
EUROPE AND CANADA

ALBANIA

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the 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 has a total area of 11,100 square miles, and its population is approximately 3,490,000. It has a largely homogeneous ethnic population, consisting of Ghegs in the north and Tosks in the south. The southern part of the country has ethnic Greek communities estimated at 3 percent of the population. Other small minorities include the Roma, Egyptian people (an ethnic group similar to the Roma but which does not speak the Roma language), Vlachs, Macedonians, and Chams.

The majority of citizens are secular in orientation after decades of rigidly enforced atheism under the Communist regime, which ended in 1990. Despite such secularism, most citizens traditionally associate themselves with a religious group. Citizens of Muslim background make up the largest traditional religious group (roughly 65 to 70 percent of the population) and are divided into two communities: those associated with a moderate form of Sunni Islam and those associated with the Bektashi school (a particularly liberal form of Shi'a Sufism). The country is the world center of the Bektashi school, which moved from Turkey in 1925 after the revolution of Ataturk. Bektashis are concentrated mainly in the central and southern regions and represent approximately one quarter of the country's Muslim population.

The Orthodox Autocephalous Church of Albania (referred to as Orthodox) and the Roman Catholic Church are the other large denominations. An estimated 20 to 30 percent of the population belong to communities that are traditionally Albanian Orthodox, and 10 percent are associated with Roman Catholicism. The Orthodox Church became independent from Constantinople's authority in 1929 but was not recognized as autocephalous, or independent, until 1937. The Church's 1954 statute states that all its archbishops must have Albanian citizenship; however, the current archbishop is a Greek citizen whose application for Albanian citizenship has been pending for several years.

Muslims are concentrated mostly in the middle of the country and to some extent in the south, Orthodox mainly in the south, and Catholics in the north of the country; however, this division is not strict. The Greek minority, concentrated in the south, belongs to the Orthodox Church. There are no data available on active participation in formal religious services, but unofficial sources state that 30 to 40 percent of the population practice a religion. Foreign clergy, including Muslim clerics, Christian and Baha'i missionaries, members of Jehovah's Witnesses, members of the Church of Jesus Christ of Latter-day Saints (Mormons), and many others freely carry out religious activities.

According to updated data provided by the State Committee on Cults during the period covered by this report, there are 22 different Muslim societies and groups active in the country; some of these groups are foreign. There are 36 Christian societies representing more than 100 different organizations and 2,500 to 3,000 Christian and Baha'i missionaries. The largest foreign missionary groups are American, British, Italian, Greek, and Arab.

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. According to the 1998 Constitution, there is no official religion and all religions are equal. However, the predominant religious communities (Sunni, Bektashi, Orthodox, and Roman Catholic) function as juridical persons and enjoy a greater social recognition and status based on their historical presence in the country. All registered religious groups have the right to hold bank accounts and to own property and buildings.

Religious movements—with the exception of the four de facto recognized religions—may acquire the official status of a juridical person only by registering with the courts under the Law on Associations, which recognizes the status of a nonprofit association irrespective of whether the organization has a cultural, recreational, religious, or humanitarian character. The Government does not require registration or licensing of religious groups; however, the State Committee on Cults maintains records and statistics on foreign religious organizations that contact it for assistance. No groups reported difficulties registering during the period covered by this report. All religious communities have criticized the Government for its unwillingness to grant them tax-exempt status.

The State Committee on Cults, created by executive decision and based on the Constitution, is charged with regulating the relations between the State and religious communities. The Chairman of the Committee has the status of a deputy minister. The Committee recognizes the equality of religious communities and respects their independence. The Committee works to protect freedom of religion and to promote inter religious development, cooperation, and understanding. The Committee claims that its records on religious organizations facilitate the granting of residence permits by police to foreign employees of various religious organizations; however, some foreign religious organizations have claimed that the Committee's involvement has not facilitated access to residence permits. There is no law or regulation that forces religious organizations to notify the Committee of their activities. There is no law on religious communities, although the Constitution calls for bilateral agreements between the State and religious communities. During the period covered by this report, the Committee coordinated the drafting of a model bilateral agreement for use in future negotiations with each religious community; it was under review by the Council of Ministers at the end of the period covered by this report.

According to official figures, there are 26 religious schools in the country with approximately 2,600 total students. The Ministry of Education has the right to approve the curricula of religious schools in order to ensure their compliance with national education standards, and the State Committee on Cults oversees implementation.

Official holidays include religious holidays from all four predominant faiths.

Restrictions on Religious Freedom

The Government is secular and religion is not taught in public schools. While there is no law restricting the demonstration of religious affiliations in public schools, students have not been allowed to do so in practice. In January 2001, three female Muslim students, Miralda Gjoka, Ermira Dani, and Edlira Dyrnishaj, presented a case to the People's Advocate, claiming that their schools had prohibited them from wearing their headscarves. The Ministry of Education contended that public schools in the country were secular and that the law prohibited ideological and religious indoctrination. The case appeared to have been dropped by the end of the period covered by this report. No restriction is imposed on families regarding the way they raise their children with respect to religious practices.

In 1967 the Communists banned all religious practices and expropriated the property of the established Islamic, Orthodox, and Catholic Churches. The Government has not yet returned all the properties and religious objects under its control that were confiscated under the Communist regime. In cases in which religious buildings were returned, the Government often failed to return the land that surrounds the buildings, sometimes due to redevelopment claims by private individuals who began farming it or using it for other purposes. The Government does not have the resources to compensate churches adequately for the extensive damage many religious properties suffered; however, it is developing a long-term compensation plan. Although it has recovered some confiscated property, including one large parcel of land near Tirana's main square, the Orthodox Church has claimed difficulty in recovering some religious icons for restoration and safekeeping. The Roman Catholic community also has outstanding property claims, but was able to consecrate a new cathedral in central Tirana in January 2002, on land provided by the Government.

The Albanian Evangelical Alliance, an association of more than 100 Protestant churches throughout the country, claimed that it encountered administrative obstacles to building churches, accessing the media, and receiving exemptions from customs duties. The growing evangelical community continued to seek official recognition and participation in the religious affairs section of the Council of Ministers.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations among the various religious groups are generally amicable, and tolerance is widespread. Society largely is secular. Intermarriage among religious groups is extremely common. There are amicable relations among the three main religions in the country, and religious communities take pride in the tolerance and understanding that prevails among them.

The Archbishop of the country's Orthodox Church has noted incidents in which the Orthodox and their churches or other buildings have been the targets of vandalism. However, he concluded that the problem was largely due to the country's weak public order. There were three incidents of vandalism in the southern part of the country during the period covered by this report. Members of the ethnic Greek minority, as well as ethnic Albanian and Greek members of the Orthodox Church, left the country in large numbers between 1990 and 1991, with another large exodus between 1997 and 1998 due to the lack of security and poor economic prospects. Ethnic Greek Albanians, among others, continue to leave the country in search of employment or permanent residence elsewhere.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government has employed numerous initiatives to foster the development of human rights, democracy, and the rule of law in the country, and to further religious freedom and tolerance. The U.S. Embassy periodically has urged the Government to return church lands to the denominations that lost them under Communist rule. Embassy officers, including the Ambassador, meet frequently (both in formal office calls and at representational events) with the heads of the major religious communities in the country. The U.S. Embassy has been active in urging tolerance and moderation on the part of the Government's Committee on Cults.

ANDORRA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Constitution acknowledges a special relationship with the Roman Catholic Church, which receives some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

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 has an area of 180.7 square miles and a population of approximately 67,000. Very few official statistics are available relative to religion; however, traditionally approximately 90 percent of the population are Roman Catholic. The population consists largely of immigrants, with full citizens representing less than 37 percent of the total. The immigrants, who primarily are from Spain, Portugal, and France, also largely are Roman Catholic. It is estimated that, of the Catholic population, about half are active church attendees. Other religious groups include Muslims (who predominantly are represented among the approximately 2,000 North African immigrants and are split between two groups, one more fundamentalist); the New Apostolic Church; the Church of Jesus Christ of Latter-Day Saints (Mormons);

several Protestant denominations, including the Anglican Church; the Reunification Church; and Jehovah's Witnesses.

Foreign missionaries are active and operate without restriction. For example, the Mormons and members of Jehovah's Witnesses proselytize from door to door.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution acknowledges a special relationship with the Roman Catholic Church "in accordance with Andorran tradition" and recognizes the "full legal capacity" of the bodies of the Catholic Church, granting them legal status "in accordance with their own rules." One of the two constitutionally designated princes of the country (who serves equally as joint head of state with the President of France) is Bishop Joan Marti Alanis of the Spanish town of La Seu d'Urgell.

The Government no longer pays monthly stipends to each of the seven parishes.

There is no law that clearly requires legal registration and approval of religions and religious worship. In 2001 the Government passed a law of associations, which is very general and does not mention specifically religious affairs. Prior to the 2001 law, each Ministry had its own registry for associations. On August 1, 2001, the Government opened a new, consolidated register of associations to replace the existing separate registries. The registry records all types of associations, including religious groups. Registration is not compulsory; however, groups must register or reregister in order to be considered for the support that the Government provides to nongovernmental organizations. In order to register or reregister, groups must provide the association statutes, the foundation agreement, a statement certifying the names of persons appointed to official or board positions in the organization, and a patrimony declaration which identifies the inheritance or endowment of the organization.

The authorities reportedly had expressed some concern regarding what treatment groups whose actions may be considered injurious to public health, safety, morals, or order should receive. The law does not limit any such groups, although it does contain a provision that no one may be "forced to join or remain in an association against his/her will." A report from the Ombudsman issued in 2000 maintains that there is no real risk of negative influence from such so-called destructive sects, because of their low membership numbers and because of the orientation of their ideology. The report notes that, for example, the few Unification Church members known to reside in the country are involved very directly in social work with the underprivileged.

Instruction in the tenets of the Catholic faith is available in public schools on an optional basis, outside of both regular school hours and the time frame set aside for elective school activities, such as civics or ethics. The Catholic Church provides teachers for religion classes, and the Government pays their salaries. The Cultural Islamic Center provides 43 students with Arabic lessons. The Government and the Moroccan community are discussing plans that would allow children to receive Arabic classes in school outside of the regular school day.

The Government has not taken any official steps to promote interfaith understanding, nor has it sponsored any programs or forums to coordinate interfaith dialog. However, it has been responsive to certain needs of the Muslim community. On occasion the Government has made public facilities available to various religious organizations for religious activities.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such persons to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Societal attitudes between and among differing religious groups in general appear to be amicable and tolerant. For example, the Catholic Church of la Massana lends its sanctuary twice per month to the Anglican community, so that visiting Anglican clergy can conduct services for the English-speaking community. Although those who practice religions other than Roman Catholicism tend to be immigrants and

otherwise not integrated fully into the local community, there appears to be little or no obstacle to their practicing their own religions.

There are no significant ecumenical movements or activities to promote greater mutual understanding among adherents of different religions.

SECTION IV. U.S. GOVERNMENT POLICY

U.S. officials discuss religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Both the U.S. Ambassador, resident in Madrid, and the Consul General, resident in Barcelona, have met with Bishop Marti, the leader of the Catholic community.

ARMENIA

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of minority faiths, and there were some restrictions in practice. The Armenian Apostolic Church, which has formal legal status as the national church, enjoys some privileges not available to adherents of other faiths.

There was no overall change in the status of respect for religious freedom during the period covered by this report. In March 2002, the Government abolished the State Council on Religious Affairs (CRA) by presidential decree. The Government continued to reject the application by the Jehovah's Witnesses for legal recognition as a registered religion, and members of the group reported individual acts of discrimination. Other denominations occasionally report acts of discrimination, usually by mid-level or lower level government officials.

Relations among religions in society are generally amicable; however, societal attitudes towards some minority religions are ambivalent, and antipathy towards Muslims remains a problem.

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 11,496 square miles, and its population is approximately 3 million.

The country is ethnically homogeneous, with approximately 95 percent of the population classified as ethnic Armenian. About 90 percent of citizens nominally belong to the Armenian Apostolic Church, an Eastern Christian denomination whose spiritual center is located at the cathedral and monastery of Echmiatsin. Religious observance was discouraged strongly in the Soviet era, leading to a sharp decline in the number of active churches and priests, the closure of virtually all monasteries, and the nearly complete absence of religious education. As a result, the number of active religious practitioners is relatively low, although many former atheists now identify themselves with the national church.

For many citizens, Christian identity is an ethnic trait, with only a loose connection to religious belief. This identification was accentuated by the conflict over Nagorno-Karabakh in 1988-94, during which Armenia and Azerbaijan expelled their respective Azeri Muslim and Armenian Christian minorities, creating huge refugee populations in both countries. The head of the Church, Catholicos Karekin II (alternate spelling Garegin), was elected in 1999 at Echmiatsin with the participation of Armenian delegates from around the world.

There are comparatively small, but in many cases growing, communities of the following faiths: Yezidi (a Kurdish religious/ethnic group which includes elements derived from Zoroastrianism, Islam, and animism, with approximately 30,000 to 40,000 nominal adherents); Catholic, both Roman and Mekhitarist (Armenian Uniate) (approximately 180,000 adherents); Pentecostal (approximately 25,000); Greek Orthodox (approximately 6,000); Jehovah's Witnesses (approximately 6,000); Armenian Evangelical Church (approximately 5,000); Baptist (approximately 2,000); unspecified "charismatic" Christian (approximately 3,000); Seventh-Day Adventist; Mormon; Jewish (500 to 1,000); Muslim; Baha'i; Hare Krishna; and pagan. Yezidis are concentrated primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholic and Greek Orthodox Christians are concentrated in the northern region, while most Jews, Mormons, and Baha'is are located in Yerevan. There is a remnant Muslim Kurdish community of a few hundred persons, many of which live in the Abovian region; a small group of Muslims of Azeri descent live primarily along the eastern or northern borders. In Yerevan there are approxi-

mately 1,000 Muslims, including Kurds, Iranians, and temporary residents from the Middle East.

Members of Jehovah's Witnesses continue their missionary work fairly visibly and reported gains in membership during 2000 and 2001. Evangelical Christians and Mormons also are engaged in missionary work.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the law specifies some restrictions on the religious freedom of adherents of faiths other than the Armenian Apostolic Church. The Constitution also provides for freedom of conscience, including the right either to believe or to adhere to atheism. The 1991 Law on Freedom of Conscience, amended in 1997, establishes the separation of church and state, but grants the Armenian Apostolic Church official status as the national church. A 1993 presidential decree, later superseded by the 1997 law, supplemented the 1991 law and further strengthened the position of the Armenian Apostolic Church.

The 1991 law requires all other religious denominations and organizations to register with the CRA. However, in March 2002, the CRA, established by presidential decree and slightly altered by the 1997 law, was abolished by presidential decree. It had been inactive, largely due to lack of resources, since its founding, except for registering religious groups. A presidential spokesman announced that the Council's former functions would be taken over by an office attached to the Presidency; however, by the end of the period covered by this report, the appointment of a head of this office had not been announced. Petitioning organizations must "be free from materialism and of a purely spiritual nature," and must subscribe to a doctrine based on "historically recognized Holy Scriptures." To qualify a religious organization must have at least 200 adult members. A religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. No previously registered religious group seeking reregistration under the 1997 law has been denied.

The Government still denies registration to Jehovah's Witnesses, although there are enough members to qualify; the group was in the process of providing requested information to experts in the Government at the end of the period covered by this report. Several other religious groups are unregistered, specifically the Molokhany, a branch of the Russian "Old Believers," and some Yezidis. According to an official of the CRA, those two groups, which number in the hundreds, have not sought registration. According to the leadership of the Yezidi community, appeals on their behalf in regard to alleged societal discrimination were raised with the CRA; however, there was no response by government officials. By the end of the period covered by this report, there were 50 religious organizations, some of which are individual congregations from within the same denomination, registered with the Government. All existing denominations have been reregistered annually. The Hare Krishnas do not have enough members to qualify, as their numbers had dropped below even the previous membership threshold of 50.

There is no formally operating mosque, although Yerevan's one surviving 18th century mosque, which was restored with Iranian funding, is open for regular Friday prayers on a tenuous legal basis. In practice the mosque is open for prayers although it is not registered as a religious facility. The Government does not create any obstacles for Muslims who wish to pray there.

The law permits religious education in state schools only by instructors appointed by the Armenian Apostolic Church. If requested by the school principal, the Armenian Apostolic Church sends priests to teach classes in religion and religious history in those schools; however, students may choose not to attend such classes. Other religious groups are not allowed to provide religious instruction in schools, although they may do so in private homes to children of their members.

As a result of extended negotiations between the Government and the Armenian Apostolic Church, a memorandum was signed in April 2000 that provided for the two sides to negotiate a concordat. This was scheduled to occur in time for the 1,700th anniversary celebrations in September 2001 of the country's conversion to Christianity; however, disagreements in some areas precluded this, and negotiations were in progress at the end of the period covered by this report. The document is expected to regulate relations between the two bodies, settle disputes over ecclesiastical properties and real estate confiscated during the Soviet period, and define the role of the Armenian Apostolic Church in such fields as education, morality, and the media.

The Government's Human Rights Commission has met with many religious minority organizations.

Restrictions on Religious Freedom

During the period covered by this report, most registered religious groups reported no serious legal impediments to their activities. However, members of faiths other than the Armenian Apostolic Church are subject to some government restrictions. In particular the 1991 law forbids "proselytizing" (undefined in the law) except by the Armenian Apostolic Church, and required all other religious denominations and organizations to register with the former CRA. The CRA continued to deny registration to Jehovah's Witnesses during the period covered by this report because its "illegal proselytizing" allegedly is integral to its activity and because of the dissatisfaction and tension caused in some communities by its public preaching. At the end of the period covered by this report, it was unclear whether the March 2002 abolition of the CRA would have any effect on these policies. The President's Human Rights Commission declined to intervene, recommending that the group challenge their denial of registration through the courts, as provided by law. Although officials of Jehovah's Witnesses claimed that they had filed such a legal challenge, it had not been heard by the courts by the end of the period covered by this report. Pending announcement of an alternative mechanism, Jehovah's Witnesses filed for registration with the State Registry Office and were asked to provide more information; which they were compiling at the end of the period covered by this report. An assembly of Jehovah's Witnesses approved slight changes to their charter to meet the country's legal requirements (for example, changing a commitment to "proselytize" into one to "witness"), but cautioned that they could not change fundamental articles of faith, such as opposition to military service. The CRA previously had stated that the denial was due to the group's opposition to military service; however, in 1999 and 2000 the Council defended its refusal to accept applications by the Jehovah's Witnesses by stating that the group cannot be registered because "illegal proselytism" is allegedly integral to its activities. Discussions between Jehovah's Witnesses and the CRA were suspended in 2001 due to a lack of progress on this issue. No further discussions between Jehovah's Witnesses and the CRA regarding registration took place in 2001 and 2002 prior to the CRA's abolition.

Although the law bans foreign funding for foreign-based churches, the ban on foreign funding had not been enforced and was considered unenforceable by the CRA. The law also mandated that religious organizations other than the Armenian Apostolic Church need prior permission from the former CRA to engage in religious activities in public places, to travel abroad, or to invite foreign guests to the country. However, in practice travel by religious personnel is not restricted, and at the end of the period covered by this report it was not clear how the CRA's abolition would affect such sects. No action has been taken against missionaries. A 1993 presidential decree required the CRA to investigate the activities of the representatives of registered religious organizations and to ban missionaries who engage in activities contrary to their status. However, the Council largely had been inactive, due in part to lack of resources, except for registering religious groups.

Abuses of Religious Freedom

At the end of the period covered by this report, 23 members of Jehovah's Witnesses remained in prison and 3 members in pretrial detention charged with draft evasion or, if forcibly drafted, with desertion due to refusal to serve. Eight members who had been serving terms were released to house arrest after serving one-third of their sentences. Representatives of Jehovah's Witnesses officials said that the increase in the number of those imprisoned persons was due to the fact that members of Jehovah's Witnesses who had been called for military service were going directly to police and turning themselves in rather than waiting until induction to declare conscientious objection. Amnesty International reported that at least 16 conscientious objectors were released from detention after serving only part of their sentences, although they were required to report regularly to the police. Others were released under the terms of an amnesty.

As part of its required undertakings for joining the Council of Europe (COE), in January 2001, the Government pledged to pass a new law conforming to European standards on alternatives to military service within 3 years. Government officials stated that, according to their interpretation of COE regulations, those presently in prison as conscientious objectors were not required to be released until the new law was passed. However, COE officials stated that their interpretation was that the Government's undertaking required immediate release of such conscientious objectors. At the end of the period covered by this report, two different drafts of a proposed law were circulating within the Government for comments. A local official of

Jehovah's Witnesses said that they had no objection to any alternative forms of civil service; however, they could not take part in anything categorized as military service even if it did not involve bearing arms.

There are reports that hazing of new conscripts is more severe for Yezidis and other minorities. Members of Jehovah's Witnesses are subject to even harsher treatment by military and civilian security officials, because their refusal to serve in the military is seen as a threat to national survival.

According to law, a religious organization that has been refused registration may not publish newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor the visas of visitors. During the period covered by this report, members of Jehovah's Witnesses did not experience difficulty renting meeting places as in the past, because they held only small meetings in private homes and buildings. Lack of official visa sponsorship means that Jehovah's Witnesses visitors must pay for tourist visas. When shipped in bulk, Jehovah's Witnesses publications are seized at the border. Although members of Jehovah's Witnesses supposedly were allowed to bring in small quantities of printed materials for their own use, Jehovah's Witnesses officials reported that "spiritual letters" from one congregation to another, which they said were meant for internal rather than proselytizing purposes, continued to be confiscated by customs officials. In March 2001, Jehovah's Witnesses official Levon Markarian was arrested and charged under a Soviet-period anti-religious law, which remains in force pending adoption by Parliament of a new Criminal Code, with "influencing people to refuse their civic duties" (i.e., service in the military) and "leading children astray" by inviting them to unsanctioned religious meetings. After a lengthy trial, on September 19, 2001, a court acquitted Markarian of the charge. In March 2002, the Appeals Court rejected the Procurator General's appeal and upheld the acquittal. In May 2002, the Court of Cassation, the country's highest court, dismissed the Procurator-General's appeal. The Organization for Security and Cooperation in Europe (OSCE) closely monitored the case.

Other than Jehovah's Witnesses who were conscientious objectors, there were no other 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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations among religions in society are generally amicable; however, societal attitudes towards some minority religions are ambivalent, and antipathy towards Muslims remains a problem.

The Armenian Apostolic Church is a member of the World Council of Churches and, despite doctrinal differences, has friendly official relations with many major Christian denominations, including the Eastern Orthodox churches, the Roman Catholic Church, the Anglican Church, and major Protestant churches. In 2001, the Armenian Apostolic Church celebrated the 1,700th anniversary of the official conversion of Armenia to Christianity. A year-long series of events, including international meetings and seminars, culminated in ceremonies in September 2001 attended by Armenians from around the world. Numerous heads of other churches and representatives of other religions attended ceremonies at Echmiatsin Cathedral. The new Cathedral of St. Gregory the Illuminator in Yerevan, financed by donations from Armenians around the world, was dedicated as the world's largest Armenian Church.

In late September 2001, Pope John Paul II paid the first visit to the country by a head of the Roman Catholic Church; the Pope celebrated an outdoor Mass at Echmiatsin and an ecumenical service at St. Gregory's Cathedral, and met with civil and ecclesiastical officials. Orthodox Patriarchs Bartholomew I of Constantinople and Aleksiy II of Moscow, along with numerous other religious figures, also visited Yerevan in 2001 as part of the 1,700th anniversary celebrations.

Although such activities contributed to mutual understanding, they took place in an undercurrent of competition. Suppressed through 70 years of Soviet rule, the Armenian Apostolic Church has neither the trained priests nor the material resources to fill immediately the spiritual void created by the demise of Communist ideology. Nontraditional religious organizations are viewed with suspicion, and foreign-based denominations operate cautiously for fear of being seen as a threat by the Armenian Apostolic Church. After his election in 1999, one of the first actions of Karekin II

was to create a Secretariat for Ecumenical Outreach to other Christian denominations.

Societal attitudes toward most minority religions are ambivalent. Many citizens are not religiously observant, but the link between religion and Armenian ethnicity is strong. As a result of the Karabakh conflict with Azerbaijan, most of the country's Muslim population was forced to leave the country. Antipathy towards Muslims remains a problem, and the few Muslims remaining in the country keep a low profile, despite generally amicable relations between the Government and Iran.

There was no officially sponsored violence reported against minority religious groups during the period. Yezidi children on occasion report hazing by teachers and classmates. Some observers report increasingly unfavorable attitudes toward members of Jehovah's Witnesses among the general population, both because they are seen as "unpatriotic" for refusing military service and because of a widespread but unsubstantiated belief that they pay money to the desperately poor for conversions. The press reported a number of complaints lodged by citizens against members of Jehovah's Witnesses for alleged illegal proselytizing. They are the focus of religious attacks and hostile preaching by some Armenian Apostolic Church clerics.

Although it is difficult to document, it is likely that there is some informal societal discrimination in employment against members of certain religious groups.

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. The U.S. Ambassador and Embassy officials maintain close contact with the Catholics at Echmiatsin and with leaders of other major religious and ecumenical groups in the country. In 2001 and 2002, Embassy officials met with the Military Prosecutor to discuss, among other topics, hazing of minority conscripts and the status of Jehovah's Witnesses, and continued to meet with the State Council on Religions to urge that progress be made towards registering Jehovah's Witnesses. The Embassy also maintains regular contact with traveling regional representatives of foreign-based religious groups such as the Mormons and members of Jehovah's Witnesses and raises their concerns with the Government. Embassy Officials closely monitored the trial of Levon Markarian (see Section II).

AUSTRIA

The Constitution provides for freedom of religion, 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.

There are generally amicable relations among the various religious groups. However, there is widespread societal mistrust and discrimination against members of some non recognized religious groups, particularly those referred to as "sects." There was no marked deterioration in the atmosphere of religious tolerance in the country 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

The country has a total area of 32,368 square miles, and its population is an estimated 8.1 million. The largest minority groups are Croatian, Slovene, Hungarian, Czech, Slovak, and Roma. In the past several years, the country has experienced a rise in immigration from countries such as Turkey and Bosnia-Herzegovina, which has increased the number of Muslims in the country.

