.

The Muslim community in Ulaanbaatar reported last year's difficulties in attaining registration and land acquisition for proposed mosques in the provinces of Darkhan-Uul and Khovd had been resolved. The Muslim community also reported that the registrations of the three mosques in Khovd Aimag that had been suspended were now restored. They reported no bureaucratic problems with the ongoing construction of a new Islamic cultural center and mosque in Ulaanbaatar. Construction had, however, been suspended due to funding issues from certain sponsoring Arabic countries in the wake of political and economic problems. The mosques and Islamic centers received financial assistance from religious organizations in Kazakhstan, Turkey, and the Gulf States.

Authorities in Tuv Province, near Ulaanbaatar, continued to deny registration to Christian churches during the year. There were no churches registered in the province. Nonetheless, according to a Tuv religious leader, more than 30 unregistered evangelical churches operated in the province. Several of these churches reported close monitoring and scrutiny from the General Intelligence Agency (the country's main intelligence service) and other government officials. Multiple religious leaders stated that the chief of the Tuv Provincial Legislature explicitly stated his opposition to registering any churches. The current crop of leaders in the provincial legislature has been in office since 1999 and the de facto policy since that time has been to refuse permission for churches to register.

One Tuv Province church that had been denied registration approached the country's National Human Rights Commission in 2008 to obtain assistance. The Commission met with the Tuv Provincial Legislature. After that meeting, the Legislature's members again voted unanimously against registration. After ten years of registration denials, this church proceeded to sue the Tuv Province legislature in 2009. That same year, the Supreme Court found that the provincial legislature's denial of registration to the church was illegal. Nevertheless, the provincial legislature continued to defy the Supreme Court decision. The legislative speaker wrote to the church explaining that registration was not granted due to the church's alleged enticement and proselytizing of citizenry and the involvement of foreigners (the basis of this latter charge was unclear.) The church rejected both claims and subsequently filed another lawsuit in May demanding registration, which was again denied in September, this time on the basis that the church was conducting religious activities without registration. (The Tuv Province

government has often employed this basis over the years for denying churches registration.)

A Protestant church in the city of Erdenet, Orkhon Province, with over 100 members reported repeated problems with local officials over the past several years regarding its re-registration. Church leaders reported that five to six other registered churches and approximately 15 unregistered churches faced similar registration problems in Erdenet, but also stated that Mongolian-run churches had fewer problems. They also reported that unregistered churches did not experience obstacles in conducting religious activities despite their status. Nevertheless, religious leaders stated that city officials frequently denied permits to Christian organizations to meet in public places. This Protestant church expected to learn whether it would receive an extension of its registration in March 2012; at the end of the year, however, the church did not know whether this extension would be for six months or a year. The local pastor alleged that the failure of local authorities to issue extensions of at least a year at a time is in contravention of the law, which is arbitrarily applied at best. The Erdenet government has also delayed issuing previous extensions to the church. As a result of the Erdenet government's delays in issuing extensions, the church has had to pay various fines over the years to stay in operation. The pastor expressed the fear that if the church's registration is not renewed, local authorities intended to obtain the land of the church, located in the center of the city of Erdenet.

Unregistered religious institutions were often able to function in practice. Some institutions reported harassment by authorities and were unable to sponsor foreign clergy for visas. Unregistered churches allegedly experienced harassment from frequent visits by local tax officers, police, and other agencies. Registered churches also reported harassment by local authorities who demanded, at times without clear legal justification, that they present official documentation and rosters of church members, and, in some cases, pay bribes. Since businesses and other nonreligious organizations also reported similar treatment, it was not clear if such action was due to the religious affiliation of the given organizations.

The law forbids those who entered on work visas from undertaking religious activities during their work hours. Those with work visas sometimes proselytized during their free time, after working hours. Officials in the Immigration Agency reportedly called and threatened organizations sponsoring visas for Mormon missionaries, complaining about their extracurricular religious activities.

The government theoretically granted religious visas for individuals intending to stay in the country more than 90 days, but the application process was lengthy and restricted to officially registered religious organizations. Christian organizations reported that no religious visas were issued to foreign Christian missionaries during the year and that such individuals seeking to enter the country usually were given other types of visas (such as student, business, or volunteer). Christian organizations also reported problems with certain immigration officials who they said categorically denied foreigners visas if they believed the visitor was a Christian coming over for religious purposes. In cases where visa requests were sent from registered religious organizations, the Immigration Agency was legally required to make a decision within seven working days. The Immigration Agency reported that 50 foreigners from 10 countries received religious visas during the reporting period.

During the year, the Immigration Agency did not report expelling any foreign religious workers. Nevertheless, local lawyers representing Christian missionaries reported that 8 to 11 foreigners were unofficially deported for religious activities during the year. These foreigners carried on missionary activities to the extent permissible without a religious visa and were in turn deported on the basis of visa violation technicalities unconnected with religious activities.

Some officials criticized instances of Christian charity work, alleging the charity workers used material incentives to attract potential converts to their religion. Christian churches also reported a high frequency of financial audits.

All non-diplomatic individuals and organizations, including religious organizations, are required to pay customs duties and value added tax on nonfinancial goods from abroad, including food, clothing, and medical donations. The Mormon Church in Ulaanbaatar reported that officials demanded fees in addition to the customs duties for imported donated clothing.

Certain religious organizations had difficulty obtaining visas and visa extensions because they did not meet their quota of national employees.

Parliament internally observed a greater number of official Buddhist and Shamanist ceremonies in parliament than in previous years. Parliament also allocated 136 million tugrik (approximately \$100,000) to build a ger (traditional tent) inside the parliament for a Shaman fire ritual.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. On a number of occasions, Christian groups reported that foreign Christians in Ulaanbaatar were victims of assault or other crimes, although it was not clear whether the crimes were religiously motivated, directed at them for xenophobic reasons, or simply motivated by criminal gain. There were also reports of civil servants in Tuv Aimag facing discrimination at work for being Christian.

Christian leaders reported that the growing influence of Christian religions worried some Buddhist leaders in the country and in certain cases led to harassment of Christians. Some Buddhist leaders reported monitoring the activities of foreign religious groups. The country's political leaders overtly supported Buddhism and there was fear that foreigners and foreign influence could lead to a steady erosion of respect for the country's culture at large.

Muslim institutions reportedly fared better than Christian organizations as a result of their deeper roots in society and history. The Muslim community (which is overwhelmingly Kazakh) was strongly supported in society and Kazakhs served in virtually every government institution, including three members of parliament. As a result, the Kazakh Muslim community was well represented.

Section IV. U.S. Government Policy

During the year, U.S. embassy officials discussed religious freedom with government officials at the local, provincial, and national levels. This dialogue served to articulate a number of U.S. government concerns, particularly about registration difficulties Christian groups and others experienced. Embassy officials encouraged the National Human Rights Commission to enhance its efforts to protect religious freedom. Embassy officials also met frequently with religious leaders across the country.