According to the Ministry of Education and Culture, the memberships of the 12 officially recognized religions are as follows: Roman Catholic Church—78.14 percent; Lutheran Church (Augsburger and Helvetic Confessions)—5 percent; Islamic community—2.04 percent; Old Catholic Church—0.24 percent; Jewish community—0.09 percent; Eastern Orthodox (Russian, Greek, Serbian, Romanian, Bulgarian)—1.5 percent; Church of Jesus Christ of Latter-day Saints (Mormons)—0.2 percent; New Apostolic Church—0.2 percent; Syrian Orthodox Church—less than 0.1 percent; Armenian-Apostolic Church—less than 0.1 percent; Methodist Church of Austria—less than 0.1 percent; and Buddhist community—less than 0.1 percent. Approximately 2 percent of the population belong to non recognized "other faiths," while 8.64 per-

cent consider themselves atheists. Four percent did not indicate a religious affiliation.

In 2001 the Government conducted a national census that required persons to state their religious affiliation, which was criticized by many civil libertarians. Results of the census are expected to be released in early 2003.

The vast majority of groups termed “sects” by the Government are small organizations, with less than 100 members. Among the larger groups are the Church of Scientology, with between 5,000 and 6,000 members, and the Unification Church, with approximately 700 adherents throughout the country. Other groups found in the country include: the Brahma Kumaris, Divine Light Mission, Divine Light Center, Eckankar, Hare Krishna, the Holosophic community, the Osho movement, Sahaja Yoga, Sai Baba, Sri Chinmoy, Transcendental Meditation, Landmark Education the Center for Experimental Society Formation, Fiat Lux, Universal Life, and The Family.

The provinces of Carinthia and Burgenland have somewhat higher percentages of Protestants than the national average, as the Counter-Reformation was less successful in those areas. The number of Muslims is higher than the national average in Vienna and the province of Vorarlberg, due to the higher number of guestworkers from Turkey in these provinces.

Only approximately 17 percent of Roman Catholics actively participate in formal religious services. According to the Catholic Church, 34,997 Catholics left the Church in 2001, compared to 36,512 in 2000.

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 status of religious organizations is governed by the 1874 Law on Recognition of Churches and by the 1998 Law on the Status of Religious Confessional Communities, which establishes the status of “confessional communities.” Religious organizations may be divided into three legal categories (listed in descending order of status): officially recognized religious societies, religious confessional communities, and associations.

Religious recognition under the 1874 law has wide-ranging implications, such as the authority to participate in the state-collected religious taxation program, to engage in religious education, and to bring into the country religious workers to act as ministers, missionaries, or teachers. Under the 1874 law, religious societies have “public corporation” status. This status permits religious societies to engage in a number of public or quasi-public activities that are denied to other religious organizations. The Constitution singles out religious societies for special recognition. State subsidies for religious teachers at both public and private schools are provided to religious societies but not granted to other religious organizations.

Previously some non recognized religious groups were able to organize as legal entities or associations, although this was not possible for all groups. Some groups have organized, even while applying for recognition as religious communities under the 1874 law.

When the Law on the Status of Religious Confessional Communities came into effect in 1998, there were 12 recognized religious societies. Although the law allowed these 12 religious societies to retain their status, it imposed new criteria on other churches that seek to achieve this status, including a 10-year observation period between the time of the application and the time it is granted.

The 1998 law allows non recognized religious groups to seek official status as “confessional communities” without the fiscal and educational privileges available to recognized religions. To apply groups must have at least 300 members and submit to the Government their written statutes describing the goals, rights, and obligations of members; membership regulations; officials; and financing. Groups also must submit a written version of their religious doctrine, which must differ from that of any existing religion recognized or registered under the 1874 law or registered under the 1998 law, for a determination that their basic beliefs do not violate public security, public order, health and morals, or the rights and freedoms of citizens. The 1998 law also sets out additional criteria for eventual recognition according to the 1874 law, such as a 20-year period of existence (at least 10 of which must be as a group organized as a confessional community under the 1998 law) and membership equaling at least 2 one-thousandths of the country’s population. Many religious groups and independent congregations do not meet the 300-member threshold for registration; only Jehovah’s Witnesses meet the higher membership requirement for recognition. In 1998 Jehovah’s Witnesses received the status of a con-

fessional community. According to the law, after receiving such status, the group is subject to a 10-year observation period before they are eligible for recognition. In April 2001, the Constitutional Court upheld a previous Education Ministry finding that Jehovah's Witnesses must fulfill the required 10-year observation period.

Religious confessional communities, once they are recognized officially as such by the Government, have juridical standing, which permits them to engage in such activities as purchasing real estate in their own names, contracting for goods and services, and other activities. The category of religious confessional community did not exist prior to the adoption of the 1998 law. A religious organization that seeks to obtain this new status is subject to a 6-month waiting period from the time of application to the Ministry of Education and Culture. According to the Ministry, at the end of the period covered by this report, 13 organizations had applied for the status of religious confessional community, and 11 were granted the new status. The Church of Scientology and the Hindu Mandir Association withdrew their applications. The Hindu Mandir Association reapplied under the name Hindu Religious Community. The Ministry rejected the application of the Sahaja Yoga group in 1998.

The 11 religious groups that have constituted themselves as confessional communities according to the law are: Jehovah's Witnesses, the Baha'i Faith, the Baptists, the Evangelical Alliance, the Movement for Religious Renewal, the Free Christian Community (Pentecostals), the Pentecostal Community of God, the Seventh-Day Adventists, the Coptic-Orthodox Church, the Hindu Religious Community, and the Mennonites.

Religious associations that do not qualify for either religious society or confessional community status may apply to become associations under the Law of Associations. Associations are corporations under law and have many of the same rights as confessional communities, including the right to own real estate.

The Government provides subsidies to private schools run by any of the 12 officially recognized religions.

There are no restrictions on missionary activities. Although in the past non recognized religious groups had problems obtaining resident permits for foreign religious workers, administrative procedures adopted in 1997 have addressed this problem in part. The Austrian Evangelical Alliance, the umbrella organization for non recognized Christian organizations, has reported no significant problems in obtaining visas for religious workers. While visas for religious workers of recognized religions are not subject to a numerical quota, visas for religious workers who are members of non recognized religions do have a numerical cap; however, this appears to be sufficient to meet demand.

Restrictions on Religious Freedom

The 1998 law allowed 12 previously recognized religious societies to retain their status; however, it imposed new criteria on other churches that seek to achieve that status. Numerous religious groups not recognized by the Government, as well as some religious law experts, dismiss the benefits of obtaining status under the 1998 law and have complained that the law's additional criteria for recognition under the 1874 law obstruct claims to recognition and formalize a second class status for non recognized groups. Some experts have questioned the 1998 law's constitutionality.

Following a 1997 denial of recognition and a court appeal, in 1998 the Education Ministry granted Jehovah's Witnesses the status of a confessional community and the group immediately requested that it be recognized as a religious group under the 1874 law. The Education Ministry denied the application on the basis that, as a confessional community, Jehovah's Witnesses would need to submit to the required 10-year observation period. The group appealed this decision to the Constitutional Court, arguing that a 10-year observation period was unconstitutional. In April 2001, the Constitutional Court upheld the Education Ministry's finding. Jehovah's Witnesses filed an appeal with the Administrative Court, arguing that the law is illegal on administrative grounds. In 1998 Jehovah's Witnesses also filed a complaint with the European Court for Human Rights, arguing that the group had not yet been granted full status as a religious entity under the law, despite having made numerous attempts for more than 2 decades. Decisions on both appeals still were pending at the end of the period covered by this report.

The Government continued its information campaign against religious sects considered potentially harmful to the interests of individuals and society. In 1999 the Ministry for Social Security and Generations issued a new edition of a controversial brochure that described numerous non recognized religious groups in negative terms, which many of the groups deemed offensive. This brochure includes information on Jehovah's Witnesses, despite its status as a confessional community. The Federal Office on Sects continues to collect and distribute information on organizations considered sects. Under the law, this office has independent status, but its

head is appointed and supervised by the Minister for Social Security and Generations. The Federal Office on Sects has stated it intends to expand its staff to keep up with an increasing workload. According to its report to Parliament submitted in mid-2001 on its operations in 2000, the office received 3,953 inquiries regarding 231 different groups.

The Catholic Diocese of Linz, in conjunction with the provincial government of Upper Austria, has distributed a CD-ROM entitled "The Search for Meaning: an Orientation Guide to Organizations that Offer the Solution," which contains a strong endorsement by the Deputy Governor of the province. The CD-ROM includes information on a wide range of recognized and unrecognized religions ranging from the Roman Catholic Church to the Church of Scientology. It also contains criticism of recognized religions such as the Mormon religion and religious associations such as Jehovah's Witnesses. It has received a critical reception by unrecognized religious groups who find it derogatory and offensive to be lumped together with Satanic cults; the CD-ROM includes a testimonial from a man who is a former member of the Jehovah's Witnesses.

In the fall of 2001, there was concern among the Muslim community that there would be an increase in attacks on Muslims and their property. Although there were no attacks, some societal discrimination continued (See Section II). The Islamic Religious Community credits the long history of cooperation between the Government and Islam, which began during the last century. The Government also sent a strong statement against discrimination by repeatedly stating that the fight against terror was not a fight against Islam.

On April 3, 2002, the Jewish and Islamic communities released a joint statement calling for an end to violence in the Middle East. The declaration voiced concern about the spread of violence between Jews and Muslims in Europe. The statement was organized by government officials and was viewed as a symbol of the tolerance and history of cooperation between Jews and Muslims in the country.

The former head of the Freedom Party (FPÖ) and current Governor of Carinthia, Joerg Haider, repeatedly has made intolerant and anti-Semitic statements. These included verbal attacks against the head of the Jewish Community and a prominent Jewish-American campaign advisor prior to the Vienna local elections in March 2001. Although Haider repeatedly followed such statements with expressions of regret, his statements contributed to the widespread belief that he and some extreme elements of the FPÖ have contributed to a climate of intolerance in the country.

The conservative Austrian People's Party (ÖVP) position that party membership is incompatible with membership in a sect remained in force.

In 1999 the Constitutional Court ruled that denying prisoners who are members of Jehovah's Witnesses access to pastoral care because the organization was not a recognized religious society was a violation of the Constitution's provisions on religious freedom. The verdict stressed that pastoral care should be available to any person of any religious belief. Following this verdict, the Justice Ministry issued a decree in 2000 in which it instructed prison officials to make pastoral care available to prisoners who are members of Jehovah's Witnesses. Since this ruling, members of Jehovah's Witnesses have not reported any problems associated with prisoner access and pastoral care.

It remains unclear how the Constitutional Court verdict affects prisoners of other religious confessions, in particular those who are members of neither a recognized religious society nor a confessional community. Some groups have reported experiencing problems with access to pastoral care in isolated instances; however, there are no allegations of widespread problems. Access by the clergy of non recognized religious societies to hospitals and the military chaplaincy continues to be an area of concern.

The Government provides partial funding for religious instruction in public schools and churches for children belonging to any of the 12 officially recognized religions. The Government does not offer such funding to non recognized religious groups. A minimum of three children is required to form a class. In some cases, officially recognized religions decide that the administrative cost of providing religious instruction is too great to warrant providing such courses in all schools. Unless students 14 years of age and over (or their parents for children under the age of 14) formally withdraw from religious instruction (if offered in their religion) at the beginning of the academic year, attendance is mandatory.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations among the 12 officially recognized religious groups are generally amicable. Fourteen Christian churches, among them the Roman Catholic Church, various Protestant confessions, and 8 Orthodox and old-oriental churches are engaged in a dialog in the framework of the so-called "Ecumenical Council of Austrian Churches." The Baptists and the Salvation Army have observer status in the Council. The international Catholic organization "Pro Oriente," which promotes a dialog with the Orthodox churches, also is active in the country.

The Austrian Roman Catholic Church traditionally has been active in fostering amicable relations and promoting a dialog among the Christian, Jewish, and Islamic communities. The international Catholic group "Pax Christi," which pursues international inter religious understanding with projects involving Christianity, Islam, Judaism, and Buddhism, has a chapter in the country.

There were no reports of violence or vigilante action against members of religious minorities. However, there is widespread societal mistrust and discrimination against members of some non recognized religious groups, particularly against those considered to be members of sects. A large portion of the public perceives such groups as exploiting the vulnerable for monetary gain, recruiting and brainwashing youth, promoting antidemocratic ideologies, and denying the legitimacy of government authority. Societal discrimination against sects is, at least in part, fostered by the Government (see Section II).

Muslims have complained about societal discrimination. In Upper Austria, a controversy over a mosque in Traun received widespread press coverage. The mosque was demolished by authorities in March 2001, who cited building code violations. Members of the Muslim community alleged that the violations were only a pretext for authorities. They have reported problems in obtaining a new site for their religious services and believe that this is an attempt to encourage Muslims, most of whom are immigrants, to leave the area. The National Organization of Muslims in Austria has not intervened on behalf of the community in Traun.

Sensitivity to Scientology in the country remains high. The Church of Scientology has reported problems obtaining credit cards, and individual Scientologists have experienced discrimination in hiring.

In October 2001, a 17-year-old boy was charged with vandalizing 28 graves in an Islamic cemetery in Linz. The authorities stated that the boy was motivated by hatred of foreigners. He paid a fine to cover the cost of restoring the damage done to the graves. Two Jewish cemeteries also were desecrated during the period covered by this report. Despite these incidents, according to the Interior Ministry's 2001 annual report on rightwing extremism, there was a decrease for the second year in the number of complaints of anti-Semitic incidents. Compared with 2000, the number of complaints decreased by 67 percent, from 9 to 3.

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.

The U.S. Embassy monitors the Government's adherence to religious tolerance and freedom of expression as part of its evaluation of the Government's policies and commitments to freedom of expression.

The Ambassador and other Embassy officers regularly meet with religious and political leaders to reinforce the U.S. Government's commitment to religious freedom and tolerance and to discuss the concerns of nongovernmental organizations and religious communities regarding the Government's policies towards religion. In the fall of 2001, the Embassy made a special attempt to reach out to members of the Islamic community. In March 2001, the U.S. Government issued a statement that strongly criticized Joerg Haider's verbal attack against the leader of the country's Jewish community. The Embassy's Public Affairs Office highlights religious freedom and tolerance in a large number of its programs.

AZERBAIJAN

The Constitution provides that persons of all faiths may choose and practice their religion without restrictions; however, there were some abuses and restrictions.

There was some deterioration in the status of respect for religious freedom during the period covered by this report. Religious groups reported delays in and denials of registration. Local authorities regularly monitor religious services. Officials at times arrested and harassed nontraditional religious groups.

Relations among religions generally were amicable; however, there is popular prejudice against Muslims who convert to non-Muslim faiths and hostility towards groups that proselytize, particularly Evangelical Christian and missionary groups.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy is engaged actively in monitoring religious freedom and maintains contact with the Government and a wide range of religious groups.

SECTION I. RELIGIOUS DEMOGRAPHY

According to official figures, the country has a total area of 33,774 square miles, and its population is approximately 8 million. There are no reliable statistics on memberships in various faiths; however, approximately 90 percent of the population is nominally Muslim. The rest of the population adheres to other faiths or consists of nonbelievers. Among the Muslim majority, religious observance is relatively low, and Muslim identity tends to be based more on culture and ethnicity than religion. However, in recent years, there has been a noticeable increase in interest in Islam, as well as other faiths. The Muslim population is approximately 60 percent Shi'a and 40 percent Sunni; differences traditionally have not been defined sharply, but there has been a growing trend towards segregation in recent years.

The vast majority of the country's Christians are Russian Orthodox whose identity, like that of Muslims, tends to be based as much on culture and ethnicity as religion. Christians are concentrated in the urban areas of Baku and Sumgait. Most of the country's Jews belong to one of two groups: The "Mountain" Jews are descendants of Jews who sought refuge in the northern part of the country more than 2,000 years ago, and a smaller group of "Ashkenazi" Jews, descendants of European Jews who migrated to the country during Russian and Soviet rule.

These four groups (Shi'a, Sunni, Russian Orthodox, and Jewish) are considered traditional religious groups. There also have been small congregations of Evangelical Lutherans, Roman Catholics, Baptists, Molokans (Russian Orthodox old-believers), Seventh-Day Adventists, and Baha'is in the country for more than 100 years. In the last 10 years, a number of new religious groups that are considered foreign or nontraditional have been established. These include "Wahhabist" Muslims, Pentecostal and Evangelical Christians, Jehovah's Witnesses, and Hare Krishnas.

There are fairly sizeable expatriate Christian and Muslim communities in the capital city of Baku; these groups generally are permitted to worship freely.

There is government concern about Islamic missionary groups (predominately Iranian and Wahhabist) that operate in the country, whose activities have been restricted in recent years. The Government closed several foreign-backed Islamic organizations as a result of reported connections to terrorist activity.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides that persons of all faiths may choose and practice their religion without restriction; however, there were some abuses and restrictions. Under the Constitution, each person has the right to choose and change his or her own religious affiliation and belief, including atheism, to join or form the religious group of his choice, and to practice his or her religion. The Law on Religion expressly prohibits the Government from interfering in the religious activities of any individual or group; however, there are exceptions, including cases where the activity of a religious group "threatens public order and stability."

A number of legal provisions enable the Government to regulate religious groups, including a requirement in the Law on Religion that religious organizations be registered by the Government. The Committee for Work with Religious Associations (SCWRA), which replaced the Department of Religious Affairs in June 2001, assumed responsibility for the registration of religious groups from the Ministry of Justice. Government authorities gave SCWRA and its chairman, Rafiq Aliyev, sweeping powers for registration; control over the publication, import, and distribution of religious literature; and the ability to suspend the activities of religious groups violating the law. However, there were some occasions when the SCWRA adopted an advocacy role with religious groups; for example, it assisted in the expedition of religious groups to a bookstore in Baku, and also intervened on behalf of a mosque that authorities campaigned to close down.

Registration enables a religious organization to maintain a bank account, rent property, and generally act as a legal entity. Lack of registration makes it difficult, but not impossible, for a religious group to function. The process is burdensome, and

there are frequent, lengthy delays in obtaining registration. Religious groups are permitted to appeal registration denials to the courts.

Unregistered groups were more vulnerable to attacks and closures by local authorities. Following a number of attacks in 1999, President Heydar Aliyev spoke publicly and in detail about the Government's commitment to religious freedom. As a result, a number of groups with long-pending registration applications were registered, including Pentecostal and Baptist churches, as well as Jehovah's Witnesses. In August 2001, religious groups were called upon to reregister with SCWRA, marking the third time that religious groups have been asked to reregister since the country's independence in 1991.

Under the new registration procedures, religious groups must complete a seven-step application process that is cumbersome, opaque, arbitrary, and restrictive. One of the primary complaints is the requirement to indicate a "religious center," which requires additional approval by appropriate government authorities if it is located outside the country. Board members also are required to provide their place of employment. Many groups have reported that SCWRA employees charged with handling registration-related paperwork repeatedly argued over the language in statutes and also instructed some groups on how to organize themselves. SCWRA has taken a particularly strict approach to the registration of minority religious communities outside of Baku, and has failed to prevent local authorities from illegally banning such communities.

By the end of the period covered by this report, only 125 religious groups successfully were registered, compared with 406 that were registered previously. Of the 125 registered groups, 107 are Muslim, 11 Christian, 4 Jewish, and 3 are of other faiths. SCWRA estimates that 2,000 religious groups are in operation; many have not filed for reregistration. Among minority religious communities that have faced reregistration problems was the Baptist denomination. Of its five main churches, only two have gained reregistration, and church officials complained that the actual number of registered churches has dropped over the years as a result of repeated reregistration demands by the Government. In January 2002, an Evangelical Lutheran Church in Baku finally was registered after a 2-year battle.

The Law on Religious Freedom also prohibits foreigners from proselytizing, and the Government enforces this provision of law. Another provision in the Law on Religious Freedom permits the production and dissemination of religious literature after approval is received from the Religious Affairs Department and with the agreement of local government authorities; however, the authorities also appeared to restrict individuals from importing and distributing religious materials selectively.

Muslim organizations are subordinate to the Spiritual Directorate of All-Caucasus Muslims, a Soviet-era Muftiate, which appoints Muslim clerics to mosques, monitors sermons, and organizes annual pilgrimages to Mecca for the Hajj. Although it remains the first point of control for Muslim groups wishing to register with SCWRA according to the Law on Religious Freedom, it also has been subject to interference by SCWRA, which has attempted to share control with the Spiritual Directorate over the appointment and certification of clerics and internal financial control of the country's mosques. Some Muslim religious leaders object to interference from both the Spiritual Directorate and SCWRA.

Religious instruction is not mandatory in public schools. In 2001 SCWRA campaigned to institute a mandatory religion course in all secondary schools. A draft textbook, authored by the SCWRA Chairman, includes a small portion on traditional faiths in the country, including some non-traditional Christian groups; however, it dedicates the majority of the text to Islam. Ministry of Education officials have not yet approved the class, which would conflict with constitutional laws protecting secular education.

Interfaith dialog is not well developed, although the Government has made some attempts to bring leaders of various faiths together for discussions. SCWRA convened leaders of various religious communities on several occasions to resolve disputes in private and has provided forums for visiting officials to discuss religious issues with religious figures. In October and December 2001, SCWRA and the Spiritual Directorate organized international conferences to address the issue of terrorism.

Restrictions on Religious Freedom

The Government restricted religious freedom during the period covered in this report. SCWRA continued to delay and deny registration to a number of protestant Christian groups, including five Baptist churches and the Baku International (Christian) Fellowship. At the end of the period covered by this report, the SCWRA had registered less than half the number of religious communities previously reg-

istered. Some groups reported that SCWRA employees tried to interfere in the internal workings of their organizations during the registration process (see Section II). Although unregistered religious groups continued to function, some reported official harassment, including break-ups of religious services and arrests and beatings of worshippers by police. SCWRA also failed to prevent local authorities from illegally banning minority groups outside of Baku.

In December 2001, SCWRA initiated legal proceedings to liquidate the ethnic Azeri "Love" Baptist church, which after a longstanding battle with authorities, gained registration

in 1999. SCWRA accused Sari Mirzoyev, the pastor of the church, of insulting Muslim fasting traditions in a sermon during the holy month of Ramadan. In April 2002, the church lost the case in court proceedings international observers described as biased. In May 2002, the church also lost an appeal, in a 15-minute court procedure during which judges reportedly prevented lawyers for the church from speaking. At the end of the period covered by this report, "Love" Baptist church continued to conduct services pending another appeal to the Supreme Court. However, Mirzoyev has been prohibited from conducting sermons since December 2001.

In April 2001, local police in Ganja banned a Baptist church from holding services; the head of SCWRA overrode this ban, and the church resumed services in December 2001.

Under the law, political parties cannot engage in religious activity, and religious leaders are forbidden from seeking public office. Religious facilities may not be used for political purposes.

Local law enforcement authorities regularly monitor religious services, and some observant Christians and Muslims are penalized for their religious affiliations. In 2001 local police reportedly routinely surveyed services at a legally-registered Baptist church in Baku. When a police officer was seen attending a service, he was fired from his job. Later police questioned the church's pastor and members of the congregation about their activities and employment. Although there are no legal restrictions to large groups of religious observers gathering publicly, it is discouraged by local authorities. Both Jehovah's Witnesses and the Pentecostal "Cathedral of Praise" church reported that authorities denied their requests to rent public halls for religious gatherings.

The Law on Religious Freedom expressly prohibits religious proselytizing by foreigners, and this is enforced strictly. Government authorities have deported several Iranian and other foreign clerics operating independently of the organized Muslim community for alleged violations of the law. In April 2002, Baku police also arrested a Russian citizen and member of the evangelical Christian Greater Grace Church, Nina Koptseva, along with two other worshippers on a busy Baku street. Koptseva was charged with propagating Christianity and deported to Russia; she and the church deny the charge.

Some religious groups continued to report restrictions and delays in the import of religious literature by some government ministries. SCWRA has facilitated the import of such literature. In July 2001, SCWRA Chairman granted permission for a shipment of English-language evangelical literature to a Baku bookstore, which the Department of Religious Affairs had delayed numerous times.

No religious identification is required in passports or other identity cards; however, in 1999 a court decided in favor of a group of Muslim women who sued for the right to wear headscarves in passport photos. Some local officials continued to prevent women from wearing the scarves. In spring 2002, students at Baku State University and the Baku Medical Institute reportedly were instructed to refrain from wearing headscarves to classes.

Three religious groups in Baku have sought the return of places of worship seized during the Soviet period. These were the city's European (Ashkenazi) synagogue, the Lutheran church and a Baptist church. Government authorities reportedly were resisting return of these properties. No action was taken during the period covered by this report.

Press reports indicate that in the breakaway Nagorno-Karabakh region, a predominantly ethnic Armenian area over which the authorities have no control, the Armenian Apostolic Church enjoys a special status. The Armenian Church's status also results in serious restrictions on the activities of other confessions, primarily Christian groups. The ongoing state of war (which is regulated by a cease-fire) has led to hostility among Armenians living in Nagorno-Karabakh toward Jehovah's Witnesses, whose beliefs prohibit the bearing of arms. Courses in religion are mandatory in Nagorno-Karabakh schools. The largely Muslim ethnic Azeri population in Nagorno-Karabakh, who fled the region during the conflict with Armenia in the 1990's, have not been able to return to the country.

Abuses of Religious Freedom

Sporadic violations of religious freedom by some officials continued. In the northern city of Khachmaz, there were numerous reports that local policemen regularly and severely beat Muslim worshippers, who have denied any wrongdoing and complained to government authorities. Some family members of the accused also were called in for questioning by police. Also during the period covered by this report, some Muslim worshippers in Ganja and Khachmaz reportedly were arrested and beaten as suspected Wahhabis with links to terrorism.

In many instances, abuses reflected the popular antipathy towards ethnic Azeri converts to Christianity and other nontraditional religions. For example, in January 2002, authorities arrested two ethnic Azeri worshippers at a small Pentecostal church in the city of Sumgait during a prayer meeting at a local apartment and sentenced them to 15 days imprisonment on charges of hooliganism. Police also detained and verbally abused others. In February 2002, Sumgait police charged and convicted three members of a local Baptist church for distributing bibles on the street and sentenced them to short prison terms. One of those detained, Rauf Gurbanov, reportedly was beaten severely.

In April 2002, three employees at a mosque in Ganja were detained for 3 weeks before being released. Beginning in December 2000, local police repeatedly detained and questioned the pastor and several members of the Greater Grace Church in the town of Ismayli, apparently at the instigation of local Muslim authorities. This harassment continued through April 2001, when the pastor and several members of the church were detained while on a picnic in the countryside. Two members of the congregation were arrested and sentenced to 7 days imprisonment for disobeying police orders. One was released prior to serving his full sentence due to poor health. Three members of the church reportedly have been fired from their jobs, and the pastor left the area in fear of further retribution.

Some government officials exacerbated popular prejudice against Muslims who convert to non-Muslim faiths by targeting Christian groups in media disinformation campaigns, making them vulnerable to local harassment. For example, since June 2001, the local press repeatedly has targeted the Adventist Development and Relief Agency (ADRA) and the long-existing Adventist Church in Ganja in a series of negative reports accusing both of religious proselytism and forced conversion of the local population. During the reregistration process, local authorities also periodically closed and interrupted prayer services at Adventist churches in Ganja and Nakhchivan and Baptist churches in Neftchilar and Shemakha.

There have been isolated instances of harassment of religious groups by local officials. In May 2001, Greater Grace services at a private apartment in Sumgait were interrupted by local authorities who demanded to see congregants' identification papers. The police took a key to the apartment, as well as several samples of Christian literature, video cassettes, and music. Although services resumed without interference the following week, local authorities were reviewing the church's right to continue using the apartment for services at the end of the period covered by this report.

Government authorities took various actions to restrict what they claimed were political and terrorist activities by Iranian and other clerics operating independently of the organized Muslim community. The Government outlawed several Islamic humanitarian organizations because of credible reports about connections to terrorist activities. The Government also deported foreign Muslim clerics it suspected of engaging in political activities. In May 2002, government authorities sentenced several members of a religious extremist group Hizb ut-Tahrir to 6–7 years imprisonment for allegedly planning terrorist attacks. There also were reports that the Government harassed Muslim groups due to security concerns. In April 2001, local and city authorities demolished a Baku mosque on grounds that it allegedly was constructed on a strategic site in the city.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations among religions generally were amicable; however, there is widespread prejudice against Muslims who convert to non-Muslim faiths, primarily Christianity and groups that proselytize. This has been accentuated by the unresolved conflict with Armenia over Nagorno-Karabakh. During the period covered by this report,

newspapers and television broadcasts depicted small, vulnerable religious groups as a threat to the identity of the nation, that undermined the country's traditions of interfaith harmony, which led to local harassment (see Section II).

During court proceedings in December 2001, the press negatively covered the "Love" Baptist church and its pastors. Television programs showed worshippers entering and exiting the church, and church officials alleged that this resulted in a decision by many to refrain from attending services. During the press campaign, a local vandal, who the authorities never caught, desecrated the church. Television media also targeted the Baku International Fellowship, comprised primarily of Western expatriates. Journalists questioned ethnic Azeri worshippers on why they chose to attend the church.

Religious proselytizing by foreigners is against the law, and there is vocal opposition to it.

Hostility also exists toward foreign (mostly Iranian and "Wahhabist") Muslim missionary activity, which partly is viewed as seeking to spread political Islam and therefore as a threat to stability and peace. The media targeted some Muslim communities that the Government claimed were involved in illegal activities. For example, the local press accused the Baku-based Abu Bakr Sunni Mosque of harboring Chechen mercenaries, and authorities launched a case against the mosque and its leader; the case later was dropped following a statement in defense of the mosque by the SCWRA Chairman. Another Sunni Mosque also was identified in the televised press as a suspected meeting area for a group of extremist Hizb ut-Tahrir members charged in May 2002 for terrorism.

Prominent members of the Russian Orthodox and Jewish communities report that there are no official or societal restrictions on their freedom to worship. In October 2001, approximately 50 Jewish tombstones at Baku cemetery were overturned. Local Jewish leaders reported that city and police authorities reacted quickly and apprehended the individuals responsible for the vandalism.

Hostility between Armenians and Azeris, intensified by the unresolved conflict over Nagorno-Karabakh, continues to be strong. In those portions of the country controlled by Armenians, all ethnic Azerbaijanis have fled, and those mosques that have not been destroyed are not functioning. Animosity toward ethnic Armenians elsewhere in the country forced most ethnic Armenians to depart, and all Armenian churches, many of which were damaged in ethnic riots that took place more than a decade ago, remain closed. As a consequence, the estimated 10,000 to 30,000 ethnic Armenians who remain in the country are unable to attend their traditional places of worship.

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. During the period covered by this report, the Ambassador repeatedly conveyed U.S. concerns about the registration process to the Chairman of SCWRA and expressed strong concerns about the Government's commitment to religious freedom with others in the Government and publicly in the press. The Embassy also repeatedly expressed objections to media campaigns against ADRA and other U.S.-funded NGO's accused of religious proselytizing. In January 2002, the Assistant Secretary of State for European and Eurasian Affairs reinforced the defense of religious freedom with President Heydar Aliyev. This was underscored by a visiting representative from the Department of State's Office on International Religious Freedom in April 2002, who also met with members of Muslim, Jewish, and Christian faiths to hear their concerns.

The Ambassador and Embassy officers maintain close contacts with leading Muslim, Russian Orthodox, and Jewish religious officials, and regularly meet with members of non-official religious groups in order to monitor religious freedom.

In May 2002, Rafiq Aliyev, Chairman of SCWRA, visited the United States on a U.S. Government-sponsored visitor exchange program; he met with government officials and members of faith-based organizations.

BELARUS

The Constitution provides for freedom of religion; however, the regime restricts this right in practice.

The status of respect for religious freedom continued to be very poor during the period covered by this report. Head of State Alexander Lukashenko continued to

pursue a policy of favoring the Russian Orthodox Church, the country's majority religion, and the authorities continued to harass other denominations and religions. The regime has repeatedly rejected the registration applications of some of these, including many Protestant denominations, the Belarusian Orthodox Autocephalous Church (BAOC), and some eastern religions. Without registration, many of these groups find it difficult, if not impossible, to rent or purchase property to conduct religious services. The authorities continued to enforce a 1995 Cabinet of Ministers decree that restricts the activities of religious workers in an attempt to protect Russian Orthodoxy and curtail the growth of other religions. During the period covered by this report, Protestant and other non-Russian Orthodox religious groups continued to come under attack in the government-run media. Despite continued harassment, some minority faiths have been able to function if they maintain a low profile. On June 27, the lower house of Parliament gave its final approval to a new law on religion which would impose further severe restrictions on religious freedom. Despite reported efforts by the executive branch to secure its quick passage, the upper house postponed further consideration until the fall of 2002.

There are, for the most part, amicable relations among registered, traditional religious communities; however, societal anti-Semitism persisted, and sentiment critical of minority faiths continued to increase.

The U.S. Government discussed with the regime the poor human rights situation in the country and raised problems of religious freedom during such discussions. U.S. Embassy officials also discussed specific cases with the Government, and in June 2002, the U.S. Embassy in Minsk publicly called upon the authorities to ensure that a proposed draft law on religion ensure the right of all Belarusians to worship freely.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 76,810 square miles, and its population is approximately 9,990,000.

Over the past two centuries, sustained repression of the once majority Greek Catholic population under the Russian and Soviet empires, persecution of the Roman Catholic Church during the same period, and Soviet repression of much of the Russian Orthodox clergy, altered the religious landscape significantly and turned the Orthodox Church under the Moscow Patriarchate into the majority church in the country. Furthermore, seven decades of religious repression under the Soviet regime resulted in a culture that is largely secular in orientation. According to one 1998 opinion poll, less than half of the population believed in God. At the same time, approximately 60 percent identified for cultural or historical reasons with the Russian Orthodox Church. The state institution regulating religious matters, founded in 1997 as the State Committee on Religious and National Affairs and reconstituted in September, 2001, as the Committee of Religious and Nationalities Affairs of the Council of Ministers (CRNA), indicates that approximately 80 percent of all persons who profess a religious faith belong to the Russian Orthodox Church. Approximately 15 to 20 percent of all persons who profess a religious faith are estimated to be either practicing Roman Catholics or identify themselves with the Roman Catholic Church (the second largest religious grouping). Between 50,000 and 90,000 persons identify themselves as Jews. There are a number of Protestants and adherents to the Greek Rite Catholic Church and the Belarus Autocephalous Orthodox Church. Other minority religious faiths include, but are not limited to, the following: Seventh-Day Adventist, Old Believer, Muslim (the Supreme Administration of Muslims, abolished in 1939, reestablished in early 1994), Jehovah's Witnesses, Apostolic Christian, Calvinist, and Lutheran. A small community of ethnic Tatars, with roots in the country dating back to the 11th century, practices Islam.

The country was designated an Exarchate of the Russian Orthodox Church in 1989, thereby creating the Belarusian Orthodox Church. Patriarchal Exarch Filaret has served as head of the Orthodox community since 1978. Under Filaret's leadership, the number of Orthodox parishes throughout the country had grown to approximately 1,260 by the end of the period covered by this report.

Situated between Poland and Russia, the country historically has been an area of interaction, as well as competition and conflict, between Russian Orthodoxy and Roman Catholicism. Cardinal Kazmierz Swiatek, Archbishop of the Minsk-Mogilev Archdiocese, heads the approximately 400 Roman Catholic parishes. The Roman Catholic presence traditionally has been stronger in areas under Polish influence; however, the ethnic Polish community, numbering at least 400,000 persons, does not account for the total number of Roman Catholics. Although Roman Catholic parishes are found throughout the country, most Roman Catholics reside in areas located in the west and north, near the border with Poland and Lithuania. This con-

centration is due in part to the more thorough suppression of the Roman Catholic Church in eastern districts in imperial and Soviet times. Sensitive to the dangers of the Roman Catholic Church being viewed as a “foreign” church or as a political threat, Cardinal Swiatek, who himself spent 10 years in a Soviet labor camp, has tried to keep the Church out of the country’s internal political problems. Although the Cardinal has prohibited the display of Polish national symbols in churches and encouraged the use of Belarusian, rather than Polish, in church services, some priests continued to conduct services in Polish.

It is estimated that approximately 120,000 citizens were considered to have Jewish “nationality” near the end of the Soviet period in 1989, compared to between 50,000 and 90,000 at the end of the period covered by this report. At least half of the present Jewish population is thought to live in or near Minsk. In April 2002, a Jewish Community Center, funded by the American Joint Distribution Committee, opened in Minsk. A majority of the country’s Jews are not actively religious. Of those who are, most are believed to be either Reform or Conservative. There is also a small but active Lubavitchrun Orthodox synagogue in Minsk.

Adherents of Protestant faiths, although representing a relatively small percentage of the population, are growing in number. Since 1990 the number of Protestant congregations, registered and unregistered, has more than doubled and totals more than 1,000, according to state and independent sources. Protestant faiths, although historically small in comparison with Orthodoxy, have been active in the country for hundreds of years. During the Soviet period, a number of Protestant faiths were placed forcibly under the administrative umbrella of a joint Pentecostal-Baptist organization. The two largest Protestant groups are registered under separate Pentecostal and Baptist unions. A significant number of Protestant churches, including charismatic and Pentecostal groups, remain unregistered.

There are a number of congregations of the Greek Rite Catholic Church, which was once the majority religion. The Greek Catholic Church was established in the 16th century and once had a membership of approximately threequarters of the population. It was banned by the Russian Government in 1839 and severely persecuted in the 1860’s and again in 1946. Following the 1991 reestablishment of Belarusian independence, the attempt to revive the Church, which maintains Orthodox rituals but is in communion with the Vatican, has had only limited success.

SECTION II. STATUS OF FREEDOM OF RELIGION

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the regime restricts this right in practice. Although Article 16 of the 1996 amended Constitution—which resulted from an illegal referendum used by Lukashenko to broaden his powers—reaffirms the equality of religions and denominations before the law, it also contains restrictive language that stipulates that cooperation between the State and religious organizations “is regulated with regard for their influence on the formation of spiritual, cultural, and country traditions of the Belarusian people.”

There is no State religion. Since his election as the country’s President in 1994, Lukashenko, who has called himself an “Orthodox atheist,” has pursued a policy of favoring the Russian Orthodox Church as the country’s chief religion and harassing other non-Russian Orthodox denominations and religions. In a June 2001 meeting with Aleksiy II, Patriarch of Moscow, Lukashenko said that “fundamentally, Orthodoxy is the basis of our state.”

The authorities generally view Russian Orthodoxy, as well as Roman Catholicism, Judaism, Islam, and Evangelical Lutheranism as being “traditional” religions. They regard other religions as “nontraditional,” and yet others, such as eastern religions, as “sects.” Although considered to be nontraditional, Protestant groups sometimes also are considered to be sects. The authorities deny permission to register legally at the national level to some faiths considered to be nontraditional, and to all of those considered to be sects. The CRNA claims that 26 religious denominations are registered officially; however, the significance of this figure is uncertain. Some congregations are registered only on a local basis, which entails only limited rights. Only congregations registered nationally are allowed to invite foreign religious workers and open new churches. While all registered religious organizations enjoy tax-exempt status, government subsidies appear limited to the Russian Orthodox Church. Government employees are not required to take any kind of religious oath or practice elements of a particular faith.

Presidential Edict #516 of September 24, 2001, reconstituted the State Committee for Religious and Nationalities Affairs as the Committee of Religious and Nationalities Affairs of the Council of Ministers (CRNA).

Following Alexander Lukashenko's lead, the authorities have pursued a policy of favoring the Russian Orthodox Church as the country's chief religion and harassing other non-Russian Orthodox denominations and religions. During his May 2002 Easter address, Lukashenko said "The State has always stayed and will stay beside the church, which brings good to the people." Prime Minister Gennadi Novitsky said, "The State does what it can to assist with renovation and construction of churches" and added, "due to the continuous effort of the Church, [the Church's] authority in the country has grown significantly." The authorities encourage a greater role for the Russian Orthodox Church largely as part of an overall strategy to strengthen "Slavic unity" in the region and promote greater political unification between Belarus and Russia. Lukashenko grants the Russian Orthodox Church special financial advantages that other denominations do not enjoy and has declared the preservation and development of Russian Orthodox Christianity a "moral necessity." In May 2002, the Government earmarked approximately \$570,000 (1 billion Rubles) towards the construction of an Orthodox Church in Mogilev. From March 18 to 20, Russian Orthodox Patriarch Alexei II paid his fifth visit to the country and opened the House of Mercy. The House of Mercy, funded by the Orthodox Church and international donations, is expected to provide assistance to the disabled and infirm, as well as the poor. While in Minsk, Alexei II awarded Lukashenko a prize for his efforts to unite Slavic peoples. Earlier, following a \$100,000 donation to the Russian Orthodox Church in January 2001, Alexei awarded Lukashenko the prize of the Unity of Slavic Peoples for his efforts in defense of Russian Orthodoxy.

Under regulations issued in March 2001, the regime allows representatives of foreign religious organizations to be invited to visit the country (a requirement for obtaining a visa) only upon agreement with the CRNA, even if their visit is for non-religious purposes, such as charitable activities. The inviting organization must make a written request to invite foreign clergy, including the dates and reason for the visit. The CRNA has 20 days in which to respond and there is no provision for appeal of the CRNA's decision. In April 2001, the regime enacted changes to the civil code to restrict "subversive activities" by foreign organizations in the country. A new clause prohibits the establishment of offices of foreign organizations, "the activities of which are aimed at ... the inciting of national, religious and racial enmity, as well as activities which can have negative effects on the physical and mental health of the people."

Restrictions on Religious Freedom

On June 27, 2002, the lower house of Parliament gave its final approval to a new law on religion. Despite reported efforts by the executive branch to secure its quick passage, the upper house postponed further consideration until the fall. The draft law contained a number of elements considered by many religious groups to be very restrictive and which could be used to hinder and possibly prevent the activities of evangelical Christian and other religious groups. The draft was introduced partly in response to appeals by the Russian Orthodox Church; in a public meeting with members of the Parliament's human rights committee in May 2001, Russian Orthodox Archbishop Maksim of Mogilev and Mstislavl publicly called for a new law on religion that would protect the "dominant" status of the Russian Orthodox Church in the country, introduce religious education in secondary schools, and ban the spread of nontraditional denominations. Valery Lipkin, chairman of the committee, asserted that the proposed new law would ban the spread of "destructive sects" in the country.

Before and during the June 2002 debate on the draft law on religion, several deputies in the lower house of the Parliament made statements that were xenophobic and anti-Semitic. Deputy Sergei Kastsyan reportedly charged that the adoption of the draft law was necessary to "put up a barrier against all these Western preachers who just creep into Belarus and discredit our Slavic values." During the June 26 debate in the lower house, at least one deputy argued that Jews should not be considered to be citizens of Belarus. Another deputy suggested that a "reservation" be established for religious minorities.

The authorities continued to deny permission to register legally at the national level to some faiths considered to be nontraditional, and to all considered to be sects. The authorities assert that they deny some groups permission to register as religious organizations because their activities "run counter to the Constitution." With or without official registration, some religious faiths have great difficulty renting or purchasing property in which to establish places of worship, in building churches (e.g., the Greek Catholics), or in openly training clergy.

The authorities continued to refuse to register the BAOC, and local courts continued to refuse to hear the BAOC's appeals. The Government claimed that Father Ian Spasyuk was offered the possibility of registration in Berestovitsky district in 2001

if he dropped the word "Orthodox" from the Church name, which he refused to do. Although Father Ian Spasyuk is not recognized as a priest by the Government or the Russian Orthodox Church, he serves as the priest in charge of BAOC parishes in Belarus of a BAOC faction that has close ties to the Ukrainian Autocephalous Orthodox Church. This faction met in June of 2002, in an Extraordinary Meeting of the General Convention of BAOC held outside the country, and elected Bishop Alexander as the new Metropolitan Primate of the BAOC. The BAOC is unable to train a sufficient number of priests to meet the growing needs of its parishioners in its 70 parishes because of its inability to register a seminary.

Since 1992 the authorities have refused to register the Hindu group "Light of Kaylasa."

According to the Government, the law permits residential property to be used for religious services once it has been converted from residential use. The Housing Code, adopted in 1999, permits the use of such property for nonresidential purposes with the permission of local executive and administrative bodies. In 2000 local authorities began enforcing this statute, effectively requiring all religious organizations to reregister their properties. Although government figures indicate that 110 religious communities, including 34 Protestant denominations, had their property registered through this process, one Protestant group reported that over 50 percent of Protestant groups were denied registration by local authorities during the reregistration period. The authorities continue to deny permission to many Protestant churches, such as the Full Gospel Pentecostal Church, as well as other nontraditional faiths, to convert their properties to religious uses since these groups are not registered religious groups. However, in order to become a registered religious group, an organization must have a legal address. Religious groups that cannot register often are forced to meet illegally or in the homes of individual members. A number of nontraditional Protestant faiths have not attempted to register because they do not believe that their applications would be approved.

During the period covered by this report, many Protestant and nontraditional groups experienced problems obtaining property. The CRNA had not acted on a May, 2002 application by the Hare Krishna organization for permission to construct a center in Minsk. They also had not granted permission to the registered New Life Evangelical Church to build a church in Minsk.

Following a stampede that killed 53 people during an outdoor concert in Minsk in 1999, the Government issued a decree specifying measures to ensure public order and safety during public gatherings. Meeting hall officials have cited this decree as a basis for canceling or refusing to extend agreements with religious groups for the use of their facilities. Nontraditional groups, including the New Life Evangelical church, were unable to rent space in meeting halls to conduct prayer services. Although the Catholic Church opened a new church in Minsk in the first half of 2002, it cited difficulties in receiving permission from local authorities to build additional churches in Minsk.

Although it is registered officially, the Greek Catholic Church is in disfavor with the Lukashenko regime because of historical tensions between the Greek Catholic and Russian Orthodox Churches and also because of its emphasis on the use of the Belarusian language. Along with some Protestant denominations, some Greek Catholic congregations also experienced difficulties renting venues for conducting services.

There were no reports of religious groups being evicted from property during the period covered by this report.

The state-run media continued to attack Protestant and especially evangelical Christian groups. In January 2002, the government-run newspaper *Narodnaya Gazeta* repeated a story originally printed in a local newspaper in the town of Staraie Dorogi asserting that the December 2000 death of a deacon of the Union of Evangelical Faith Christians was an act of church sacrifice. According to the article, the church denied the requests of the deacon's mother to provide medical assistance to her son who was dying of liver cirrhosis. Following his death, the mother accused the church of deliberately poisoning her son in order to sacrifice him. This story also had been covered during an April 2001 episode of a television program called "Human Rights: A Look at the World." The show's host, Yevgeny Novikov, interviewed the deacon's mother, who accused the church of "sacrificing" her son. In May 2001, the Union of Evangelical Faith Christians filed a slander suit against Novikov, the Belarusian Television and Radio Company, *Narodnaya Gazeta*, and the deacon's mother. The case still was pending at the end of the period covered by this report. The deacon's mother filed a suit against the Union of Evangelical Faith Christians and the pastor of the church in Staraie Dorogi for moral damages. Her case, which originally was thrown out by a Minsk court, was reinstated, but no verdict was reached during the period covered by this report.

In September 2001, another episode of the television series "Human Rights" accused nontraditional faiths of being destructive and undermining society. Following the broadcast of this program, which took place just before the Presidential elections, several evangelical Christian organizations reported a sharp increase in harassment and attacks against religious property (see Section III).

In the April 6, 2002 issue of *Narodnaya Gazeta*, State Procurator Stanislav Novikov, who oversees religious affairs in the country for the State Procurators' Administration, wrote that the expansion of non orthodox groups, particularly Roman Catholics and Protestants, into areas of the country where they had not practiced in the past, contributed to rising tensions between Orthodox and non orthodox citizens.

In March 2002, several articles published in the state run media repeated attacks by government officials against Protestants and other "nontraditional" faiths. An article titled "The Noose of Charisma" that referred to evangelical Christianity as being among the "children of neocult trends" appeared in the Government owned *Sovietskaya Belarusiya* newspaper. After receiving complaints from evangelical Christians, the editor of *Sovietskaya Belarusiya* issued a public apology. A March 13 news report quoted the Moscow District Territorial Center of Social Services in Minsk as claiming that many higher education students are victimized by religious sects, classifying the Unification Church, Jehovah's Witnesses, and the Church of Father Leonid Pliatt as being the "most dangerous." According to the press report, the center focuses on "preventive measures" such as distributing information on such groups, counseling, and "post cult adaptation."

During a March 16, 2002 interview with the newspaper *Seven Days*, Alexander Titovets, a member of the Committee on Religious and Nationality Affairs in the Council of Ministers, called for a moratorium on nontraditional religions and cults operating in the country. In a March 20, 2002, interview with the Interfax news service, Valentina Bulovkina, a representative of the Minsk municipality branch of the CRNA, labeled both the Church of Scientology and the Unification Church as "destructive" and illegally operating within the country.

The Keston News Service reported that in its last issue of 2001, a newspaper owned by the local administration in Vitebsk published an article entitled "Curb Catholic Expansion!" which called for the banning of the Roman Catholic Church.

In April, 2001, the official newspaper of the armed forces published an article that listed 74 "destructive sects," including many eastern religions, the Church of Jesus Christ of Latter-Day Saints (Mormons), and Jehovah's Witnesses, and urged all military personnel to avoid such organizations.

In 2000 a series of state television documentaries entitled "Expansion" targeted Protestants, especially Pentecostals, and Catholics as destructive groups that engage in fanatical rituals and pose a threat to society. In March and April 2001, another series shown on state television accused Protestant churches of engaging in human sacrifices, poisoning children, and other "destructive rituals." In the series, CRNA officials claimed that Protestant groups were undermining the authority of the regime, were agents of the West, and needed to be banned from the country. The CRNA and the courts rejected efforts by Catholic and Protestant groups to halt these broadcasts.

Citizens theoretically are not prohibited from proselytizing; however, while individuals may speak freely about their religious beliefs, the authorities often intervene to prevent, interfere with, or punish individuals who proselytize on behalf of an unregistered religion. The regime continued to enforce a 1995 Council of Ministers decree that regulates the activities of religious workers. A 1997 Council of Ministers directive permits the teaching of religion at youth camps for registered religious groups.

Foreigners generally were prohibited from preaching or heading churches that the authorities view as nontraditional faiths or sects, which include all Protestant groups. Foreign missionaries were not permitted to engage in religious activities outside of the institutions that invited them. The law requires 1-year validity, multiple entry, "spiritual activities" visas for foreign missionaries. Such visas can be difficult to obtain, even for faiths that are registered with the authorities and have a long history in the country. In the past, foreign clergy or religious workers who did not register with the authorities or who tried to preach without government approval or without an invitation from, and the permission of, a registered religious organization, have been expelled from the country; however, there were no reports of such expulsions during the period covered by this report. Approval for visits by foreign clergy or religious workers often involves a lengthy bureaucratic process. In 2000 a pastor of a Protestant church in Brest was warned and later fined by city authorities for allowing a foreigner to preach at a church conference. Internal affairs agencies may expel foreign clergymen from the country by not extending their reg-

istration or by denying them temporary stay permits. These authorities may make decisions on expulsion on their own or based on recommendations from Religious Affairs Councils, regional executive committees, or from the Religious Affairs Department of the Executive Committee of the city of Minsk. There were no reported instances of the use of this power during the period covered by this report; however, in April 2001, relying on these regulations, Minsk city authorities refused to extend the registration of the foreign pastor of a Pentecostal church.

As a result of its revival since 1991, the Roman Catholic Church has experienced a shortage of qualified native clergy. At times the Church has had difficulty getting permission from the authorities to bring in a sufficient number of foreign religious workers, mostly from Poland, to make up for the shortage. After a long delay, the Lukashenko regime gave permission to the Catholic Church to open a seminary in Grodno in 1989. A second seminary was opened in Pinsk in September 2001. The regime indicated that in light of these new seminaries foreign priests no longer would be allowed to work in the country. However, this change was not always enforced at the local level, and at least some foreign priests still were allowed to work in the country. Bishops must receive permission from the CRNA before transferring a foreign priest to another parish.

Restitution of religious property remained limited during the period covered by this report. There is no legal basis for restitution of property that was seized during the Soviet and Nazi occupations, and the law restricts the restitution of property that is being used for cultural or educational purposes. Many former synagogues in Minsk are used as theaters, museums, sports complexes, and even a German-owned beer hall; most of the Jewish community's requests to have these synagogues returned have been refused. The few returns of property to religious communities have been on an individual and inconsistent basis, and local government authorities in general are reluctant to cooperate. Over the past several years, the Jewish community has lobbied the authorities successfully to return several properties in Minsk and other cities; however, most properties have not been returned. According to the Government, three synagogues were returned to the Jewish community in 2001; however, one Jewish group contends that only one was returned. Although the Catholic Church has been somewhat successful in obtaining former Church property, the Catholic Church also has encountered difficulty in lobbying for the return of property. At the end of the period covered by this report the Catholic Church reported that it had been unable to secure the return of 21 former Catholic churches. The Greek Catholic Church has indicated that only one of the many houses of worship taken from it when the region was annexed to the Russian Empire had been returned to it. The Russian Orthodox Church appears to have had the most success on the issue of property restitution; however, a number of restitution claims by the Russian Orthodox Church remained unresolved at the end of the period covered by this report.

Regime officials took a number of actions that indicated a lack of sensitivity toward the Jewish community. In December 2001 the Jewish community appealed an earlier court decision affirming the right of a State owned publishing company, the Orthodox Initiative, to publish an anti-Semitic book, "The War According to Mean Laws," which, among other anti-Semitic writings, included the "Protocols of the Elders of Zion" and blamed Jews for societal and economic problems in the country. This appeal was denied. The judge in the original case had declared that the book contained "scientific information" and therefore was not within the jurisdiction of the court. In addition, in April 2002 Sergei Katsyan, who distributed the book during the opening session of the Parliament in November 2000, was named head of a Government-run publishing house, with Yevgeny Novikov as his deputy. Finally, the authorities made no discernible effort to find those responsible for the fire bombing of a Minsk synagogue in December 2001 (see Section III).

On January 6, 2002, the State owned radio company suddenly cancelled live radio transmission of a Catholic Mass in Minsk, which had been broadcast on Sundays for 8 years. Broadcasting officials insisted that the cancellation was an ordinary change in schedule lineup, however, some observers connected it with other manifestations of hostility toward the Catholic Church. Subsequently, representatives of the Catholic Church indicated that the cancellation was a mistake. The broadcasts had resumed by the end of the period covered by this report.

There were no reports of discrimination against religious adherents in the military services. Those who object to serving in armed units work in either construction or engineering battalions. Service in such units is twice as long as service in the regular army.

On May 16, 2002, the CRNA filed a complaint with the Ministry of Information against the Belarusian Association of Full Gospel Christians for distributing their newsletter "The Good News" near the main Orthodox church in Minsk on May 5.

The CRNA cited complaints by Orthodox worshipers, who were offended by the distribution of Protestant literature near the Orthodox Church.

There were no reports of restrictions on the importation of religious literature.

A practitioner of a nontraditional faith, especially one not permitted to register, could be at a disadvantage in regard to advancement within the government bureaucracy or the state owned sector of the economy.

Abuses of Religious Freedom

Throughout the period covered by this report, police disrupted some services or religious meetings which were being conducted peacefully in private homes when held by religious groups that have not been able to register or that were considered to be nontraditional. Protestant, Hindu, and Hare Krishna groups all reported police disruption of religious gatherings. According to one evangelical Christian group, police regularly brokeup prayer meetings and brought charges against worshippers who belonged to unregistered religious groups. For example, in October 2001, local authorities in Minsk detained the pastor of an unregistered Protestant church for holding an unsanctioned religious ceremony. This church reported that there had been no incidents of this sort since April 2002.

Unlike in the previous reporting period, there were no reports of the detention of members of Protestant religious groups for distributing unregistered religious materials; however, on June 6, 2002, a court fined three Baptists approximately \$113 (200,000 rubles) each for singing religious songs in a public place in the town of Lepel, in the Vitebsk region. Six other individuals were given official warnings, and two were acquitted. These Baptists, who belong to a group that refuses to register with the authorities in any of the post-Soviet republics where they are active, were charged officially with participating in an unsanctioned demonstration, a provision of the law usually directed against political groups but occasionally is used in religious cases.

Beginning in May 2002, local authorities in Grodno Oblast harassed workers who were constructing a building on the property of BAOC leader Ian Spasyuk. They ordered him to suspend construction on June 10, despite the fact that they had granted him permission in July 2001 to construct the building. The local authorities claimed that Spasyuk was building a church on the property for which he had received permission to build a dwelling. At the end of the period covered by this report, authorities were reported to be making plans to revoke the original permit. In July 2000, security forces twice raided the BAOC in the village of Pogranichny, near Grodno, for conducting religious services without registration. Also in July 2000, security forces arrested BAOC priest Ian Spasyuk on charges of conducting services without a permit. He later was sentenced to 5 days' imprisonment for allegedly resisting arrest. On May 21, 2001, authorities again arrested Spasyuk while he was attempting to hold a service in the village of Radaulyany (Berestavitsky district). Authorities then summoned Spasyuk and his wife to a local court where, in a closed hearing and without the ability to call witnesses or obtain legal assistance, Spasyuk was detained and then fined for petty hooliganism.

On July 4, 2001, the Keston News Service reported that charges were dropped against 20 members of a messianic Jewish group who had been detained for several days in Minsk in April and May for attempting to distribute religious literature. Charges were also dropped against the editor of the newspaper Slovo, in which the religious literature had been included as a supplement. In May 2001, the organization had attempted to hang posters in central Minsk congratulating veterans of World War II on victory day. While attempting to hang posters, police under orders from the city department of the CRNA, briefly detained members of the group. The CRNA informed the group that "it would be offensive for veterans to receive congratulations from the Jews." Several members of the group had some of their property confiscated.

The Keston News Service reported that in July 2001, after several years without difficulties, Pastor Veniamin Brukh, a Ukrainian pastor of the 1000-member Church of Jesus Christ in Minsk, was charged with "carrying out religious activity without permission." The Church of Jesus Christ is affiliated with the Union of Full Gospel Churches. Pastor Brukh was charged in the presence of a member of the Minsk city council and a representative of the CRNA, which in April 2001 had refused to renew his permission, as a foreigner, to engage in religious activity. He subsequently left the country.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are, for the most part, amicable relations among the registered, traditional, religious communities; however, societal anti-Semitism persisted and sentiment critical of minority faiths increased during the period covered by this report.

There have been some instances of vandalism that appeared related to societal anti-Semitism. In January 2002, the authorities in Brest arrested a 17-year-old for desecrating a Holocaust memorial. After being held for a month, the youth was released and failed to report to his trial. Local authorities did not pursue the case further. In March 2001, unknown vandals destroyed nine tombstones in a Jewish Cemetery in Vitebsk. In December 2001, unidentified assailants threw fire bombs at a synagogue in Minsk. A security guard was able to extinguish the fire before serious damage occurred. No progress was reported on the investigation of the incident by the end of the period covered by this report.

According to the Anti-Defamation League and the World Jewish Congress, there are a number of small ultranationalist organizations on the fringes of society, and a number of newspapers regularly print anti-Semitic material. One of these newspapers, *Slavianskaia Gazeta*, although distributed locally, reportedly was published in Moscow. Anti-Semitic material from Russia also circulates widely.

Many in the Jewish community remain concerned that the Lukashenko regime's plans to promote greater unity with Russia may be accompanied by political appeals to groups in Russia that tolerate or promote anti-Semitism. Lukashenko's calls for "Slavic solidarity" were received well and supported by anti-Semitic, neo-Fascist organizations in Russia. For example, the organization Russian National Unity (a neo-fascist, anti-foreign, anti-minority faith group) has an active local branch, and its literature is distributed in public places in Minsk. The concept of a "greater Slavic union," is a source of concern to the Jewish community in view of the nature of support that it engenders.

In the months before the September 2001 presidential elections, several Protestant groups reported an increase in harassment, including the desecration of churches throughout the country. According to one evangelical Christian group, arsonists destroyed at least three evangelical churches. Many Protestant and evangelical Christian groups reported that harassment continued, although at a significantly decreased level following the presidential elections. In January 2002, one evangelical Christian group reported that vandals attacked a guard at one of their churches and tied him up. An eyewitness reported that they painted pentagrams on church walls and that a dead cat was found "sacrificed" in the church. One Baptist organization reported that unknown individuals smashed the windows of several Baptist churches.

The country's small Muslim community, with roots dating to the Middle Ages, does not report significant societal prejudice. There were no reports that they experienced vandalism during the period covered by this report.

There is no indication that the Russian Orthodox Church has changed its view that it would cooperate only with religious faiths that have "historical roots" in the country. In a May 2001 speech to the All Belarusian People's Congress, Minsk Patriarchal Exarch Filaret called for the authorities to cooperate with the Russian Orthodox Church to protect the "spiritual security" of the people and to limit the presence of "destructive and pseudo-Christian societies that destroy the spiritual, social, and cultural unity of the people." Despite regime and Russian Orthodox statements that Jewish, Muslim, and Roman Catholic groups support the draft law on religion, many non-Russian Orthodox leaders, including Jewish and Roman Catholic leaders, have either criticized or opposed it (see Section II).

Most local human rights nongovernmental organizations do not focus significant resources on religious freedom concerns.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy raised problems of religious freedom with the authorities in the context of frequent discussions on the poor human rights situation in the country. In June 2002, the Embassy released a public statement calling on the authorities to take the necessary measures to ensure that the proposed draft law on religion provides all citizens with freedom of religion. Embassy representatives also discussed religious freedom issues with representatives of registered and unregistered religious groups. The Embassy has worked with the Organization for Security and cooperation in Europe as well as the embassies of several other countries to promote religious freedom in the country.

Officials of the U.S. Department of State met on a number of occasions with representatives of the Government of Belarus in Washington, D.C. to support respect for religious freedom and to address other human rights concerns.

BELGIUM

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government took action against groups that it considers “harmful sects.”

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There are generally amicable relations among different religious groups in society; however, several religious groups complain of discrimination, particularly groups that have not been accorded official “recognized” status by the Government, and those associated primarily with immigrant communities.

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 12,566 square miles and its population is approximately 10.3 million.

The population is predominantly Roman Catholic. Approximately 75 percent of the population nominally belongs to the Catholic Church. The Muslim population numbers approximately 350,000, approximately 90 percent of whom are Sunni. Protestants number between 90,000 and 100,000. The Greek and Russian Orthodox churches have approximately 100,000 adherents. The Jewish population is estimated at 40,000, and the Anglican Church has approximately 21,000 members. The largest non recognized religions are Jehovah’s Witnesses, with approximately 27,000 baptized members, and the Church of Jesus Christ of Latter-Day Saints (Mormons), with approximately 3,000 members. According to the Government, nonconfessional philosophical organizations (or “laics”) have 350,000 members; however, the laics claim 1.5 million members. Unofficial estimates indicate that approximately 10 percent of the population does not identify with any religion.

According to a 1999 survey by an independent academic group, only 11.2 percent of the population attend weekly religious services. However, religion still does play a role in major life events—65 percent of the children born in the country are baptized; 49.2 percent of couples opt for a religious marriage; and 76.6 percent of funerals include religious services.

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 Government accords “recognized” status to Roman Catholicism, Protestantism (including evangelicals), Judaism, Anglicanism, Islam, and Orthodox Christianity (Greek and Russian). These religions receive subsidies from government revenues. The Government also supports the freedom to participate in laic organizations. These secular humanist groups serve as a seventh recognized “religion” and their organizing body, the Central Council of Non-Religious Philosophical Communities of Belgium, receives funds and benefits similar to those of the six other recognized religions.

By law each recognized religion has the right to provide teachers at government expense for religious instruction in schools. The Government also pays the salaries, retirement, and lodging costs of ministers and subsidizes the construction and renovation of church buildings for recognized religions. The ecclesiastical administrations of recognized religions have legal rights and obligations, and the municipality in which they are located must pay any debts that they incur. Some subsidies are the responsibility of the federal government while the regional and municipal governments pay others. According to an independent academic review, government at all levels spent \$523 million (23 billion Belgian francs) on subsidies for recognized religions in 2000. Of that amount, 79.2 percent went to the Catholic Church, 13 percent to secular humanist groups, 3.5 percent to Muslims, 3.2 percent to Protestants, 0.6 percent to Jews, 0.4 percent to Orthodox Christians, and 0.1 percent to Angli-

cans. During 2001, the Muslim Executive Council applied for the first time for subsidies, and the Government announced that in 2002 it would recognize 75 mosques and pay salaries to imams assigned to these mosques. The Council, which is recognized by the Government, received funding; however, specific mosques and religious schools, which have not yet been proposed by the Council and thus are not recognized by the Government, received no funding. Taxpayers who object to contributing to these subsidies may initiate legal proceedings to challenge their contributions.

The Government applies the following five criteria in deciding whether or not to grant recognition to a religious group: 1) the religion must have a structure or hierarchy; 2) the group must have a sufficient number of members; 3) the religion must have existed in the country for a long period of time; 4) it must offer a social value to the public; and 5) the religion must abide by the laws of the State and respect public order. The five criteria are not listed in decrees or laws. The law does not define "sufficient," "a long period of time," or "social value." A religious group seeking official recognition applies to the Ministry of Justice, which then conducts a thorough review before recommending approval or rejection. Final approval of recognized status is the sole responsibility of the Parliament; however, the Parliament generally accepts the decision of the Ministry of Justice. A group whose application is refused by the Ministry of Justice may appeal the decision to the Council of State.

The lack of recognized status does not prevent religious groups from practicing their faith freely and openly. Non recognized groups do not qualify for government subsidies; however, they may qualify for tax-exempt status as nonprofit organizations.

Restrictions on Religious Freedom

In response to a number of highly publicized mass suicides and murders in France, Switzerland, and Canada by members of the Solar Temple cult (including some Belgian citizens who were leaders and members) in the mid-1990s, the Parliament in 1996 established a special Commission to examine the potential dangers that sects may represent to society, especially children, and to recommend policies to deal with those dangers. The Commission's 1997 report divided sects into two broadly defined categories. The Commission considered as the first category of sects (defined as "organized groups of individuals espousing the same doctrine with a religion") to be respectable and to reflect the normal exercise of freedom of religion and assembly provided for by fundamental rights. The second category, "harmful sectarian organizations," are defined as groups having or claiming to have a philosophical or religious purpose whose organization or practice involves illegal or injurious activities, harms individuals or society, or impairs human dignity. Attached to the report was a list of 189 sectarian organizations that were mentioned during testimony before the Commission (including groups such as Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints, the Church of Scientology, and the Young Women's Christian Association). Although the introduction to the list clearly stated that there was no intent to characterize any of the groups as "dangerous," the list quickly became known in the press and to the public as the "dangerous sects" list. The Parliament eventually adopted several of the report's recommendations but never adopted the list itself.

Some religious groups included in the 1997 parliamentary list continue to complain that their inclusion has resulted in discriminatory action against them. For example, in November 2001, the Church of Scientology was informed on the morning of a scheduled press conference that it could not use the International Press Center to announce its suit against the Commission's 1997 sect list. A representative of the Center reportedly cited the presence of the Church of Scientology on the list as a reason for the cancellation. However, several months later, the Center reviewed the refusal and decided that in the future the Church of Scientology could use the facilities. In October 2001, a non-profit bank, Fonds du Logement des Familles Nombreuses de Wallonie, rejected an application for a low-interest, government-subsidized home loan from a devotee of the International Society for Krishna Consciousness (ISKCON), commonly known as the Hare Krishna group. The bank's rejection letter cited ISKCON's financial interest as the seller of the home, ISKCON's inclusion on the parliamentary Commission's sect list, and a fear of financing the ISKCON movement as reasons for the loan refusal. In November 2001, according to press reports the City of Liege canceled an ISKCON permit to distribute free vegetarian food under the "Hare Krishna Food for Life" program, a weekly practice begun in 1997. The City reportedly cited disturbance of public order as the basis for the withdrawal of the permit.

Some courts in the Flanders region continued to stipulate, in the context of child custody proceedings and as a condition of granting visitation rights, that a noncustodial parent who is a member of Jehovah's Witnesses may not expose his or her chil-

dren to the teachings or lifestyle of that religious group during visits. These courts have claimed that such exposure would be harmful to the child; however, other courts have not imposed this restriction.

One of the primary recommendations of the 1997 parliamentary report was the creation of a government-sponsored Center for Information and Advice on Harmful Sectarian Organizations. The Center was open to the public in July 2000. The Center collects publicly available information on a wide range of religious and philosophical groups and provides information and advice to the public upon request regarding the legal rights of freedom of association, privacy, and freedom of religion. The Center's library is open to the public and contains information on religion in general as well as on specific religious groups including information provided by various groups. The Center is authorized to share with the public any information it collects on religious sects; however, it is not authorized to provide assessments of individual sectarian organizations to the general public and despite its name, the regulations prohibit it from categorizing any particular group as harmful.

The law creating the Center stipulates that the harmful nature of a sectarian group is to be evaluated in reference to principles contained in the Constitution, orders, laws, decrees, and in international human rights instruments ratified by the Government. The Center is required by law to publish a report on its activities every 2 years. In December 2002, the Center released its first report, covering the period from 1999 to 2000. The report reviewed the laws creating the Center, meetings in which the Center participated, and its projects. The report identified two responses by the Center to specific government requests: a "favorable" opinion of the European Center for Research and Information on Sectarianism in response to an inquiry from the Foreign Ministry and a "favorable" opinion of the Mormon Church in response to an inquiry from the Ministry of the Interior. The report also recommended that the Ministry of Justice draft a law to prohibit the abuse of a situation of "weakness."

An interagency coordination group designed to work in conjunction with the Center to coordinate government policy meets quarterly to exchange information on sect activities. The Government also has designated a national magistrate and 1 magistrate in each of the 27 judicial districts to monitor cases involving sects.

The 1997 parliamentary report also recommended that the country's municipal governments sponsor information campaigns to educate the public, especially children, about the phenomenon of harmful sects. A 1998 law formally charges the country's State Security with the duty of monitoring harmful sectarian organizations as potential threats to the internal security of the country. This law uses the same language as the Parliamentary Commission's report and defines "harmful sectarian organizations" as any religious or philosophical group that, through its organization or practices, engages in activities that are illegal, injurious, or harmful to individuals or society. A subgroup of law enforcement officials meets bimonthly to exchange information on sect activities. Most law enforcement agencies have an official specifically assigned to handle sect issues.

The Government permits religious instruction in public schools; however, students are not required to attend religion classes. Public school religion teachers are nominated by a committee from their religious group and appointed by the Minister of Education. All public schools have a teacher for each of the six recognized religions. A seventh choice, a nonconfessional course, is available if the child does not wish a religious course. Private Catholic schools receive government subsidies for working expenses and teacher salaries.

In February 2001 the Church of Scientology took legal action to force the return of documents including parishioners' confidential spiritual counseling folders seized in a 1999 police raid of church facilities and the homes and businesses of approximately 20 members. No arrests were made or charges filed against church members as a result of the original raid. The Church of Scientology also filed a complaint asserting that the Prosecutor's Office provided prejudicial statements to the press in violation of the country's secrecy laws regarding investigations. A second, smaller raid on the Church of Scientology's Brussels headquarters took place on February 8, 2001 and additional documents were seized. Most of the seized computer equipment was returned to the Church; however, the investigating magistrate continued to hold the documents from both raids at the end of the period covered by this report. On March 6, 2001, the Church filed a complaint against the Government with the U.N. Special Rapporteur on Religious Intolerance. On January 30, 2002, the Brussels Appellate Court ruled that the personal files were held lawfully by the investigating magistrate, that the Church compiled and maintained personal information in violation of privacy laws, and that the court was under no obligation to return the files.

After having suspended issuances from April to July 2000, the Government again suspended the issuance of visas to Mormon missionaries in November 2001. Although similar visas had been processed for decades without problems, the Government attributed the change in policy to the Foreign Worker's Act of 1999 requirement that religious workers obtain work permits before applying for a visa to enter the country for religious work. Mormon missionaries were told that they should re-apply for visas after obtaining the appropriate work permits. However, since Mormon missionaries are strictly volunteers who pay their own way and receive no salary or subsidy from the Church, they do not qualify for the required work permit. Negotiations between representatives of the Mormons and the Ministry of Interior, facilitated by the U.S. Embassy, led to a resumption of the issuance of visas in July 2000 under special temporary procedures. The Government halted the issuance of visas to Mormon missionaries under these temporary procedures in November 2001. After further meetings with Embassy and Mormon Church representatives, in June 2002, the Ministry of the Interior and the Ministry of Foreign Affairs agreed to exempt volunteer Mormon missionaries from the certificate requirement and to process all 85 pending visa applications.

In February 2002, police detained five American volunteer workers at an Assemblies of God school and media center for working without employment permits; four were deported shortly thereafter. The law requires employment permits, even for volunteers. However, since Assemblies of God volunteers pay their own way and receive no salary they do not qualify for the required work permit. The church leaders closed the school for the spring term in the wake of the deportations. The Assemblies of God is a member of the Evangelical Synod which in turn is represented on the officially recognized Protestant Synod. The Assemblies of God also is included on the parliamentary Commission's 1997 sect list. At the end of the period covered by this report, church officials continued to work with the Government to satisfy employment and immigration law requirements.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among different religious groups in society; however, several religious groups complain of discrimination, particularly groups which have not been accorded official "recognized" status by the Government and those associated primarily with immigrant communities.

In the spring of 2002, several anti-Semitic incidents directed at Jewish communities occurred, including a pro-Palestinian riot in Antwerp in April and fire bombings of synagogues in Brussels and Antwerp. Unknown persons fired automatic gunfire at a synagogue in Charleroi. Government officials strongly criticized the attacks on the Jewish community and increased security around synagogues and Jewish community buildings.

The President of the Muslim Executive Council reported increased anti-Islamic sentiment after the Fall of 2001. For example, a clearly deranged man attacked his Muslim neighbors in Brussels before committing suicide.

The President of the Muslim Executive Council reported that women and girls wearing traditional dress or headscarves in some cases face discrimination in private employment even though the law does not prohibit such dress. In January 2001, the Court of Cassation, the nation's highest court, ruled that municipal authorities could not deny an identification card to a woman wearing a headscarf.

At the national level, there is an annual general assembly of the National Ecumenical Commission to discuss various religious themes. The Catholic Church sponsors working groups at the national level to maintain dialog and promote tolerance among all religious groups. At the local level, every Catholic diocese has established Commissions for interfaith dialog.

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.

U.S. Embassy representatives discussed the issue of religious freedom throughout the period covered by this report with officials from the Ministries of Justice, Foreign Affairs, and Interior, as well as with Members of Parliament. Embassy officials also expressed concern regarding anti-Semitic incidents. There is an ongoing dialog

between the Embassy and the Ministry of Justice at the cabinet level regarding the implementation of recommendations of the 1997 parliamentary report on sectarian organizations. Embassy officials also met regularly with the Director of the Center for Information and Advice on Harmful Sectarian Organizations and closely monitored the Center's activities. Embassy officials continued to monitor the Government's progress toward implementing a permanent solution to the Mormon visa problem and the issuance of work permits for volunteer religious workers.

Embassy officials met with representatives of both recognized and non recognized religions that reported some form of discrimination during the period covered by this report.

BOSNIA AND HERZEGOVINA

The State Constitution of Bosnia and Herzegovina and the entity Constitutions of both the Federation and the Republika Srpska (RS) provide for freedom of religion, and individuals generally enjoyed this right in areas that are ethnically mixed or where they are adherents of the majority religion; however, the ability of individuals to worship in areas where theirs is a minority religion was restricted, sometimes violently.

Respect for religious freedom improved slightly during the period covered by this report. A significant increase in the number of refugees who returned to areas in which they constituted a religious minority indicated increased confidence among refugees that their religion and culture would be respected; however, these returns provoked a reaction by ethnic nationalists in some areas, who at times met the returnees' efforts to follow their faith with violence.

Religious intolerance in the country directly reflects ethnic intolerance because the identification of ethnicity virtually is indistinguishable from one's religious background. Despite the constitutional provisions for religious freedom, some discrimination against minorities occurs in virtually all parts of the country. In some communities, local religious leaders contributed to intolerance and an increase in nationalist feeling through public statements and on occasion in sermons. Increasing refugee returns and the resulting growth in ethno-religious minorities at times led to violence, although there was a marked decrease from previous years.

The U.S. Government discusses religious freedom issues with the Government and leaders from all three major religious communities in the context of its overall dialog and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country's territory is divided into two entities, the Federation and the RS, with a separate administrative unit comprising Brcko, and has a total area of 19,781 square miles; its population is estimated to be between 3.4 and 4.4 million. In 2001 the U.N. High Commissioner for Refugees estimated that the population was 3.8 million. Reliable statistics on the numbers of believers of different faiths were unavailable.

Ethnic groups are identified very closely with distinct religions or religious/cultural traditions. According to a 1991 census, the three largest are: Bosniaks, who generally are Muslim or of Muslim background (46 percent); Serbs, who generally are Serbian Orthodox or of Orthodox background (31 percent); and Croats, who generally are Roman Catholic or of Roman Catholic background (14 percent). There also are small numbers of Romani and Jews. Protestants and other religious groups constitute a very small part of the population.

While the practice of religion is low among all groups, religious leaders claim that it is increasing among the young as an expression of increased identification with their ethnic heritage. Religious practice reportedly is highest among Croats in the Herzegovina region, although religious observance appears to be nominal for all three major ethnic groups.

Ethnic cleansing during the 1992-95 war caused internal migration, which almost completely segregated the population into separate ethno-religious areas. Despite the increasing return of refugees, the majority of Serbian Orthodox adherents still live in the RS, and the majority of Muslims and Catholics still live in the Federation. Within the Federation, distinct Muslim and Catholic majority areas remain. Returns of Serbian Orthodox adherents and Muslims to their prewar homes in western Herzegovina, and Muslims to their prewar homes in eastern Bosnia near Srebrenica have shifted notably the ethno-religious composition in both areas.

Missionary activity is limited but growing and includes a small number of representatives from the following organizations, some of which have their central offices for the region in Zagreb or another European city outside of the country: Seventh-Day Adventists, Jehovah's Witnesses, Methodist Church, Church of Jesus Christ of Latter-Day Saints (Mormons), and Krishna Consciousness.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for religious freedom, and individuals generally enjoyed this right in areas that are ethnically mixed or where they are adherents of the majority religion; however, the ability of individuals to worship in areas where theirs is a minority religion was restricted, sometimes violently.

The Constitution attempts to safeguard the rights of the three major ethnic groups by providing for each group's representation. At times this representation is divided equally between the three groups; for example, there is a joint presidency composed of a representative of each of the three major ethnic groups, whose chairmanship rotates every 8 months. The Bosnian Council of Ministers has six ministries, with each ethnic group holding two ministries and deputy ministry positions in the other four ministries. In the RS, eight ministries were scheduled beginning in 2003 to be led by Serbs, five by Bosniaks, and three by Croats, while in the Federation eight ministries were scheduled to be led by Bosniaks, five by Croats, and three by Serbs. This principal of ethnic parity or protection means that certain positions in government and the military are de facto reserved, at least nominally, for adherents or sympathizers of certain faiths, since ethnic groups are so intrinsically identified with distinct religions or religious/cultural traditions.

Parties dominated by a single ethnic group remain powerful in the country. Most political parties continue to identify themselves closely with the religion associated with their predominant ethnic group; however, some political parties claim that they are multiethnic. Some clerics have characterized hard-line nationalist political sympathies as part of "true" religious practice. Many political party leaders are former Communists who have adopted the characteristics of ethnicity, including religion, to strengthen their credibility with voters. However, the nationalists lost power in the Federation and in the State governments as a result of the November 2000 general elections. Following the elections, the multiethnic Social Democratic Party, the Party for Bosnia and Herzegovina, and several smaller parties formed the Alliance for Change coalition, which has control of the Federation and State governments until the scheduled October 2002 general elections. However, the Bosniak nationalist Party for Democratic Action (SDA) and the Croat-nationalist Croatian Democratic Union (HDZ) remain powerful, particularly in areas where nationalist politicians can prey more easily on the fears of the population. The nationalist Serb Democratic Party (SDS) remained ideologically committed to Serb cultural and religious authority in the territory of the RS, where it won a significant plurality in the 2000 elections. While the Party for Democratic Progress (PDP) of RS Prime Minister Mladen Ivanic is relatively moderate, it is dependent heavily on the SDS in order to remain in office.

While the majority of the population of the Federation consists of Bosniaks and Croats, neither Islam nor Roman Catholicism enjoys special status under the Federation Constitution. In 2000 the Bosnian Constitutional Court struck down a provision in the RS Constitution directing the State to "materially support the Serbian Orthodox Church and cooperate with it in all fields." In 2002 the RS gave only nominal financial assistance to representatives of the Serbian Orthodox, Roman Catholic, and Islamic faiths.

There is no legislation governing religion or the licensing of religious groups. As a result, minority religions seeking entry into the country generally seek legal recognition as cultural or humanitarian organizations. Foreign religious workers normally enter initially as visitors, since a tourist visa allows for stays as long as 3 months. Some apparently enter and reenter the country every 3 months, essentially extending their tourist status indefinitely. Missionaries officially are required to obtain a temporary residence permit from a Cantonal Ministry of Interior before their 3-month tourist visas expire. At that point, they must submit documentation substantiating the nature and status of their religious group/organization and its work plan for the country. If the organization can readily demonstrate that it is a non-profit organization engaged in voluntary, humanitarian activities, the application normally is approved. There were no reports of cases in which missionaries' applications were refused. The Government reported that some missionaries chose first to apply for a work permit with the Federation Institute of Employment. If they were

issued a work permit, temporary residence normally was granted to them for the same length of time as the work permit.

The leaders of the Muslim, Roman Catholic, Serbian Orthodox, and Jewish communities have prepared a draft law that would define the legal status of religious organizations, including property rights. The Roman Catholic Church has suggested apparently minor changes to the draft; however, the other three religious communities had not reviewed those changes by the end of the period covered by this report. The draft law would grant a right to property restitution "in accordance with the law;" however, no such restitution law has been established. The four traditional religious communities all have extensive claims for property that was nationalized after World War II, much of which has not been returned. Some international observers believe that a legal framework that accords equal status to all religious communities would decrease the dependence of religious leaders on the political process. However, the draft law has not yet been introduced in the State Parliament and its passage before scheduled general elections in October 2002 was unlikely.

The Cantonal and Entity governments oversee education; there is no national education ministry or policy. Public schools offer religious education classes, which in theory are optional. Religion classes are taught by members of the clergy and focus on the majority religion of the area; there generally are no organized religion courses for minorities. Home schooling is not recognized as an alternative to obligatory public education.

In the RS, Serb students must pass the obligatory Serbian Orthodox religion class to graduate to the next grade level. In the five cantons with Bosniak majorities, religious instruction is offered as a 2-hour-a-week elective. In Sarajevo, Tuzla, and Zenica/Vares, there are Catholic school centers that Croat students may attend. In cantons with Croat majorities, all Croat students attend the "elective" 1-hour weekly religion course for primary and middle schools. In the Brcko administrative district, religious instruction is a true elective, provided for each of the three principal groups for 1-hour a week. Religion classes in Brcko and in Sarajevo Cantonal schools are scheduled at the end of the day; minority students who do not attend may leave for home.

In May 2000, entity Ministers of Education called for the introduction of country-wide courses in the eighth grade on "Democracy and Human Rights" and the "Culture of Religion;" however, only the Democracy and Human Rights course had been completed and incorporated into the official curriculum of the Federation, the RS, and Brcko by the end of the period covered by this report.

Religious holidays are not recognized officially at the national level. Serbian Orthodox holidays are recognized officially within the RS. Although there are no official religious holidays in the Federation, the law allows persons to take 4 days off per year to celebrate religious holidays. In cantons with a Bosniak (Muslim) majority, the established practice is to use the 4 days to celebrate two religious holidays that commemorate the revelation of the Koran and the migration of the prophet Muhammad to Mecca. As a rule, non-Muslims do not work those 4 days either. In cantons with a Croat (Roman Catholic) majority, the established practice is for persons to use their 4-days off to commemorate Easter and Christmas.

Restrictions on Religious Freedom

The weak administrative and judicial systems effectively restrict religious freedom and are major obstacles to safeguarding the rights of religious minorities. In addition the RS government, local governments, and police forces have allowed or encouraged an atmosphere in which abuses of religious freedom can occur.

Deputies being sworn into the RS National Assembly (RSNA) may choose a religious oath consistent with the individual's religious tradition or a nonreligious civil oath. Deputies to the State and Federation parliament take nonreligious civil oaths.

The Constitution provides for proportional representation for each of the three major ethnic groups in the Government and the military. Because of the close identification of ethnicity with religious background, this principle of ethnic parity in effect results in the reservation of certain positions in government and the military for adherents or sympathizers of certain faiths. The military in the RS is staffed overwhelmingly by ethnic Serbs and only has Serbian Orthodox chaplains. The Federation military is composed of both separate Bosniak (Muslim) and Croat (Roman Catholic) units, and integrated units; Muslim and Catholic chaplains are represented.

RS authorities frequently did not intervene to prevent the violent obstruction of efforts to rebuild some of the 618 mosques and 129 churches in the RS that were destroyed or significantly damaged during the 1992-1995 war (see Section III). Local police also subsequently did not conduct a serious investigation into several of the incidents.

RS authorities frequently delayed or denied building permits to obstruct attempts to rebuild mosques and churches destroyed during the war. Reconstruction of a small number of mosques in areas of the RS with large numbers of Bosniak returns has been completed or was underway; however, in Serb majority areas, authorities approved only 10 of the 15 building permits that were submitted for churches and only 11 of the 20 that were submitted for mosques; another 20 for mosques were denied because the permits did not fit municipal zoning requirements. According to the Roman Catholic Church, local authorities in Pecnik also threatened to demolish a Roman Catholic Church under renovation because the work was being done without a building permit.

The Human Rights Chamber, established under the Dayton Agreement, issues rulings which at times affect religious freedom, particularly regarding religious properties. The Chamber considers alleged violations of the European Convention on Human Rights if the violation is within the responsibility of one of the parties to the Dayton Agreement and occurred after its signing; decisions by the Chamber cannot be appealed to the Constitutional Court.

In October 2001, the Chamber ruled that the destruction of three mosques in Zvornik in 1992 and the subsequent illegal use of the sites constituted a violation by the RS of the Islamic community's freedom of religion. The Chamber found that the RS had prevented the Islamic community from rebuilding the mosques and had constructed illegally a multistory building on one site and a Serbian Orthodox Church on another. The Chamber ordered that the Islamic community be given monetary compensation and suitable alternative sites on which to construct new mosques within 6 months. In December 2001, the Zvornik municipality offered the Islamic community several alternative sites for two of the three destroyed mosques.

In October 2001, authorities in Bijeljina issued building permits for the reconstruction of two mosques in Bijeljina to partially comply with a 2000 Human Rights Chamber decision requiring that permits be granted for reconstruction of five mosques destroyed in 1993. Bijeljina authorities also paid the \$4,500 (10,000 KM) compensation mandated by the Chamber.

All three major religious groups and the Jewish community have claims to property confiscated during World War II, the Communist period, or the 1992-95 war. Although the Federation and the RS legislatures considered legislation on restitution of property, the High Representative suspended action on both in 2001 until an economically acceptable restitution plan could be developed. There is no law on restitution. Municipal and canton authorities have broad discretion regarding disposition of contested property that was nationalized under the Communist government. Many use this as a tool of political patronage, rendering religious leaders dependent on politicians to regain lost property.

Abuses of Religious Freedom

The RS Government, local governments, and police forces frequently allowed or encouraged an atmosphere in which abuses of religious freedom could take place, although there was slight improvement from previous years. The absence of a police force willing to protect religious minorities and a judicial system willing to prosecute crimes against them were major obstacles to safeguarding the rights of religious minorities. While new officers are accepted into the police academies under strictly observed ethnic quotas, it will take years of concentrated effort to establish effective, professional multiethnic police forces throughout the country.

In June 2001, the Islamic community, in consultation with the international community, agreed to abandon a plan to lay the cornerstone at the central mosque in Stolac and to place instead a fence around the site. The mayor of Croat-dominated Stolac denied permission for the Islamic community to reconstruct the mosque, claiming that the Roman Catholic Church had requested permission to reconstruct a church that was on the site before the mosque. However, on October 15, 2001, the Federation Minister of Urban Planning signed a permit for the mosque's reconstruction, noting that no legal justification existed for further delay. On December 2, 2001, local police in Stolac made no effort to disperse a crowd of Croats who attacked the reconstruction site of a mosque being rebuilt. After local police failed to act, SFOR and special Federation police units dispersed the crowds and arrested one person for attacking a police officer and another for destroying with a chain saw the fence that protected the mosque site; both individuals were transferred to police custody. However, when a crowd of approximately 50 Croats subsequently surrounded the police station to demand the release of the two detainees, local police either released them or permitted their escape (contrary to orders by the Cantonal Police Minister). The IPTF criticized the local police response, and Stolac's assistant police chief subsequently was fired. On December 6, 2001, the two escaped detainees surrendered to the Stolac Municipal Court, which ordered their release; six other sus-

pects remained at large. An investigation into the case was ongoing at the end of the period covered by this report.

On May 7, 2001, an estimated 2,000 to 5,000 Serb demonstrators violently disrupted a cornerstone laying ceremony on the site of the destroyed Ferhadija Central Mosque in Banja Luka. The mosque, deliberately destroyed by Serb nationalists during the war, had become a symbol of the ravages of ethnic cleansing, and efforts to rebuild it were politically sensitive. Before the ceremony could begin, approximately 200 protestors broke through police lines and violently attacked participants including elderly persons, high-ranking government officials, and representatives of the international community. Violent Serb protestors trapped more than 300 persons in a building on the site owned by the Islamic community for approximately 8 hours until RS police were able to evacuate them. Protestors attacked the building with stones and removed Islamic symbols from the building. Some police officers reportedly joined the demonstrators. Approximately 30 persons were injured during the riot, and one man died as a result of his injuries. Protestors also burned Bosniak-owned businesses and destroyed the Bosnian Foreign Minister's car and several buses. There were scattered reprisals by Bosniaks in the Federation, and Serb Orthodox buildings and believers in Bosniak-dominated areas were targeted following the violence in Banja Luka (see Section III).

In the aftermath of the riots, RS Prime Minister Mladen Ivanic publicly accepted responsibility on behalf of the RS government for the failure to provide security during the demonstrations in Banja Luka and Trebinje. However, in May 2001, the RSNA adopted a report that accused the Islamic community of creating situations that promoted violent demonstrations by seeking to rebuild mosques. RS leaders also suggested that the presence of international community leaders and the use of Islamic symbols and music were provocative.

The task force established by the RS Ministry of the Interior to coordinate the investigation into the Banja Luka riots was disorganized and ineffective, and the police did not make a serious attempt to investigate those who organized the violence. Police officers also failed to support the prosecution of those accused. During judicial proceedings against Bosnian Serbs identified by the police as having engaged in violent criminal acts during the riot, eight RS police officers gave false statements to a Banja Luka Court Investigative Judge, contradicting their official duty reports. The IPTF issued noncompliance reports against the officers for obstructing the investigation, and disciplinary proceedings against the officers were ongoing at the end of the period covered by this report.

On June 18, 2001, RS President Sarovic and Prime Minister Mladen Ivanic attended a ceremony to lay finally the cornerstone of the Ferhadija mosque. The RS Government ordered a large security operation for the event. RS police used tear gas and water cannons to disperse hundreds of demonstrators, who sang nationalist songs and chanted anti-Muslim slogans to protest the ceremony. Several protestors were arrested. In contrast to the incidents in Banja Luka, local police officers reportedly provided truthful and complete testimony to a Banja Luka Investigative Judge. One of the demonstrators was sentenced to 18 months in jail, and 15 other persons were in detention pending trial at the end of the period covered by this report.

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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

A significant number of citizens remained internally displaced or as refugees abroad as a result of the 1992–95 war. Virtually all had fled areas where their ethno-religious community had been in the minority or had ended up in the minority as a result of the war. However, both organized and spontaneous returns significantly increased during the period covered by this report. In some cases, the returns were associated directly with increasing religious pluralism.

In January 2002, the Office of the High Representative ordered the dismissal of Ivan Mandic from public office for his obstruction of the Dayton Peace Accords. In December 2000, Mandic, a Croatian Democratic Union of Bosnia and Herzegovina (HDZ) hard-liner and the head of Mostar Municipality Southwest (MSW), refused to grant permission for the reconstruction of the Baba Besir Mosque, one of three mosques in MSW that were destroyed during the war.

In May 2002, five former police officers from Prijedor were detained for their suspected involvement in the 1995 murder of Tomislav Matanovic, a Catholic priest, and his parents.

Before the war, there were several mosques in the town of Prijedor. Unfortunately, Prijedor city authorities continued to refuse permission to reconstruct any of the mosques that were located within the city limits; however, reconstruction of a Catholic church is near completion.

In Bosniak-dominated Bradina, Konjic municipality, the Islamic community was attempting to contact the inheritors of land where the community has constructed a new mosque.

SECTION III. SOCIETAL ATTITUDES

Until the 19th century, most Bosnians identified themselves by religious affiliation. With the rise of Balkan nationalism in the 19th century, Bosnians came to identify themselves in ethnic, as well as religious terms. This tendency increased during the Communist era when the regime discouraged religious affiliation. Under the Communists, most Bosnians identified themselves by ethnic group, or simply as "Yugoslavs." Since the country's independence, there have continued to be Bosnians who decline to accept either ethnic or religious identification and consider themselves simply as Bosnians.

The 1992–95 war in Bosnia was not a religious conflict as such. However, the association of ethnicity and religion is so close that the bitterness engendered by the war and the 270,000 deaths it caused has contributed to mutual suspicion among members of all 3 major religious groups.

Despite the constitutional provisions for religious freedom, a degree of discrimination against minorities occurs in virtually all parts of the country. Discrimination is significantly worse in the RS, particularly in the eastern RS, and in Croat-dominated areas of the Federation. However, incidents of discrimination occurred in Bosniak-majority areas as well.

In June 2002, an explosive device was thrown into the courtyard of a house belonging to a recent Bosniak returnee in Bijeljina. Police arrested a suspect, and an investigation into the incident was ongoing at the end of the period covered by this report.

Religious buildings, clerics, and individual believers in any area where they are a minority bear the brunt of retaliation for discrimination and violence perpetrated by other members of their religious/ethnic groups in areas where they are the majority. Because they are powerful symbols of religious identification and, therefore, ethnicity, clerics and religious buildings are favored targets. Most religious leaders severely criticize violence and nationalism, but their message is undermined by other clerics who continue to support nationalist causes and separatism.

While Sarajevo, the Bosniak-majority capital of the country, has preserved in part its traditional role as a multiethnic city, instances of discrimination continue to occur there, especially in education. Attacks against Orthodox and Catholic clerics and religious edifices have occurred in Sarajevo. In May 2002, anti-Semitic graffiti began to appear in the city; however, the graffiti was quickly removed. No further information was available on the February 2001 case in which a group of young men attacked and beat the Mufti of Sarajevo and several other Islamic community officials; the press reported that police arrested five young men for participating in the attack.

Numerous buildings belonging to the Islamic, Serbian Orthodox, and Roman Catholic communities were damaged or destroyed during the 1992–1995 war, usually in a deliberate attempt at ethnic intimidation. Among the religious buildings destroyed during the war were 618 mosques and 129 churches in RS territory. RS authorities frequently did not intervene to prevent the violent obstruction of efforts to rebuild many of the mosques and churches (see Section II).

Efforts to rebuild the destroyed Oman Pasha Mosque in Trebinje and the Ferhadija Central Mosque in Banja Luka resulted in violent riots in those cities in May 2001 (see Section II). In June 2001, Islamic community leaders finally were able to lay the cornerstone of the Ferhadija mosque; however, RS police used tear gas and water cannons to disperse hundreds of demonstrators (see Section II). There were scattered reprisals by Bosniaks in the Federation following the violence in Banja Luka.

In April 2001, Muslim and Croat members of the State Presidency attended a ceremony commemorating the construction of a new synagogue in Mostar.

Serb Orthodox buildings and believers in Bosniak-dominated areas were targeted in the days following the 2001 riots in the RS. In contrast to events in the RS, protests in Bosniak majority areas against events in Trebinje and Banja Luka were well organized and usually peaceful. However, there were some violent acts, a number of them directed against buildings of the Serb Orthodox Church, the primary symbol of the Serb ethnic group. In May 2001, two Bosniaks threw a hand grenade

at a Serb Orthodox Church in the Bosniak-dominated town of Sanski Most. The windows of a nearby cafe owned by a Serb also were smashed. Local police detained two Bosniak men in connection with the incidents. Also in May 2001, a group of displaced Bosniaks originally from the RS refused to allow a group of displaced Serbs, originally from Sarajevo, to enter the Osjek cemetery in Ilidza, a suburb of Sarajevo that was predominantly Serb before the war. In May 2001, approximately 20 Bosniaks stoned a house inhabited by Serbs in Sarajevo. Local police responded immediately to the attack, but no arrests have been made. Also in May 2001, 11 tombstones in an Orthodox cemetery in Tuzla were desecrated and the cemetery chapel vandalized. Three Bosniak juveniles were arrested and charged in the case and local government officials criticized the vandalism. In May 2001, a large group of Bosniaks stoned the houses of two Serb returnees in Bosniak-dominated Bocinja. In Croat-dominated Glamoc, Serb returnees' houses and the Orthodox Monastery Veselinje were shot with automatic weapons. Police have no suspects in the case.

In May 2001, leaflets were distributed in Doboje, in the RS, calling on Muslims to leave the city and urging Serbs to protest against the reconstruction of the city's mosque.

Leaders of the Muslim, Orthodox, Catholic, and Jewish communities have committed themselves publicly to building a durable peace and national reconciliation. The leaders of these four communities are members of the Interreligious Affairs Council of Bosnia and Herzegovina, which operates with the active involvement of the World Conference on Religion and Peace, a U.S.-based nongovernmental organization. The Organization for Security and Cooperation in Europe (OSCE) and OHR facilitate interfaith meetings at the local level as well. On June 8, 2001 in Rome, the Catholic conflict resolution group Sant'Egidio hosted a conference on religious reconciliation in Bosnia and Herzegovina. The Muslim, Catholic, Orthodox, and Jewish communities sent representatives to the conference, which released a joint statement supporting reconstruction of all religious sites in the country.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government and leaders from all three major religious communities in the context of its overall dialog and policy of promoting human rights. The U.S. Government supports the return of refugees, democratization, and protection of human rights throughout the country. The U.S. Government also encourages leaders from all major religious communities to promote a multiethnic society that is conducive to religious freedom. Strong U.S. government support for full implementation of the Dayton Accords and a politically moderate, multiethnic, government is intended, over time, to improve respect for religious freedom in the country.

The U.S. Government provides financial support to the Human Rights Chamber, which hears cases on religious discrimination. The Ambassador frequently meets with the principal religious leaders, individually and collectively, to urge them to work toward moderation and multiethnicity. In addition, the Embassy publicly severely criticizes instances of religious discrimination and attacks against religious communities or buildings, and encourages leaders from all ethnic groups and members of the international community to oppose publicly such attacks. The U.S. Agency for International Development provides funding to train lawyers and judges on human rights, including religious freedom.

BULGARIA

The Constitution provides for freedom of religion; however, the Government restricts this right in practice for some non-Orthodox religious groups. These restrictions are manifested primarily in a registration process that is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

There was some improvement in the status of respect for religious freedom during the period covered by this report. The Prime Minister personally ordered the registration of the Church of the Nazarene. The first ever Papal visit to the country took place in May 2002. In 2001 Parliament refrained from passing a new law regulating religious denominations following strong criticism of the draft by experts; in spring 2002, three new bills were introduced. It appears that restrictive municipal ordinances were not enforced due to pressure from the central Government.

Relations between the major religious communities generally were amicable. Although attitudes towards non-traditional groups continued to improve, discrimina-

tion, harassment, and general public intolerance of nontraditional religious minorities (primarily newer evangelical Protestant groups) remained an intermittent problem. Tensions between factions within the Bulgarian Orthodox Church and concerns about Islamic fundamentalism continued to receive media coverage.

The U.S. Government raised the issue of religious freedom repeatedly in contacts with government officials and Members of Parliament. The Ambassador and other embassy officers periodically urged the Government to expedite registration of church groups. In one significant development, in early 2002 the Prime Minister directed that the Church of the Nazarene be registered. This decision culminated 6 years of efforts by the Church of the Nazarene, with U.S. Embassy support, to achieve registration. Embassy officials have already engaged government officials and representatives of the country's main religious communities on the 3 draft texts for a new law on religion.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 42,855 square miles, and its population is approximately 7.9 million according to a 2001 census. According to a March 2001 study by the country's National Statistical Institute, approximately 83.6 percent of citizens are Orthodox Christians and approximately 12.1 percent are Muslims, while the remainder includes Roman Catholics, Protestants, Jews, Gregorian-Armenian Christians, Uniate Catholics, and others. Another study used 1998 figures to estimate that 85 percent of the population are Orthodox Christians, 13 percent are Muslims, 1.5 percent are Roman Catholics, 0.8 percent are Jews, and 1 percent are from other religions. A total of 30 denominations are registered officially with the Government.

Some religious minorities are concentrated geographically. The Rhodope Mountains (along the country's southern border with Greece) are home to many Muslims, including ethnic Turks, Roma, and Pomaks (descendants of Slavic Bulgarians who converted to Islam centuries ago under Ottoman rule). At the western extreme of the Rhodopes, there are greater numbers of Pomaks, and on the eastern end, more ethnic Turks. Muslim ethnic Turks and Roma also live in large numbers in the northeast of the country, primarily in and around the cities of Shumen and Razgrad, as well as along the Black Sea coast. There are comparatively large numbers of Roman Catholics in Plovdiv, Assenovgrad, and in cities along the Danube River. Eastern Rite Catholic communities are located in Sofia and Smolyan. Many members of the country's small Jewish community live in Sofia, Ruse, and along the Black Sea coast. However, Protestant groups are dispersed more widely throughout the country. While clear statistics are not available, evangelical Protestant church groups have had particular success in attracting numerous converts from among the ethnic Roma minority, and these churches tend to be the most active denominations in predominantly Roma-inhabited areas.

Although no exact data are available on attendance levels, most observers agree that evangelical Protestants tend to participate in religious services more frequently than other religious groups. Members of the country's Catholic community also are regarded as more likely than members of other faiths to regularly attend religious services.

Missionaries are present in the country, including, for example, representatives of evangelical Protestant churches and more than 100 missionaries from the Church of Jesus Christ of Latter-Day Saints (Mormons).

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the Government restricts this right in practice for some non orthodox religious groups.

The Constitution designates Eastern Orthodox Christianity as the "traditional" religion. The Government provides financial support for the Eastern Orthodox Church, as well as for several other religious communities perceived as holding historic places in society, such as the Muslim, Roman Catholic, and Jewish faiths, which also are considered "traditional." These groups generally benefit from a relatively high degree of governmental and societal tolerance.

The 1949 law on religion requires groups whose activities have a religious element to register with the Council of Ministers. A total of 30 denominations are registered. The registration process is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

Following criticism in 2001 by the Council of Europe of a draft law on religion, and parliamentary elections in June 2001 which resulted in a new government, Parliament took no further action regarding that draft. Three new drafts have been in-

troduced in the current Parliament. These drafts reflect varying degrees of support among lawmakers for the proposition that the Bulgarian Orthodox Church should be exempted from the requirement to register. Other issues on which the drafts differ include the complexity of the registration process, whether the Government should monitor a religious group's compliance with its own precepts, and whether, if a group is determined not to have followed its own bylaws and the law on religion, the Government may initiate proceedings to dissolve the group. Given the divergence of views on such topics, passage of a new law on religion may be difficult, despite universal dislike of the 1949 law. Members of the Government have indicated that the Council of Europe and other interested parties again may have an opportunity to review and comment on whatever final draft emerges.

For most registered religious groups there were no restrictions on attendance at religious services or on private religious instruction. Four Islamic schools (including a university-level Muslim divinity school), a Muslim cultural center, a multi-denominational Protestant seminary, university theological faculties, and religious primary schools operated freely. Bibles and other religious materials in the Bulgarian language were imported or printed freely, and Muslim, Catholic, and Jewish publications were published regularly.

Optional religious education courses are offered in state-run schools. In the spring of 2002, the Ministry of Education and the Chief Mufti's office initiated a program to provide optional Islamic education classes in primary schools, using a textbook proposed by the Chief Mufti and approved by the Ministry of Education. In June 2002, Chief Mufti Selim Mehmed announced a 2-month course to train teachers to teach Islam, coordinated with the Ministry of Education and the Higher Islamic Institute in Sofia. The Ministry announced that some 18,000 primary and secondary school students attend religion classes. Evangelical groups have expressed concern that other textbooks designed to be used in public schools for religious education are biased in favor of the Orthodox perspective.

At its first session in April 2002, the National Assembly's new ad hoc Commission on Religious Issues decided that it would focus on the problems between the Government and religious denominations, property issues pertaining to individual religious groups, and the Zografski Monastery on Mount Athos. The Commission considered an analysis submitted by Maksim, Patriarch of the Bulgarian Orthodox Church, which calls for a new law on religion and legal recognition of the Bulgarian Orthodox Church as a juridical person.

The Government generally has encouraged greater religious tolerance since 1998 by seeking to promote greater understanding among different faiths.

In the fall of 2001, senior officials stressed publicly that Islam should not be equated with terrorism.

Restrictions on Religious Freedom

The Government restricted religious freedom through a registration process that is selective, slow, and nontransparent. The Government prohibits the public practice of religion by groups that are not registered.

However, while the observance of religious freedom has improved for some non-traditional groups, other groups have faced official disfavor and been disadvantaged by the Government's persistent refusal to grant registration. The legal requirement that groups whose activities have a religious element must register with the Council of Ministers remained an obstacle to the activity of some religious groups, such as the Unification Church and the Sofia Church of Christ. Other church groups have obtained registration from the national Government, but continued to face some discrimination and antipathy from many local governments. The City Council in Burgas maintained its refusal to register the local branch of Jehovah's Witnesses, despite the fact that they were registered by the central Government. The council asked the group to prove that they had not been banned in any European Union country in order to be registered.

In some cases, local authorities used the lack of registration as a pretext for interference with some groups and harassed others. Some church groups circumvented the administrative obstacles created by a lack of registration by registering as non-governmental organizations (NGO's). Technically it remained illegal for a church to conduct any religious activities through its NGO-registered organization, although the Government sometimes tacitly allowed such groups to conduct worship so long as they kept a very low profile. There were periodic reports of police using lack of local or national registration as a pretext to confiscate signboards and materials, detain or expel religious workers, and deny visas or residence permits to foreign-national missionaries.

The national Government has on some occasions, but not systematically, stopped local governments from enforcing restrictive municipal government decisions, which

appear to fall into a gray area of the law. Burgas, Plovdiv, and Stara Zagora are among the municipalities that have reported the greatest number of complaints of harassment of nontraditional religious groups. Some observers note with concern a tendency by certain municipalities to enact preemptively regulations that may be used to limit religious freedom if a perceived need arises. For example, a 1999 regulation passed by Sofia municipality forbids references to miracles and healing during religious services, a provision that many fear may be employed as a pretext to ban or interrupt services by charismatic evangelical groups; however, during the period covered by this report, there were no reports that it was used for this purpose. The regulation cites a Communist-era law dating from 1949, which is technically still in effect, and which forbids foreigners from proselytizing and administering religious services in the country. Other municipalities have enacted similar regulations. In 2001 several evangelical Christian groups filed a lawsuit against municipal authorities in Pleven, alleging that the authorities have prevented religious activists from proselytizing to the public without a permit, but have refused to issue such permits. The 1949 law also has been criticized as an outmoded potential impediment to free religious activity. However, despite the law's continued technical validity, foreign missionaries can and do receive permission to proselytize.

Although several municipalities such as Burgas, Plovdiv, Pleven, Gorna Oryahovitsa, and Stara Zagora previously had passed local ordinances that curtailed religious practices, often in contravention of the constitution and international law, it does not appear that these have been enforced with any vigor. By mid-2001, the local registration requirements were suspended by the governors of the regions where they were passed, and legal proceedings were initiated to invalidate them formally. There were no reported incidents of street-level harassment of religious groups by the authorities during the period covered by this report.

There is a split within the Bulgarian Orthodox Church between those who support Patriarch Maksim and those who view him as illegitimate because he was selected in 1971 under Communist rule. The schism, which opened in 1992, continued despite attempts by the Saxe-Coburg Government to heal the rift. Many Bulgarians view the Government as generally favoring the group headed by Maksim, but the Government has stayed formally neutral regarding the leadership status of either Maksim's "Holy Synod" or the so-called "alternative synod." The split has hindered both efforts to pass new legislation on church-state relations and to resolve outstanding claims relating to formerly Orthodox properties still held by the Government. Tensions between the groups sometimes have run high, and representatives of the alternative synod alleged that the head of the Burgas city police sent men to the nearby Black Sea town of Primorsko to evict believers from a church under the alternative synod's control.

In October 2000, a government licensing commission denied without explanation approval for a new nondenominational Christian radio station "Glas Nadezhda" ("Voice of Hope"), despite the support of the Government's Directorate of Religious Affairs. Several sources reported that the unofficial position of commission members was that non-Orthodox Christian groups should not be allowed to have a radio station, at least until the Bulgarian Orthodox Church has one of its own. The Bulgarian Orthodox Church gave no indication of any interest or intent to establish a radio station. The issue is before the European Court of Human Rights.

There were no further reports that local authorities prohibited the showing of any films with religious content.

During 2001 the ability of religious groups to conduct services freely or hold open events at times was obstructed by local government authorities and because of public intolerance. No new cases of harassment by local authorities of members of the Church of Jesus Christ of Latter Day Saints (Mormons) or Jehovah's Witnesses were reported during the period covered by this report. However, in November 2001, the city of Kurdzhali refused to issue the Christian Unity Biblical Association a permit for a planned public gathering. A spokesperson for the municipality reportedly justified this decision by stating that the evangelical association preached ideas that were "alien to local people."

Two other members of Jehovah's Witnesses who have been ordered to pay approximately \$250 (500 leva) fines for participating in Bible study meetings still await a final determination on their cases.

There was no new information available regarding the March 2000 brief detention by police of two members of Jehovah's Witnesses in Turgovishte; they were charged with disruption of public order under a city ordinance due to their public proselytizing.

There was no new information available regarding the case of several Mormon missionaries in Plovdiv who were charged in April 2000 with distributing brochures without a license.

A number of religious groups have complained that foreign missionaries and religious leaders experience difficulties in obtaining and renewing residence visas in the country; the issuance of residence visas appears to be subject to the whim of individual authorities. New amendments to the Law on Foreign Persons, which went into effect on May 1, 2001, have created problems for foreign national missionaries and religious workers. The revised law has no visa category which explicitly applies to missionaries or religious workers, and rules for other categories of temporary residence visa (such as self employed or business-owner) have been tightened in ways that seem to make it more difficult for religious workers to qualify. This problem has been exacerbated by the fact that key government institutions have not yet developed implementing regulations or procedures to handle their new responsibilities under the law, despite the fact that the new law is in force. For example, American evangelical missionaries in Stara Zagora reported confusion and delays in their visa application process from October 2001 through June 2002, including bureaucrats demanding unexpected fees or bribes. Missionaries therefore may have to limit the time and purpose of their visits to the 30 days accorded to tourists. Human rights groups also have protested the cancellation of residence status of several persons on undisclosed national security grounds, alleging that the action was a pretext for religious discrimination. In one case, involving Ahmed Musa, a human rights attorney asserted that the expulsion was motivated by the desire of the police to seize the assets of a religious foundation; however, this allegation has not been confirmed.

The high school curriculum includes a course on religion initiated by the Ministry of Education. The original plan called for a world religion course that avoided endorsing any particular faith; however, members of other religions, especially ethnic Turkish Muslims, maintain that the Bulgarian Orthodox Church receives privileged coverage in the textbooks. The religion course is optional and is not available at all schools. Optional Islamic education classes in primary schools are being conducted on a pilot basis.

At the Department of Theology of Sofia University all students are required to present an Orthodox Church baptismal certificate, and married students must present an Orthodox marriage certificate, in order to enroll in the Department's classes. These requirements make it impossible for non-Orthodox students to enroll in the Department.

The Government has abolished the construction and transportation battalions, to which ethnic and religious minorities previously were assigned in order to segregate them from the regular military forces. The conscript troops of the military are now integrated; however, the professional officer corps contains few members of ethnic or religious minority groups.

The failure of the Government to restitute certain confiscated properties remains a sore point in relations between various denominations and the State, and prevents these denominations from raising more revenue through the use or rental of such properties. There were no indications that the Government discriminated against members of any religious group in making restitution to previous owners of properties that were nationalized during the Communist period. However, NGO's and certain denominations claimed that a number of their properties confiscated under the Communist years have not been returned. For example, the Muslim community claims at least 17 properties around the country that have not been returned. The Orthodox Church, Catholic Church, Methodists, Adventists, and other groups also claim land or buildings in Sofia and other towns. Former Jewish properties mostly have been recovered over the last 10 years, with two exceptions in downtown Sofia that have not been returned. The head of the Office on Restitution Issues said that the list of outstanding claims was shorter during 2001, and that the law permits resolution of claims if a timely filing is made. A central problem facing all claimants is the need to demonstrate that the organization seeking restitution is the organization—or the legitimate successor of the organization—that owned the property prior to September 9, 1944. This is difficult because communist hostility to religion led some groups to hide assets or ownership, and because documents have been destroyed or lost over the years.

The law provides for alternative service for a 2-year period, more than twice as long as regular military service; universal conscripted military service is 9 months for most recruits, while university graduates serve just 6 months. Reportedly, several individuals currently are serving in an alternative civilian capacity in lieu of military service. Nonetheless, human rights observers complain that procedures for invoking this alternative as a conscientious objector are unclear. There were no new reports of incarcerations on religious grounds during the period covered by this report.

The Constitution forbids the formation of political parties along religious lines. There were no reports of religious prisoners or detainees.

Forced Religious Conversion

The Constitution prohibits forced religious conversion, and 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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In January 2002, Prime Minister Simeon Saxe-Coburg personally ordered the registration of the Church of the Nazarene, which had tried repeatedly to register for more than 6 years. The long delay was attributed to bias against new “sects” and bureaucratic inertia under the previous government. The Church was registered that same month.

It appears that some local ordinances that restricted religious freedom have not been enforced, and in some cases were suspended, due to pressure from the central Government.

As of June 2002, approximately 2,000 children in grades one through four across the country were attending new optional Islamic religion classes.

In May 2002, the Pope visited the country for the first time. In addition to conducting a Mass in Plovdiv, John Paul II met with senior government officials including Prime Minister Saxe-Coburg, as well as with Orthodox Patriarch Maksim and the leader of the Muslim community, Chief Mufti Selim Mehmed. Some observers noted that the Pope’s historic meeting with Patriarch Maksim was a watershed in Catholic-Orthodox relations. The Government was very supportive of the visit, particularly the Pope’s dismissal of reports of Bulgarian involvement in the 1981 attempt on his life.

SECTION III. SOCIETAL ATTITUDES

Relations between the major religious communities generally were amicable; however, discrimination, harassment, and general public intolerance of nontraditional religious minorities (primarily newer evangelical Protestant groups) remained an intermittent problem. Strongly held suspicion of evangelical denominations among the Orthodox populace is widespread and pervasive across the political spectrum and has resulted in discrimination. Often cloaked in a veneer of “patriotism,” mistrust of the religious beliefs of others is common. Such mainstream public pressure for the containment of “foreign religious sects” inevitably influences policymakers. Nevertheless, human rights observers agreed that such discrimination has gradually lessened over the last 4 years as society has appeared to become more accepting of at least some previously unfamiliar, “non-traditional” religions.

There are disputes within the country’s Muslim community, in part along ethnic lines. Most Bulgarian Muslims, the majority of whom are ethnic Turks, practice a moderate form of Sunni Islam. Some are concerned that Muslims of Slavic ethnicity (“Pomaks”) and Roma Muslims, particularly those living in remote areas, are susceptible to “fundamentalist” (often referred to locally as “Arab” or “Wahabi”) influences associated with foreign funding of mosque construction and the training of imams in Arab countries. Unsubstantiated charges of failing to counteract or even fomenting the spread of Islamic extremism have been leveled at the Chief Mufti by some of his opponents within the Muslim community.

Non-Orthodox religious groups continued to be affected adversely by periodic negative media coverage. For example, during the 2000–2001 reporting period, in the Pleven region, a local television station broadcast several times an inflammatory statement purportedly representing the views of the local Bulgarian Orthodox bishop. The statement accused missionaries of the Evangelical Baptist Church of being “agents of foreign influence” and of distributing expired and second-rate goods through its charitable aid program. It further alleged that the Baptists’ efforts to build a new medical facility in the region were effectively a bribe to local authorities to gain permission to build a Baptist church in the area.

On February 6, 2002, a youth with skinhead connections in Sofia stabbed a Mormon missionary; however, it is not clear if the attack was connected with the victim’s religious activities or affiliation. The assailant was arrested and the missionary has recovered from the attack.

In April 2002, a gang of apparent skinheads attacked a group of Roma in Pazardzhik, resulting in several hospitalizations. Although the motive for the attack is unclear, it reportedly took place following a service by a Swedish evangelical preacher at the local stadium.

In June 2001, in Ravnogor, near Plovdiv, the local priest ordered a group of Evangelical Christians to leave the village. Later the same night, a large group of Orthodox believers attacked the evangelicals’ camp, vandalizing it and beating the

Evangelicals. Although the local police arrived at the scene, they did not fill out an appropriate report, which has the effect of making it more difficult for the Evangelicals to seek damages in court.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy regularly monitors religious freedom in ongoing contacts with government officials, clergy, lay leaders of minority communities, and NGO's. Embassy officers met with Orthodox clergy members (from both sides of the schism), the Chief Mufti and other senior Muslim leaders, with religious and lay leaders of the Jewish community, as well as with the leaders of numerous Protestant denominations. During the period covered by this report, the Embassy remained closely engaged with government and religious officials concerning drafts of a new law on religion, with various denominations regarding the restitution of properties, and with Muslim leaders regarding the war on terrorism. The Embassy expressed dismay at the February 2002 attack on a Mormon missionary, and urged local prosecutors to bring more serious charges against the perpetrator. As in the past, the Embassy has encouraged the submission of any pending religion law to the Council of Europe and the Organization for Security and Cooperation in Europe for review and comment to ensure that international religious freedom standards are met.

CANADA

The 1982 Charter of Rights and Freedoms provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among the 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 has a total area of approximately 3,850,000 square miles, and its population is approximately 31 million.

There is no state or dominant religion; however, an estimated 82.1 percent of the population belong to Christian denominations, with Roman Catholics (45.2 percent) forming the largest single group. Other Catholic groups include Eastern Orthodox (1.4 percent) and Ukrainian Catholics (0.5 percent). Protestants constitute an estimated 36.4 percent of the population, consisting of the United Church (11.5 percent), Anglicans (8.1 percent), Presbyterians (2.4 percent), Lutherans (2.4 percent), Baptists (2.5 percent), Pentecostals (1.6 percent), and other Protestant denominations (7.9 percent). Members of other religions include Jews (1.2 percent), Muslims (0.9 percent), Buddhists (0.6 percent), Hindus (0.6 percent), Sikhs (0.5 percent), groups such as Scientology, Kabalitarianism, and Rastafarianism (0.1 percent), and other religions (0.1 percent). Those professing no religion constitute an estimated 12.5 percent of the population.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Charter of Rights and Freedoms provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Religious groups are not required to register with the Government.

The Constitution and the Charter of Rights and Freedoms protect the rights or privileges possessed by denominational schools at the time of national union in 1867. In practice this protection has meant that some provinces have funded and continue to fund Catholic school education, and some provinces (such as Quebec) have funded some Protestant education. In June 2000, the Quebec Provincial Assembly passed a bill that incorporated the recommendations of the 1999 government-mandated Proulx task force. The recommendations included abolishing Catholic and Protestant status for public schools and creating secular public schools within which religions would be studied from a cultural perspective. The legislation

based school commissions and schools on linguistic rather than religious lines; required schools to provide either Catholic, Protestant, or moral education classes; and reduced teaching hours for such classes from 120 to 72 hours per 2-year cycle. The required changes had been implemented by the end of the period covered by this report. All public schools in Quebec are open to all and are not faith-based. In June 2001, the Ontario provincial parliament passed the Equity and Education Tax Credit Legislation that provided tax credits for private school tuition, including for all private religious schools. Previously, the province provided tax credits only for private Roman Catholic schools. Ontario's new provincial premier, who took office in March 2002, has adopted a policy of support for tax credits for all private schools that meet public educational standards. At the end of the period covered by this report, private schools were receiving tax credits. The provincial government reserves the right to refuse the tax credits to any schools that do not meet minimum public school standards.

There is no official government council for interfaith dialog, but the Government provides funding for individual ecumenical projects on a case-by-case basis.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. However, in May 2001, a Muslim chaplain filed suit in federal court against an Ontario provincial judge who had ejected him from the courtroom in 1993 for wearing a Muslim cap. The chaplain's initial complaints filed with the provincial and federal human rights commissions were dismissed because the law provides for immunity from human rights laws for judges. In November the federal district court dismissed the case, and in May 2002, the chaplain filed an appeal with the federal court of appeals. A hearing date is pending. In February 2002, the principal of a school in Quebec ordered a 12-year-old Sikh boy not to wear his kirpan (4-inch ceremonial dagger) to school. The child's parents complained, but the local school board supported the principal's ruling. The family filed a case in superior court, which issued a temporary injunction allowing the boy to wear the kirpan in school. On May 17, the two sides reached a compromise permitting the boy to wear the kirpan at school in a wooden sheath under his clothing.

In July 2001, approximately 100 members of the Christian fundamentalist Church of God (affiliated with the Mennonites) in Aylmer, Ontario, left the country after the Ontario Provincial Police removed 7 of the group's children from their parents on grounds that the parents were inflicting corporal punishment that constituted child abuse. Church practices advocated the use of belts and sticks in disciplining children. The children were returned to their parents after several weeks and many (but not all) of the families returned to Ontario. The children remained under close provincial supervision at the end of 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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In September 2001, the Premier of Quebec issued a strongly worded statement announcing a policy of zero tolerance for all acts of religious intolerance and convened a multi-disciplinary working group of representatives from various ministries to encourage and promote intercultural relations and educational activities.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among the religions in society contributed to religious freedom. However, tensions between Jewish and Islamic communities strongly increased during the period covered by this report as violence continued in the Middle East. Representatives of both communities made efforts to promote religious peace and tolerance but were unable to prevent growing strain between them.

The B'nai Brith Canada League for Human Rights received 286 reports of anti-Semitic incidents in 2001, an increase of 6 incidents compared with the previous year. Anti-Semitic incidents of harassment and vandalism increased significantly in the first half of 2002. For example, on May 19, a pipe bomb damaged the only Jewish synagogue in Quebec City; a 27-year-old man reported to be mentally unstable was detained. In the spring of 2002, one synagogue in Saskatchewan and one in Ontario were set on fire.

In the fall of 2001, anti-Muslim sentiment rose in communities across the country. Incidents included harassment and vandalism such as beatings, threats, property

damage, and attempted fire bombing of a mosque. The Government strongly and publicly criticized such sentiments and actions, and urged the population to refrain from prejudice against Muslims or other persons on the basis of their religious beliefs, ethnic heritage, or cultural differences. Police forces across the country actively investigated and discouraged anti-Muslim actions. In addition, in September 2001, a Hindu temple in Ontario was burned to the ground.

In January 2002, the Canadian Human Rights Tribunal ruled that Ernst Zundel contravened the Canadian Human Rights Act by creating a website that could allow hatred to flourish and whose tone and expression of messages were so malevolent in their depiction of Jews that they constituted hate messages. The Toronto Mayor's Committee on Community and Race Relations and a private party originally filed the complaints against Zundel in 1996. More than 50 days of hearings were held over 4 years, ending in February 2001.

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.

CROATIA

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church enjoys a historic relationship with the State not shared by other denominations, and receives some state support.

There was no change in the status of religious freedom during the period covered by this report, and the democratic coalition Government continued to contribute to the generally free practice of religion.

Religion and ethnicity are linked closely in society. During the past 11 years, religious institutions of all faiths were victimized by the ethnic conflicts that led to the break up of the former Republic of Yugoslavia. Such violent incidents still occur, particularly in the Danubian region (Eastern Slavonia), where there were persistent reports of vandalism directed against Serb Orthodox buildings and cemeteries.

The U.S. Government continues to encourage the Government to respect religious freedom in practice. U.S. Embassy officials frequently meet with representatives of religious and ethnic minority communities and with government officials to promote respect for religious freedom and protection of human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 21,829 square miles, and its population is approximately 4,381,000. The religious breakdown of the country is approximately: Roman Catholic, 85 percent; Orthodox Christian, 6 percent; Muslim, 1 percent; Jewish, less than 1 percent; other, 4 percent; and atheist, 2 percent. The statistics correlate closely with the country's ethnic makeup. The Orthodox generally live in Serb areas, notably cities and the war-affected regions, and members of other minority religions reside mostly in urban areas. Most immigrants are Roman Catholic ethnic Croats.

Protestants from a number of denominations and foreign clergy actively practice and proselytize, as do representatives of Eastern religions. Missionaries from a number of different groups are present in the country, including the Church of Jesus Christ of Latter-Day Saints (Mormons), Jehovah's Witnesses, Greek Catholics, Pentecostals, Hare Krishnas, and a wide range of evangelical Protestant Christians (including Baptists, Seventh-Day Adventists, Church of Christ, and various non-denominational organizations such as the Campus Crusades for Christ).

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of conscience and religion and free public profession of religious conviction, and the Government generally respects these rights in practice. There is no official state religion; however, the Roman Catholic Church receives some state support.

At the end of the period covered by this report, the Government was working on a new law on religious communities, which was expected to be passed in the summer of 2002. While the original drafting was undertaken in consultation with representatives of several denominations, some religious leaders expressed concern

about provisions later inserted into the text by the Government. Among other changes, the law is expected to institute Catholic catechism in kindergarten, as previously established in concordats with the Vatican but never implemented, create a definition of a “religious community,” and regulate government funding and tax benefit entitlements to registered religious communities. The law is not expected to cover the most critical outstanding concern of most religious communities—the return of nationalized property. There was public concern that the Government’s effort to define a “religious community” in the law would result in discrimination, particularly against smaller denominations, and that kindergarten catechism is being instituted in response to requests of the Catholic Church and over the objections of other denominations.

Representatives of minority religious communities indicate that the overall climate for religious freedom has improved moderately since the January 2000 election of a democratic coalition government. For example, leaders of the Islamic community expressed satisfaction with both the Government’s approach and media coverage of religious communities. While the new Government has expressed interest in eliminating religious discrimination, its approach is ad hoc, addressing specific issues (for example, the validity of religious marriage ceremonies) with individual religious communities, rather than setting uniform, nondiscriminatory standards and practices. Orthodox leaders also have expressed satisfaction with the communication and cooperation they have received from government officials, including the Deputy Prime Minister, who chairs the Government Commission for Relations with Religious Communities.

In 2000 the Catholic Church signed an agreement with the state run Croatian State Radio and Television (HRT) to provide regular, extensive coverage of Catholic events (as many as 10 hours per month). Other denominations receive approximately 10 minutes broadcast time per month or less. The Catholic Church operates the country’s only private national radio station, Catholic Radio, which is financed by private contributions. The Jewish community reports no restrictions on religious broadcasting. Jewish topics are covered periodically on weekly religious programming on HRT, for example, at times of Jewish holidays. The Muslim community has 4.5 minutes of radio broadcast time per month, as well as 4.5 minutes per month on Radio Zagreb. In addition, the Bairam ceremony from the Zagreb mosque is telecast annually.

Muslims have the right to observe their religious holidays. They are granted a paid holiday for one Bairam and have the right to observe the other as well (although they are not paid for the day).

Missionaries do not operate registered schools, but the Mormon community provides free English lessons, which normally are followed by some sort of religious class. The Ministry of Education recognizes the diploma conferred by the Muslim community’s secondary school in Zagreb. Enrollment in the school subsequently has increased by 50 percent. An estimated 4,000 primary and secondary school children in 35 schools in the Danubian region (Eastern Slavonia) attend Orthodox religion classes. The classes are led by 20 Orthodox priests and 4 laypersons. Orthodox officials organizing these classes stated that they cooperated well with the Ministry of Education, which organized a series of orientation seminars for the teachers.

The Government requires that religious training be provided in schools, although attendance is optional; however, in general, the lack of resources, minority students, and qualified teachers impeded instruction in minority faiths, and the Catholic catechism was the one predominantly offered.

There is no government-sponsored ecumenical activity.

Restrictions on Religious Freedom

The Government imposes no formal restrictions on religious groups, and all religious communities are free to conduct public services and to open and run social and charitable institutions.

There is no official state religion; however, the Roman Catholic Church receives some state support and other benefits established in concordats between the Government and the Vatican. There are no similar concordats established with other denominations. For example, the concordats allow state financing for some salaries and pensions for priests and nuns through the government-managed pension and health funds; Orthodox priests, rabbis, and imams must pay their contributions to the health and pension funds from their own resources in order to be covered by a pension plan. Other agreements with the Vatican regulate Catholic marriages, property restitution, public school catechism, and military chaplains. The Ministry of Defense employs 17 full-time and 6 part-time Catholic priests as chaplains.

Catholic marriages are recognized by the State, eliminating the need to register them in the civil registry office. The Muslim and Jewish communities, seeking simi-

lar status, have raised this issue repeatedly with the Government, but they had not received such status by the end of the period covered by this report.

Facilitating the return of refugees is a challenge for the Government, which has made progress in a number of areas relating to returns. However, many ethnic Serbs who wish to return to Croatia, including Serbian Orthodox clergy, continued to encounter difficulties recovering their prewar property and reconstructing damaged or destroyed houses. There were no reports of specific discrimination against Orthodox clergy beyond that faced by other ethnic Serb citizen refugees. Orthodox officials report that approximately 30 percent of prewar Orthodox clergy have returned to the war-affected areas, indicating that the proportion of returning clergy is somewhat greater than that of the general Serb population. Religion and ethnicity are linked closely in society, but the majority of incidents of discrimination are motivated by ethnicity rather than religion or religious doctrine. A pattern of often open and severe discrimination continues against ethnic Serbs, and, at times, other minorities in a wide number of areas, including the administration of justice, employment, housing, and freedom of movement. The previous government, led by the Croatian Democratic Union (HDZ) party, often maintained a double standard of treatment based on ethnicity; effects of this double standard continue.

The Government requires that religious training be provided in schools, although attendance is optional. Schools filling the necessary quota of seven minority students per class offered separate religion classes for the students. In classes not meeting the quota, minority students could fulfill the religion requirement by presenting a certificate that they had received classes from their religious community. Generally, the lack of resources, minority students, and qualified teachers impeded instruction in minority faiths, and the Catholic catechism is predominantly offered. Although religious training is not obligatory, in the past, some students reportedly felt pressured to participate. Jewish officials noted in 2001 that basic information about Judaism provided to students was inaccurate. Since then several textbooks have been revised; however, Jewish leaders have not yet had an opportunity to review the new material.

Restitution of nationalized property remains a problem. Major religious communities identify property return as their top priority. The previous Government implemented property restitution in a discriminatory manner. A 1998 concordat with the Vatican provided for the return of all Catholic Church property confiscated by the Communist regime after 1945. The agreement stipulates that the Government would return seized properties or compensate the Church where return is impossible. Some progress was made with some returnable properties being restituted; however, there has been no compensation to date for non-returnable properties. There are no property restitution agreements between the Government and other religious groups. The Orthodox community has filed several requests for the return of seized properties, and some cases have been resolved successfully, particularly cases involving buildings in urban centers. However, several buildings in downtown Zagreb have not been returned, nor have properties that belonged to monasteries, such as arable land and forest. Such uneven progress may be the result of a slow judicial system rather than a systematic effort to deny restitution of Orthodox properties. Several Jewish properties, including some Zagreb buildings, have not been returned. The process of returning nationalized property to the Jewish community is at a near standstill. There has been no progress on the restitution of the Haver Kadosh Building in Zagreb previously owned by a Jewish organization. In 2001 the Government failed to meet two court-mandated deadlines to enact amendments to the "Law on Compensation for Property Taken During Yugoslav Communist Rule" that were struck down by the Constitutional Court in 1999.

The World War II Jasenovac concentration camp, site of a memorial and museum, was damaged severely during the 1991–95 conflict, and renovation is ongoing. In April 2002, a government delegation, led by the Prime Minister, attended a commemoration ceremony at the camp that also was attended by several leaders of ethnic and religious minority communities.

In October 2001, President Stjepan Mesic visited Israel and apologized for persecution of Jews by the country's World War II fascist government. In January 2002, a Knesset Delegation visited the country, signaling improved ties between the two States.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Religion and ethnicity are closely linked in society, and religion often was used to identify non-Croats and single them out for discriminatory practices. Such attitudes led to religious institutions being the target of violence. During the ethnic conflict of the past 11 years, religious institutions of all faiths have been targets of violence. Such incidents still occur, particularly in the tense Danubian region (Eastern Slavonia), in which there were persistent reports of vandalism directed against Serb Orthodox buildings and cemeteries. Monitors from the Organization for Security and Cooperation in Europe (OSCE) recorded 49 incidents of harassment or violence toward religious persons or sites during the period covered by this report, compared with 23 such incidents in the period covered by the previous report. Observers note that the majority of incidents go unreported, and that the apparent increase may be due to greater reporting rather than an increase in incidents. Both OSCE observers and religious leaders note that overall ethnic and religious relations are improving slowly. While there was no specific breakdown of these incidents by denomination, monitors reported that the majority were directed against the Serb Orthodox community, and that 26 were in the Danubian region (Eastern Slavonia). Incidents typically include disruption of religious services, harassment of clergy, and vandalism of cemeteries. In June 2002, 13 tombstones were damaged at an ethnic Serb military cemetery in Vukovar; in September 2002, tombstones at the same cemetery were damaged—marking the seventh such incident at the cemetery. In August 2002, fascist Ustasha symbols were painted on the Serb Orthodox church in the Dalmatian city of Split. Local observers believed the incident was related to the reopening of a nearby Orthodox chapel, which was reconstructed after 65 years. There were no arrests made in connection with any of these incidents. In September 2001 six Muslim tombstones in the old cemetery of Osijek were damaged. Two juveniles were arrested.

Conservative elements within the Catholic hierarchy have expressed dissatisfaction with government policies, including cooperation with the International Criminal Tribunal for Yugoslavia, and have expressed concern for citizens indicted for war crimes. In November 2001, the Catholic Bishops' Conference (HBK) issued a statement on the country's economic situation that was sharply critical of the Government. The statement, part of a longer-running dispute between the HBK and the coalition government, sparked great media controversy.

Since Catholic Archbishop of Zagreb Josip Bozanic took office in 1997 and became head of the HBK, the Catholic Church has sought a more proactive role in advocating reconciliation. Catholic Radio includes a monthly program on ecumenism, inviting speakers from other religious communities. Ecumenical efforts among the religious communities have developed in an atmosphere of mutual understanding. For example, religious leaders met frequently during the period covered by this report, both formally and informally, to develop suggestions for the government office drafting the religious legislation and to discuss other issues of mutual interest.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government actively works to encourage the Government to respect religious freedom in practice. U.S. Embassy officials meet frequently at all levels with representatives of religious communities and are engaged in the promotion of human rights, including the religious rights of these groups. The Embassy is a leader of the "Article 11 Commission," a group of 24 international missions in the country that directly addresses issues of ethnic and religious reconciliation, and human rights.

CYPRUS

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respects this right in practice. The basic law in the Turkish Cypriot community also provides for freedom of religion, and the Turkish Cypriot authorities generally respect this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, reciprocal visits to religious sites continued to be restricted during the period covered by this report.

The generally amicable relationship among religions in Cypriot society contributed to religious freedom; however, there were a few reports of vandalism of unused religious sites.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 3,571 square miles, and its population is estimated at 759,100.

Prior to 1974, the country experienced a long period of inter communal strife between its Greek and Turkish Cypriot communities. In response, the U.N. Force in Cyprus (UNFICYP) began peacekeeping operations in 1964. The island has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece; the southern part of the island is under the control of the Government of the Republic of Cyprus, while the northern part is ruled by a Turkish Cypriot administration. In 1983 that administration proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The TRNC is not recognized by the United States or any other country except Turkey.

Approximately 96 percent of the population in the government controlled area are Greek Orthodox. Approximately 0.7 percent of the remaining population are Maronite, slightly less than 0.4 percent are Armenian Orthodox, 0.1 percent are Latin (Roman Catholic), and 3.2 percent belong to other groups; the latter category includes small groups of Cypriot Protestants and foreigners of various religious beliefs.

A 1998 opinion poll indicated that about 48 percent of Greek Cypriots attend church services regularly, while 49 percent attend only for major religious holidays and ceremonies such as weddings and funerals. The remainder do not attend religious services at all. Approximately 10 percent of the population in the north attend religious services regularly.

An estimated 99 percent of the Turkish Cypriot population is at least nominally Muslim. There is a small Turkish Cypriot Baha'i community. Most other non-Muslims in the north are foreigners from Western Europe who are frequently members of the Roman Catholic or Anglican Churches.

There is some western Protestant missionary activity in the government-controlled area.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respects this right in practice. The basic law in the Turkish Cypriot community also provides for freedom of religion, and the authorities generally respect this right in practice. Turkish Cypriots residing in the south and Greek Cypriots living in the north are allowed to practice their religions.

The 1960 Constitution of the Republic of Cyprus specifies that the Greek Orthodox Church (which is autocephalous and not under the authority of the mainland Greek Orthodox Church) has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. The Constitution states that the Turkish Cypriot religious trust, the Vakf (the Muslim institution that regulates religious activity for Turkish Cypriots), has the exclusive right to regulate and administer its internal affairs and property in accordance with Vakf laws and principles. No legislative, executive, or other act can contravene or interfere with the Orthodox Church or the Vakf. Both the Greek Orthodox Church and the Vakf are exempt from taxes with regard to religious activity. According to law, they are required to pay taxes only on strictly commercial activity.

Three other religious groups are recognized in the Constitution: Armenian Orthodox, Maronite Christians, and Latins (Roman Catholics). These groups also are exempt from taxes and are eligible, along with the Greek Orthodox Church and the Vakf, for government subsidies to their religious institutions. No other religious group is recognized in the Constitution.

Both the Government of Cyprus and the Turkish Cypriot administration have constitutional or legal bars against religious discrimination. The basic agreement covering treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south remains the 1975 Vienna III Agreement. Among other things, this agreement provides for facilities for religious worship.

Religions other than the five recognized religions are not required to register with government authorities; however, if they desire to engage in financial transactions, such as maintaining a bank account, they must register as a nonprofit company, and most do so. The registration process involves submission through an attorney of an application that states the purpose of the nonprofit organization and provides

the names of the organization's directors. Annual reports of the organization's activities are required. Such nonprofit organizations are tax-exempt. Registration is granted promptly, and many religious groups are recognized. No religious groups were denied registration during the period covered by this report.

There are no prohibitions against missionary activity or proselytizing in the government-controlled areas. Foreign missionaries must obtain and periodically renew residence permits in order to live in the country; normally renewal requests are not denied.

Instruction in the Greek Orthodox religion is mandatory for all Greek Orthodox children and is taught in all public primary and secondary schools in classes held twice per week in the government-controlled area. Members of Jehovah's Witnesses and Maronite parents can request that their children be excused from such instruction. Such requests routinely are granted. There are no reports of practitioners of other religions requesting such an exemption.

There is no government-sponsored interfaith activity.

The Government of Cyprus recognizes the following religious holidays as national holidays: the Epiphany, Annunciation, Good Friday, Easter Monday, Holy Spirit Day, Assumption Day, and Christmas Day.

In the northern part of the island, the Turkish Cypriot basic law refers specifically to a "secular republic," and provides for religious freedom; no specific religion is recognized in the basic law. However, based on the 1960 Constitution, the Vakf, which pays the costs of Muslim religious activities and the salaries of Muslim religious leaders, is tax-exempt in regard to its religious activities (the Vakf pays taxes on its commercial and real estate operations) and receives official subsidies. No other religious organization is tax-exempt or receives subsidies.

Religious organizations are not required to register with the Turkish Cypriot authorities unless they wish to engage in commercial activity or apply for tax-exempt status. There are no legal restrictions on missionary activity; however, such activity is rare.

There is instruction in religion, ethics, and comparative religions in two grades of the primary school system in the Turkish Cypriot community. There is no formal Islamic religious instruction in public schools, and there are no state-supported religious schools.

The Turkish Cypriot authorities do not sponsor any interfaith activity.

The following religious holidays are observed widely in the Turkish Cypriot community: Kurban Bairam, Birthday of the Prophet, and Ramazan Bairam.

Restrictions on Religious Freedom

In May 2001, the European Court of Human Rights ruled that the Government of Turkey was responsible for restrictions imposed on Greek Cypriots resident in the north in regard to their access to places of worship and participation in other areas of religious life.

In 2001 Turkish Cypriot authorities and the Government of Cyprus came to an agreement, after 4 years, on the assignment of a second Orthodox priest to work in the north. However, the Government of Cyprus still had not identified a candidate for the position at the end of the period covered by this report.

In May 2000, the Turkish Cypriot authorities eliminated the system of fees imposed in 1998 for crossing the buffer zone, although a \$1.55 (1 Cyprus pound) processing fee remained in effect. Reciprocal visits to religious sites were suspended in July 2000. Such visits took place under a 1997 agreement that allowed Greek Cypriots to visit the Apostolos Andreas monastery in the north on designated Christian religious holidays, and Turkish Cypriots to visit the Hala Sultan mosque in the south on certain Muslim religious holidays. In July 2000, Turkish forces established a checkpoint in a location adjacent to the Greek Cypriot village of Strovilia and the British eastern Sovereign Base Areas. Although access to Strovilia had been largely unimpeded, the checkpoint provides Turkish forces the ability to control the approach to the village. Despite protests from the UNFICYP and others, Turkish forces remained at the contested checkpoint at year's end in violation of the status quo. Turkish forces restricted UNFICYP movement, including refusing to allow the UNFICYP to man a checkpoint in Kokkina. On July 31, 2000, Greek Cypriot officials responded to those moves and denied Turkish Cypriots land passage to Kokkina. Visits to this pocket of land (which contains a memorial and is surrounded by the government-controlled area) are included in the 1997 reciprocal visit agreement. In August and November 2000, Turkish Cypriot officials denied access to southern Greek Cypriots to visit the Apostolos Andreas monastery. No reciprocal visits took place during the period covered by the report.

Maronites may not visit certain religious sites in the north located in military zones. Armenians may not visit any religious sites in the north.

Although missionaries have the legal right to proselytize in both communities, missionary activities are monitored closely by both Greek Cypriot and Turkish Cypriot authorities. The police may initiate investigations of religious activity based on a citizen's complaint under laws that make it illegal for a missionary to use "physical or moral compulsion" in an attempt to make religious conversions. They also may investigate when missionaries may be involved in illegal activities that threaten the security of the republic, constitutional or public order, or public health and morals. There are occasional apprehensions under these laws resulting in publicity but no arrests. On June 20, 2002, police brought in three American citizens who were walking along a busy Turkish Cypriot road with a large Christian cross to Turkish Cypriot police headquarters. They were warned that their activity was unwise in a Muslim area and released.

In both the government-controlled areas and the Turkish Cypriot community, there were no reports of religious prisoners or detainees.

Forced Religious Conversion

In both the government-controlled areas and the Turkish Cypriot community, 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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are polite relations between the Greek Cypriot Orthodox Church and the other religious communities in the south. In the north there are few non-Muslims, but there is no friction between them and the nominally Muslim population. Greek Cypriots living in the north report that unused Orthodox churches continued to be vandalized. Although Turkish Cypriots reported that unused mosques in the south also have been vandalized, the Government routinely carried out maintenance and repair of mosques in the south. A previously unknown Greek Cypriot nationalist organization claimed responsibility for an arson attack on a mosque in the south in August 1999. Damage was light. The authorities repaired and built a fence around the mosque and pledged to increase protection of Muslim sites. No one was arrested for the attack, and the case remains unresolved.

The Orthodox Church is suspicious of any attempts to proselytize among Greek Cypriots and closely monitors such activities. On occasion the Greek Cypriot media has given extensive coverage to the activities of foreign missionaries, creating a chilling effect on those activities.

There has been little official effort at ecumenical activity. In March 2001, a monastery in the Greek Orthodox Church sponsored an international ecumenical religious congress entitled "Encounter of Religions and Civilizations." Its stated goal was to promote understanding and cooperation in order to eliminate fanaticism and intolerance. In April 2002, the fifth annual Eurasia Islamic Congress took place in the Turkish Cypriot community. This event organized by the Turkish Government included discussions on tolerance and understanding and dialogue among religions.

Religion is a significantly more prominent component of Greek Cypriot society than of Turkish Cypriot society, with correspondingly greater cultural and political influence. One example of the relationship between church and state among Greek Cypriots is the fact that the leader of the Greek Cypriot campaign for independence in the 1950's was the head of the Greek Orthodox Church, Archbishop Makarios III, who became president from independence in 1960 and served until his death in 1977.

As the largest owner of real estate in the south and the operator of several large business enterprises, the Greek Orthodox Church is a significant economic factor. Similarly, the Vakf is the largest landowner in the north.

SECTION IV. U.S. GOVERNMENT POLICY

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

The U.S. Embassy played a key role, working closely with the U.N., in obtaining agreement from both sides in January 2000 to initiate a project to restore the island's two most significant religious sites, the Apostolos Andreas monastery and the Hala Sultan mosque. Restoration work at the sites began in 2001 based on recommendations from the world's leading experts in structures of this type and period. Both sites have been cleaned, fenced, and re-landscaped. The ancillary buildings at both sites have been renovated, and work on the church and mosque buildings is scheduled to begin in the fall of 2002.

The Ambassador and other Embassy officers meet periodically with Greek Cypriot and Turkish Cypriot religious authorities regarding specific religious freedom concerns.

CZECH REPUBLIC

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 30,379 square miles and its population is an estimated 10.3 million. The country has a largely homogenous population with a dominant Christian tradition. However, largely as a result of 40 years of Communist rule between 1948 and 1989, the vast majority of the citizens do not identify themselves as members of any organized religion. In a 2001 opinion poll, 38 percent of respondents claimed to believe in God, while 52 percent identified themselves as atheists. Nearly half of those responding agreed that churches were beneficial to society. There was a revival of interest in religion after the 1989 "Velvet Revolution"; however, the number of those professing religious beliefs or participating in organized religion has fallen steadily since then in almost every region of the country.

An estimated 5 percent of the population attend Catholic services weekly. Most of these churchgoers live in the southern Moravian dioceses of Olomouc and Brno. The number of practicing Protestants is even lower (approximately 1 percent). Leaders of the local Muslim community estimate that there are 20,000 to 30,000 Muslims, although Islam has not been registered as an officially recognized religion since the Communist takeover in 1948. There is a mosque in Brno and another in Prague. The Jewish community, which numbers only a few thousand persons, is an officially registered religion, since it was recognized by the State before 1989.

Missionaries of various religious groups, including the Church of Jesus Christ of Latter-Day Saints (Mormons) and Jehovah's Witnesses, are present in the country. Missionaries of various religions generally proselytize without hindrance.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Religious affairs are the responsibility of the Department of Churches at the Ministry of Culture. All religions officially registered with the Ministry of Culture are eligible to receive subsidies from the State, although some religions decline state financial support as a matter of principle and as an expression of their independence. There are 21 state-recognized religions, 2 of which have been registered since 1991; no groups were seeking to register at the end of the period covered by this report. In 1999 the Department of Churches denied registration to the Unification Church (UC) when it determined that the UC had obtained the required proof of membership by fraud. In 2002 the courts upheld the Government's decision to deny registration; however, an appeal of that decision remained pending at the end of the period covered by this report. Registration of Islam has been discussed with the Department of Churches, but there has been no formal application. In order to register, a religious group must have at least 10,000 adult members permanently residing in the country. These churches receive the same legal and financial benefits from the Government as do other churches. Churches registered prior to 1991, such as the small Jewish community, are not required to meet these conditions. Unregistered religious groups, such as the small Muslim minority, may not own community property legally, but often form civic-interest associations for the purpose of managing their property and other holdings until they are able to meet the qualifica-

tions for registration. The Government does not interfere with or prevent this type of interim solution. Unregistered religious groups otherwise are free to assemble and worship in the manner of their choice.

On January 1, 2002, a new law on "Religious Freedom and the Position of Churches and Religious Associations" became effective, following a December 2001 override of President Vaclav Havel's veto. The law creates a two-tiered system of registration for religious organizations. A religious group may be registered with as few as 300 adult adherents. Registration at this level conveys limited tax benefits and imposes annual reporting requirements, as well as a 10-year waiting period before the organization is permitted to apply for full, second tier registration. Under the old law, registered churches would receive second-tier status automatically. Full registration requires adult adherents equal to 0.1 percent of the population (approximately 10,000) and entitles an organization to a share of state funding. Only clergy of fully registered religious organizations may perform marriage and serve as chaplains in the military and prison systems. Several unregistered religious groups (including Muslims and the Church of Scientology) have criticized the law because they believe that it is prejudicial against smaller religions. The Catholic Church also has criticized the law on the grounds that it unduly restricts the manner in which the Church manages and finances many of its social projects; a provision bars the church from using profits from church-owned enterprises for religious activity.

Churches receive approximately \$88.2 million (3 billion Czech crowns) annually from the Government. Funds are divided proportionally among the 21 registered religions based on the number of clergy in each, with the exception of 4 religions (Mormons, Jehovah's Witnesses, New Apostolic Church, and Christian Communities) that do not accept state funding. Of this sum, approximately \$17 million (642 million Czech crowns) is used to pay salaries to clergymen. The rest of the funding goes to state grants for church medical, charitable, and educational activities, as well as for the maintenance of church memorials and buildings.

A 2000 law outlaws Holocaust denial and provides for prison sentences of 6 months to 3 years for public denial, questioning, approval, or attempts to justify the Nazi genocide. The law also outlaws the incitement of hatred based on religion.

Missionaries must obtain a long-term residence and work permit if they intend to remain longer than 30 days. There were no reports of delays in processing visas for missionaries during the period covered by this report. There is no special visa category for religious workers; foreign missionaries and clergy are required to meet the relatively stringent conditions for a standard work permit even if their activity is strictly ecclesiastical or voluntary in nature.

Religion is not taught in public schools, although a few private religious schools exist. Religious broadcasters are free to operate without hindrance from the Government or other parties.

The Government continued to make progress in resolving religious-based communal and personal property restitution problems, especially with regard to Jewish property. Jewish claims date to the period of the Nazi occupation, while Catholic authorities are pressing claims to properties that were seized under the former Communist regime. Although after 1989 the Government and Prague city officials returned most synagogues and other buildings previously belonging to religious orders, many claims to properties in the hands of other municipal authorities have not yet been resolved satisfactorily. Restitution or compensation of several categories of Jewish personal property is in progress. In addition, the Catholic Church claims vast tracts of woods and farmlands.

The 1991 Law on Restitution applied only to property seized after the Communists took power in 1948. In 1994 the Parliament amended the law to provide for restitution of, or compensation for, property wrongfully seized between 1938 and 1945. This amendment provided for the inclusion of Jewish private properties, primarily buildings, seized by the Nazi regime. In the late 1990's, the Federation of Jewish Communities identified 202 communal properties as its highest priorities for restitution, although it had unresolved claims for over 1,000 properties. By decree the Government returned most of the properties in its possession, as did the city of Prague; however, despite a government appeal, other cities have not been as responsive. As of the end of the period covered by this report, only 68 of the 202 properties had been returned. A 2000 law authorized the return of 200 communal Jewish properties in state hands. The same law also authorized the Government to return more than 60 works of art in the National Gallery to the Jewish community and an estimated 7,000 works of art in the State's possession to individual Jewish citizens and their descendants. A fourth provision of the law authorized the return of certain agricultural property in the Government's possession to its original owners. In September 2000, the Government proposed and the Chamber of Deputies authorized approximately \$7.9 million (300 million crowns) for a compensation fund

to pay for those properties that cannot be restituted physically. The fund, which began operating in June 2001, is expected to provide partial compensation in those cases where the Government needs to retain the property or is no longer in possession of it; to help meet the social needs of poor Jewish communities outside Prague; and to support the restoration of synagogues and cemeteries. Approximately two thirds of the funds are to be dedicated to communal property and one-third to individual claims. Applications for the fund were accepted from June through December 2001. The Government was evaluating the claims at the end of the period covered by this report.

Certain property of religious orders, including 175 monasteries and other institutions, was restituted under laws passed in 1990 and 1991, but the return generally did not include income-generating properties. When the Social Democratic government came to power in 1998, it halted further restitution of non-Jewish religious communal property, including a decision of the previous government to return 432,250 acres of land and some 700 buildings to the Catholic Church. Discussions are continuing in the two church-state commissions regarding the form of an overall settlement of all outstanding restitution issues, including further restitution of Protestant properties. In 2000 Prime Minister Milos Zeman visited the Vatican and discussed Czech Republic/Catholic relations and property restitution with Pope John Paul II. In April 2001, the Government agreed in principle to draft a law that would allow for the return of houses of worship, parish houses, and monasteries to the Catholic Church.

Members of unregistered religious groups may issue publications without interference.

There was no government-sponsored interfaith activity.

The two government commissions established in 1999 to improve church-state relations continued to meet during the period covered by this report. One of the commissions is a "political" commission with the presence of all parties represented in Parliament, and the second is a "specialist" commission composed of experts, including lawyers, economists, and church representatives. The commissions advise the Government on church-related property questions and legislation on religious topics.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

Improvement and Positive Developments in Respect for Religious Freedom

In May 2002, the Parliament passed a measure to extend the deadline for filing art restitution claims for Holocaust victims by 4 years, which subsequently was signed into law by the President. The deadline had been set for December 31, 2002, but was extended until December 31, 2006. Also in May, a longstanding restitution case was settled by means of alternative dispute resolution. An expert panel determined that the painting, "Man in a Fur Hat," was an authentic Rembrandt and that it was the legal property of a Jewish collector who perished during the Holocaust. The painting, previously held by the National Gallery, was returned to the heirs on the basis of the panel's decision.

SECTION III. SOCIETAL ATTITUDES

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

The immigrant population is still relatively small, and includes persons from Sri Lanka, Afghanistan, Iraq, and the former Yugoslavia. Immigrants have not reported any difficulties in practicing their respective faiths.

Local Muslims reported that there were no incidents of religious intolerance toward their community during the period covered by this report.

A small but persistent and fairly well-organized extreme rightwing movement with anti-Semitic views exists in the country. Police were criticized on several occasions during the period covered by this report for failing to intervene against neo-Nazis shouting anti-Semitic slogans at concerts and rallies. In May 2001, the Ministry of the Interior announced a forceful effort to counter the neo-Nazis, including increased monitoring of their activities, closer cooperation with police units in neighboring countries, and concentrated efforts to shut down unauthorized concerts and

gatherings of neo-Nazi groups. That effort continued during the period covered by this report. During 2001 a court convicted Vit Varak on charges of disseminating hate speech and propagation of a movement aimed at suppressing rights and freedoms for selling "Mein Kampf" on the Internet; he was fined. In December 2000, police in Zlin uncovered another group distributing neo-Nazi recordings, publications, and badges. A 21-year-old woman was charged with suppressing rights and freedoms; her case was pending at the end of the period covered by this report.

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. U.S. Government efforts on religious issues have focused largely on encouraging the Government to resolve religious property restitution claims and registration of religious organizations.

During the period covered by this report, U.S. Government and Embassy officials emphasized on numerous occasions to the Government the importance of returning property wrongfully taken from Holocaust victims, the Jewish community, and churches, or of fair and adequate compensation when return is no longer possible.

The Embassy maintains close and continuing contact with the Office of the President, the Ministry of Foreign Affairs, the Ministry of Culture, representatives of various religious groups, and nongovernmental organizations. Embassy officials met on several occasions with representatives of the Ministry of Culture to discuss the new law on religious registration, as well as representatives of smaller religious groups affected by the new law, including Muslims, Scientologists, the Unification Church, and Hare Krishnas. Several meetings were held with representatives from the Ministry of Culture, the Federation of Jewish Communities, and the Prague Jewish Community on restitution issues. Embassy officials also responded to individual requests for assistance from Czech-American Holocaust victims seeking compensation. On May 19, 2002, the First Lady and the Ambassador attended a memorial service and placed wreaths in remembrance of Holocaust victims at the Terezin (Theresienstadt) concentration camp.

DENMARK

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Evangelical Lutheran Church is the state church and enjoys some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 16,640 square miles, and its population is approximately 5.4 million. More than 86 percent of the population adheres to the Evangelical Lutheran Church. Other religious organizations represent approximately 5 percent of the population, with Muslims, the next largest group, accounting for approximately 2 percent of the population. The remaining approximately 9 percent of the citizens are without a religion.

Missionaries operate within the country, including representatives of the Church of Jesus Christ of Latter-Day Saints (Mormons) and members of Jehovah's Witnesses; however, there is no detailed information available on missionary activity.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

There is an official state religion. The Constitution stipulates that the Evangelical Lutheran Church is the national church, and it is the only Church that is subsidized

directly by the Government. However, no individual may be compelled to pay church tax or provide direct financial support to the national church or any other religious organization. The Government does not require that religious groups be licensed; however, the State's permission is required for religious ceremonies, such as weddings, if they are to have civil validity. Although there is no civil or criminal penalty for not registering, nonregistered religious organizations do not qualify for tax exempt status. By 1969 11 other religious organizations had official recognition by royal decree (essentially the State's permission for a religious organization to perform religious ceremonies that have civil validity).

Since the implementation of the 1969 Marriage Act, the Ministry of Ecclesiastical Affairs has granted permission to clergy of 60 additional, non-recognized religious organizations to perform marriages. The Marriage Act permits weddings to be performed "within other religious organizations," provided that one of the parties to the marriage belongs to the organization, and the organization has clergy that have been granted permission to perform marriage by the Ministry of Ecclesiastical Affairs. Thus, religious organizations no longer need to obtain "recognition" since "approval" is given when the Ministry grants permission to perform weddings to specific religious organizations. Both recognized and approved religions enjoy certain tax exemptions. The approval process is not complicated or protracted.

Guidelines for future approval of religious organizations, linked to the 1969 Marriage Act and published in 1999, established clear requirements that religious organizations must fulfill. These include providing the following: a written text of the religion's central traditions; descriptions of its most important rituals; an organizational structure accessible for public control and approval; and constitutionally elected representatives who may be held responsible by the authorities. Additionally, the organization must "not teach or perform actions inconsistent with public morality or order."

Scientists continue to seek official approval as a religious organization. Their first application for approval was made in the early 1970's and rejected; the second and third applications were made in 1976 and 1982 and both were denied. In mid-1997 the Scientists filed a fourth application, which was suspended at their request in 2000. In suspending their application, the Scientists asked the Ministry of Ecclesiastical Affairs to clarify the approval procedure; however, according to the Ministry, the Scientists first must submit an application before the Ministry can provide any feedback. The Scientists did not resubmit an application by the end of the period covered by this report.

There are no restrictions on proselytizing so long as proselytizers obey the law and do not act inconsistently with public morality or order. All schools, including religious schools, receive government financial support. While the Evangelical Lutheran faith is taught in the public schools, a student may withdraw from religious classes with parental consent.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

After several years of searching for an appropriate site, the Muslim community identified a piece of land in Broendbyoester on which they would like to build the country's first Muslim cemetery; more than 20 major cemeteries already agreed to provide reserved sections for Muslim burials. Negotiations were ongoing with local governmental authorities at the end of the period covered by this report. The Muslim community also was attempting to identify a site and funding for the construction of a fullscale mosque in the country at the end of the period covered by this report.

SECTION III. SOCIETAL ATTITUDES

The country has a long history of welcoming religious minorities and affording them equal treatment. There are generally amicable relations between religious groups, although the recent influx of a substantial Muslim population has resulted in some tension with the majority population of adherents of the Evangelical Lutheran Church. Minority group unemployment tends to be higher, and allegations

of discrimination on the basis of religion sometimes are raised. However, it is difficult to separate religious differences from differences in language and ethnicity, and the latter may be at least as important in explaining unequal access to well-paying jobs and social advancement. There are no significant ecumenical movements that promote greater mutual understanding and religious tolerance.

There were isolated incidents of anti-Semitic and anti-immigrant vandalism, primarily graffiti, during the period covered by this report. The Government criticized the incidents and investigated several of them.

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.

ESTONIA

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion. In April 2002, the Government registered the Estonian Orthodox Church subordinate to the Moscow Patriarchate.

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 has a total area of 17,666 square miles and a population of 1.36 million inhabitants (65 percent ethnic Estonian and 35 percent Russian-speaking). The Estonian Evangelical Lutheran Church (EELC) is the largest denomination, with 165 congregations and approximately 177,230 members as of May 2001. The Estonian Apostolic Orthodox Church (EAOC) has 59 congregations with approximately 18,000 members and the Estonian Orthodox Church, subordinated to the Moscow Patriarchate (EOCMP), has 32 congregations with approximately 100,000 members. There are smaller communities of Baptist, Roman Catholic, members of Jehovah's Witnesses, Pentecostal, Old Believers, Methodist, and other denominations. There is a small Jewish community with 2,500 members. In December 2000, the country's only synagogue was opened in the Jewish school facility. There are also communities of Muslims, Buddhists, and many other denominations and faiths; however, each of these minority faiths has fewer than 6,000 adherents.

Forty years of communism diminished the role of religion in society. Many neighborhoods built since World War II do not have religious centers, and many of the surviving churches require extensive renovations. Church attendance, which had seen a surge coinciding with the independence movement in the early 1990s, now has decreased significantly. Anecdotal evidence from local Lutheran churches indicates a 76 percent decrease in registered confirmations between 1990 and 2000.

Many groups have sent foreign missionaries into the country in recent years; the Church of Jesus Christ of Latter-day Saints (Mormons) has the largest number of missionaries.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution states that there is no state church, thus establishing the separation of church and state. However, this has not been interpreted strictly in administrative practice. For example, the Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion; however, the coordination of chaplains' services to the prisons is delegated to one of the Lutheran diaconal centers. In response to an order by the Prime Minister, the center carries out this responsibility in a way that does not discriminate against non-Lutherans.

There also are other laws and regulations that directly or indirectly regulate individual and collective freedom of religion. The 1993 law on churches and religious organizations requires that all religious organizations have at least 12 members and to register with the Religious Affairs Department under the Ministry of Interior Affairs (MIA). Leaders of religious organizations must be citizens with at least 5 years residence in the country. The minutes of the constitutive meeting, a copy of statutes, and a notarized copy of three founders' signatures serve as supporting documents to the registration application.

In June 2001, Parliament adopted a revised law on churches and congregations that contained a provision barring the registry of any church or union of congregations whose permanent or temporary administrative or economic management is performed by a leader or institution situated outside Estonia. The Orthodox Church, Moscow Patriarchate, and the Estonian Council of Churches expressed concern that such a provision could have prevented the registry of churches and congregations that traditionally had been active in the country. Former President Lennert Meri refused to promulgate the law, declaring, in part, that it constituted an intrusion into the sphere of autonomy of religious institutions. In February 2002, Parliament adopted unanimously a revised Law on Churches and Religious Organizations with amendments, which removed the earlier disputed provision. On February 27, 2002, President Arnold Ruutel promulgated the law. It was scheduled to take effect on July 1, 2002.

On April 17, 2002, the MIA registered the Estonian Orthodox Church (EOC), Moscow Patriarchate and ended a series of disputes over the registration of the name EAOC. In 1993 the Estonian Apostolic Orthodox Church (EAOC), independent since 1919, subordinate to Constantinople since 1923, and exiled under the Soviet occupation, reregistered under its 1935 statute. A group of ethnic Russian and Estonian parishes that preferred to remain under the authority of the Russian Orthodox Church structure imposed during the Soviet occupation, attempted, unsuccessfully, to claim the EAOC name. In May 2001, the MIA had declined to approve an application by representatives of the Moscow Patriarchate, explaining that it could not formally register this church under its desired name as it would be confused too easily with the EAOC (Estonian Apostolic Orthodox Church).

In March 2002, the MIA rejected a second application by the Satanists to register as a religious organization. The Religious Affairs Department of the MIA returned the registration documents to the applicants saying that they were not in line with the legal requirements. Estonian Satanists made their first—unsuccessful—attempt to register three years ago. During the period covered by this report, no further attempts for registration by the Satanists had been made.

A program of basic Christian ecumenical religious instruction is available in public schools. In primary school parents decide whether their children will participate in these religious studies; at the gymnasium level pupils decide themselves if they will attend these classes. Only 35 schools and approximately 1,800 students participate in such programs. Comparative religious studies are available in public and private schools on an elective basis. There are three private church schools that have a religion-based curriculum, two in Tartu and one in Johvi.

The property restitution process largely has been completed except for those properties disputed by the two main branches of the Orthodox faith - the EAOC and the EOCMP. The specific details of EOCMP registration have significant implications for which branch of the Orthodox Church may receive legal title to church property. During the period covered by this report, most church properties, including those being used by the EOCMP legally belonged to the EAOC. Once the EOCMP became registered and acquired the legal capacity of a juridical person, it then obtained the right to initiate court proceedings to gain de jure control over the properties that it has used on a de facto basis with the permission of the EAOC. Although the EOCMP has this legal capacity, no such legal proceedings had been undertaken as of June 30, 2002.

The issue of the ownership of the Aleksander Nevski Cathedral, a prominent and valuable Tallinn landmark, remains unsettled. The Cathedral is owned by the city of Tallinn and rented out to its Russian Orthodox congregation on a several decade lease basis. According to local Jewish leaders, property restitution is not an issue for the community, as most prewar religious buildings were rented, not owned.

Good Friday, Easter Sunday, Christmas day, Pentecost, and Boxing Day are national holidays.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

The Churches and Congregations Act decrees that the commanding officer of each military unit shall ensure conscripts the opportunity to practice their religion. However, it is not clear whether or how this freedom is implemented in practice. The military chaplaincy is delegated by an order of the Prime Minister to an organization operated by the Lutheran Church.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. Although the majority of citizens are nominally Lutheran, ecumenical services during national days, Christian holidays, or at public events are common. Tension between the ethnic Estonian and ethnic Russian populations generally does not extend to religious matters; however, the hierarchical dispute and legal conflict over church property has resulted in some resentment on the part of Christian Orthodox believers belonging to the Moscow Patriarchate (see Section II).

Most of the religious adherents among the country's Russian-speaking population are Orthodox, while the Estonian majority is predominantly Lutheran. There is a deep-seated tradition of tolerance of other denominations and religions. Although citizens are generally tolerant of new religions and foreign missionaries, some groups that are regarded widely as "cults" cause apprehension.

On November 1, 2000 (All Soul's Day), over 100 grave sites were destroyed in a cemetery in Tartu. The Tartu Police arrested 2 youths (ages 15 and 16) who described themselves as Satanists and subsequently confessed to hooliganism.

While no churches were vandalized during the period covered by this report, earlier thefts of church property prompted the Estonian Council of Churches and the board of antiquities to initiate a database of items under protection. The database, which is comprised of digital photos and detailed descriptions, will be shared with law enforcement agencies as needed.

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. Officials of the U.S. Embassy met regularly during the period covered by this report with appropriate government agencies, nongovernmental organizations, and a wide range of figures in religious circles. Embassy officials met with representatives of both sides in the dispute between the Estonian Apostolic Orthodox Church and the Russian Orthodox Church.

FINLAND

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. According to law, the Evangelical Lutheran Church and the Orthodox Church are the established state churches.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. However, the court has denied registration to the Finnish Association of Scientologists.

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 has a total area of 130,127 square miles, and its population is approximately 5.2 million. The majority of the population belongs to one of the two state churches. Approximately 86 percent are members of the Evangelical Lutheran Church, and 1 percent belong to the Orthodox Church. An additional 1 percent belong to a wide variety of non state religions, and approximately 12 percent do not profess any religious affiliation.

Active members of the state Lutheran Church attend services regularly, participate in small church group activities, and vote in parish elections. However, the majority of church members are only nominal members of the state church and do not participate actively. Their participation occurs mainly during occasions such as holidays, weddings, and funerals. The Lutheran Church estimates that approximately 2 percent of its members attend church services weekly, and 10 percent monthly. The average number of visits to church by church members per year is approximately two.

Nontraditional religious groups freely profess and propagate their beliefs. Such groups as members of Jehovah's Witnesses and members of the Church of Jesus Christ of Latter-Day Saints (Mormons) have been active in the country for decades. Other groups include the Catholic, Muslim, and Jewish communities.

There is an extremely small but growing immigrant population, whose members tend to practice different faiths than those of most citizens. Many immigrants are Muslims from Somalia.

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. There are two state churches: the Evangelical Lutheran Church and the Orthodox Church. All citizens who belong to one of these state churches pay a church tax as part of their income tax. Those who do not want to pay the tax must inform the applicable state church that they are leaving that church. These church taxes are used to defray the costs of running the state churches. State churches also handle services such as recording births, deaths, and marriages, which for citizens outside these churches are handled by official state registrars. Nontraditional religious groups are eligible for some tax relief (for example, they may receive tax-free donations), provided that they are registered with, and recognized by, the Government as religious communities.

The Ministry of Education has outlined requirements for recognition of religious communities. Religious groups should have at least 20 members. The purpose of the group should be the public practice of religion, and the activities of the group should be guided by a set of rules. The Government recognizes 45 of these communities as churches.

The Government's procedures for recognizing religious communities are still under review. The Law on Freedom of Religion, which has been described as technically unclear, dates from 1923; draft amendments proposed by a government commission in 1999 aim to clarify the requirements for recognizing and registering religious communities, and to increase opportunities to practice one's faith and to belong to several religious groups simultaneously. The Government still was considering the commission's proposals and planned to introduce the bill to Parliament by the end of June 2002. The amended law would no longer ban simultaneous membership in several religious groups but would allow religious organizations themselves to regulate membership. In addition, minors over 12 years of age would have the option to change their religious affiliation from that of their parents. The proposed legislation also would reduce restrictions on the organization and operations of religious communities, facilitate the registration as churches of religious groups, and enhance their independence. The amendments also call for a separate law on funerals. Under present practices, persons not belonging to an established church often are subject to excessive burial expenses.

Instruction in the tenets of the state religions is incorporated into the curriculum of all public schools. However, students who are not members of the state churches may substitute general classes on religion and philosophy. The new amendments would allow parents or guardians belonging to other faiths or denominations to decide in what religion their children should be instructed.

The Constitution prohibits discrimination based on religion. Various government programs available through the Ministry of Education and the Ministry of Labor focus on ongoing discrimination, including discrimination based on religion. Studies and research, integration programs, and recommendations for further incorporation of immigrants into society have been the focal points of these programs. Religion has not been highlighted in particular, but remains a part of the Government's overall attempts to combat discrimination.

Restrictions on Religious Freedom

In 1998 the Education Ministry turned down the application of the Finnish Association of Scientologists to be registered as a religious community. This was the first time in the country's history that an applicant had been denied church status. The

Scientologists' application had been pending for nearly 3 years while the Government awaited additional information that it had requested from the Association. In 1999 the Scientologists appealed the decision to the Parliamentary Ombudsman, who ruled that although the Education Ministry had made minor procedural errors, its actions had been substantively correct under the law. The Education Ministry's decision may be appealed to the Supreme Administrative Court. The Scientologists have not yet done so but have indicated that they intend to begin the process to appeal to the Supreme Administrative Court.

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 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.

Some citizens are not very receptive to proselytizing by adherents of nontraditional faiths, in part due to the tendency to regard religion as a private matter.

Nontraditional religious groups practice their religions freely. They generally are free from discrimination despite intolerant attitudes from some members of society.

Immigrants do not encounter difficulties in practicing their faiths; however, they sometimes encounter random discrimination and xenophobia.

The state churches often speak out in support of the Finnish/Nordic welfare state model, couching social welfare state values in religious or moral terms.

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 promoting human rights. Embassy representatives periodically meet with representatives of the various religious communities (both mainstream and nontraditional) to discuss religious freedom issues.

FRANCE

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, religious groups continued to be concerned about the possible impact of legislation passed in 2001. The 1905 law on the separation of church and state prohibits discrimination on the basis of faith.

There was no overall 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; however, during the period covered by this report, numerous anti-Semitic incidents occurred, mainly as a result of increased tensions in the Middle East. Government leaders and representatives from the country's four main religious groups strongly criticized the violence, and the Government continued to increase police security for Jewish institutions.

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 211,210 square miles, and its population is approximately 60 million.

The Government does not keep statistics on religious affiliation. The vast majority of the population is nominally Roman Catholic. According to one member of the Catholic hierarchy, only 8 percent of the population are practicing Catholics. Muslims constitute the second largest religious group in number; Islam has approximately 4 to 5 million adherents, or approximately 7 to 8 percent of the population. Protestants make up 2 percent of the population, and the Jewish and Buddhist faiths each represent 1 percent.

The Jewish community numbers between 600,000 and 700,000 persons and is divided among Reform, Conservative, and Orthodox groups. According to press reports, up to 60 percent of the Jewish community celebrates at most only the high holy days such as Yom Kippur and Rosh Hashanah. One Jewish community leader

has reported that the largest number of practicing Jews in the country is Orthodox. Jehovah's Witnesses claim that 250,000 persons attend their services either regularly or periodically. Orthodox Christians number between 80,000 and 100,000; the vast majority are associated with the Greek or Russian Orthodox churches. According to various estimates, approximately 6 percent of the country's citizens are unaffiliated with any religion.

Other religions present in the country include evangelicals and the Church of Jesus Christ of Latter-Day Saints (Mormons). Membership in evangelical churches is growing due to increased participation by African and Antillian immigrants. Examples of minority religious groups include the Scientologists (membership estimates range from 5,000 to 20,000), the Raelians with approximately 20,000 members, the Association of the Triumphant Vajra, and the Order of the Solar Temple.

Foreign missionaries are present in the country.

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, religious groups continued to be concerned about the possible impact of legislation passed in 2001. The 1905 law on the separation of church and state—the foundation of existing legislation on religious freedom—makes it illegal to discriminate on the basis of faith.

Organizations are required to register, and the Government uses many categories to describe associations. Two of these categories apply to religious groups: "Associations culturelles" (associations of worship, which are exempt from taxes) and "associations culturelles" (cultural associations, which are not exempt from taxes). Associations in these two categories are subject to certain management and financial-disclosure requirements. An association of worship may organize only religious activities, defined as liturgical services and practices. A cultural association is a type of association whose goal is to promote the culture of a certain group, including a religious group. Although a cultural association is not exempt from taxes, it may receive government subsidies for its cultural and educational operations (such as schools). Religious groups normally use both of these categories; the Church of Jesus Christ of Latter-Day Saints, for example, runs strictly religious activities through its association of worship and operates a school under its cultural association.

Religious groups must apply with the local prefecture to be recognized as an association of worship and, therefore, receive tax-exempt status for their religious activities under the 1905 statute. The prefecture reviews the submitted documentation regarding the association's purpose for existence. To qualify the group's purpose must be solely the practice of some form of religious ritual. Printing publications, employing a board president, or running a school may disqualify a group from receiving tax-exempt status.

According to the Ministry of the Interior, 109 of 1,138 Protestant associations, 15 of 147 Jewish associations, and 2 of 1,050 Muslim associations have tax-free status. Roughly 100 Catholic associations are tax exempt; a representative of the Ministry of Interior reports that the total number of non-tax-exempt Catholic associations is too numerous to estimate accurately. More than 50 associations of the Jehovah's Witnesses have tax-free status.

According to the 1905 law, associations of worship are not taxed on the donations that they receive. However, the prefecture may decide to review a group's status if the association receives a large donation or legacy that comes to the attention of the tax authorities. If the prefecture determines that the association is not in fact in conformity with the 1905 law, its status may be changed and it may be required to pay a 60 percent tax rate on present and past donations.

For historical reasons, the Jewish, Lutheran, Reformed (Protestant), and Roman Catholic groups in three departments of Alsace Lorraine enjoy special legal status in terms of taxation of individuals donating to these religious groups. Adherents of these four religious groups may choose to have a portion of their income tax allocated to their church in a system administered by the central Government.

Central or local governments own and maintain religious buildings constructed before the 1905 law separating church and state. In Alsace and Moselle, special laws allow the local government to provide support for the building of religious edifices. The Government partially funded the establishment of the country's oldest Islamic house of worship, the Paris mosque, in 1926.

Foreign missionaries must obtain a 3-month tourist visa before leaving their own country. Upon arrival, missionaries must apply with the local prefecture for a *carte de sejour* (a document that allows a foreigner to remain in the country for a given

period of time), and then must provide the prefecture a letter from their sponsoring religious organization.

Religion is not taught in public schools. Parents may homeschool children for religious reasons, but all schooling must conform to the standards established for public schools. Public schools make an effort to supply special meals for students with religious dietary restrictions. The State subsidizes private schools, including those that are affiliated with churches.

Five of the country's 10 national holidays are Catholic holidays.

In February 2002, the Government and the Vatican initiated church-state meetings that are expected to focus on administrative and judicial matters.

The Government has made efforts to promote interfaith understanding. Strict antidefamation laws prohibit racially or religiously motivated attacks. The Government has programs to combat racism and anti-Semitism through public awareness campaigns, and by encouraging dialog between local officials, police, and citizen groups. Following the numerous anti-Semitic incidents that occurred during the period covered by this report, government leaders, along with representatives from the Jewish community, the Paris and Marseille Grand Mosques, the Protestant Federation, and the French Conference on Bishops, came together to criticize the violence.

Restrictions on Religious Freedom

Following mass suicides in 1994 by members of the Order of the Solar Temple, successive governments have encouraged public caution towards some minority religious groups that it may consider to be "cults." In 1996 a parliamentary commission studying so-called cults issued a report that identified 173 groups as cults, including Jehovah's Witnesses, the Theological Institute of Nimes (an evangelical Christian Bible College), and the Church of Scientology. The Government has not banned any of the groups on the list; however, members of some of the groups listed have alleged instances of intolerance due to the ensuing publicity.

The Government's "Interministerial Mission in the Fight against Sects/Cults" (MILS), which was created in 1998, is responsible for coordinating periodic inter ministerial meetings at which government officials can exchange information on cults and coordinate their actions. Although the Government instructed the MILS to analyze the "phenomenon of cults," its decree did not define the term cult or distinguish cults from religions. On February 19, 2002, the MILS released its third annual report. The report noted a stagnation in cult activities in the country but stated that disasters may provide enhanced opportunity for cult recruitment of potentially vulnerable victims. A separate case study focused on potential cult activities in the health care field. On June 17, 2002, the President of MILS resigned; no replacement had been named as of the end of the period covered by this report.

The June 2001 About-Picard law, which tightens restrictions on organizations, does not define cults; however, its articles list criminal activities for which a religious association (or other legal entity) could be subject to dissolution. These include: endangering life or the physical or psychological well-being of a person; placing minors at mortal risk; violation of another person's freedom, dignity, or identity; the illegal practice of medicine or pharmacology; false advertising; and fraud or falsifications. Certain registered private associations, including anti-cult associations, are given standing as third parties to initiate criminal action on behalf of alleged victims against a "person or organization that has the goal or effect of creating or exploiting a psychological or physical dependence." The law also reinforces existing provisions of the Penal Code by adding language covering the exploitation of the "psychological or physical subjection" of "fraudulent abuse of a state of ignorance or weakness." Leaders of the four major religions, such as the president of the French Protestant Federation and the president of the Conference of Bishops in France, raised concerns about the legislation. By the end of the period covered by this report, no cases had been brought under the new law.

In April 2001, the Paris branch of the Church of Scientology was taken to court for attempted fraud, false advertising, and violation of the Data Privacy Act. The case was brought by three persons, including a former member of the group, who alleged that they continued to receive mass mailings despite requests to be taken off lists. According to press reports, the prosecutor requested that the court consider dissolving the church in Paris; however, there was no legal request for dissolution. On May 17, 2002, the court found the Paris branch guilty of violating the privacy of former members and fined them approximately \$8,000 (8,000 Euros); however, the branch was cleared of attempted fraud and false advertising. The court fined the president of the Ile-de-France section of the organization approximately \$2,000 (2,000 Euros). Church of Scientology representatives report that a case filed by a parent whose child attended an "Applied Scholastics"-based school remained ongoing.

Local authorities often determine the treatment of religious minorities. The Association of the Triumphant Vajra was involved in a dispute with local officials over a statue of the Association's guru that allegedly was erected without a permit. After a final court ruling, the statue was demolished on September 6, 2001.

Some observers are concerned about the scrutiny with which tax authorities have examined the financial records of some religious groups. The Government does not recognize all branches of Jehovah's Witnesses or the Church of Scientology as qualifying religious associations for tax purposes, and therefore subjects them to a 60 percent tax on all funds they receive. The tax authorities began an audit in 1996 of the French Association of Jehovah's Witnesses. In 1998 the tax authorities formally assessed the 60 percent tax on donations received between September 1992 and August 1996. Tax authorities then began proceedings to collect the assessed tax, including steps to place a lien on the property of the National Consistory of Jehovah's Witnesses. On February 28, 2002, the Versailles Court of Appeals upheld a Nanterre court's 2000 decision against the Jehovah's Witnesses. The Jehovah's Witnesses were appealing the decision to the Court of Cassation (the country's highest appeal body) at the end of the period covered by this report.

Debate continues over whether denying some Muslim girls the right to wear headscarves in public schools constitutes a violation of the right to religious freedom. Various courts and government bodies have considered the question on a case-by-case basis; however, there has been no definitive national decision on this issue.

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 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; however, there were a number of anti-Semitic incidents during the period covered by this report.

The Conseil des Eglises Chretiennes en France is composed of three Protestant, three Catholic, and three Orthodox Christian representatives. It serves as a forum for dialog among the major Christian churches. There is also an organized interfaith dialog among the Christian, Buddhist, Muslim, and Jewish communities, which discuss and issue statements on various national and international themes. The Ministry of Interior is consulting with Muslim organizations regarding the creation of a Muslim council and is working to schedule a vote on an accord.

The annual National Consultative Commission on Human Rights (NCCHR) report on racism and xenophobia, released in March 2002, noted a decrease in the number of attacks against Jews in 2001, following the sharp increase in incidents in 2000. The NCCHR reported 200 anti-Semitic incidents of violence and threats in 2001, compared with 743 in 2000. However, during the first 6 months of 2002, there was another increase in attacks, ranging from graffiti and harassment to cemetery desecration and fire bombing, mainly as a result of increasing tensions in the Middle East. According to the press, the police reported close to 400 incidents during the 2-week period of March 29 through April 17, 2002. The most serious incidents occurred over the Easter-Passover weekend: On March 30, a synagogue was damaged by fire in a suburb of Strasbourg; on March 31, a synagogue and adjoining library in Marseille were burned to the ground and a second was attacked 2 days later; in March in Toulouse, there was a drive-by shooting of a Kosher butcher shop; on April 7, assailants threw gasoline bombs at a synagogue north of Paris; and in April in Lyon, 15 masked assailants smashed 2 cars into a synagogue and set it on fire. On April 10, a group of youths armed with baseball bats attacked and robbed young Jewish soccer players. It appeared that disaffected youths were responsible for many of the incidents and arrests have been made. Government leaders, members of the Jewish community, the Paris and Marseille Grand Mosques, the Protestant Federation, and the French Conference of Bishops strongly criticized the violence.

The Government increased security for Jewish institutions. More than 13 mobile units, totaling more than 1,200 officers, have been assigned to those locales having the largest Jewish communities. Fixed or mobile police are present in the schools, particularly during the hours when children are entering or leaving school buildings. All of these measures were coordinated closely with leaders of the Jewish communities in the country, notably the Representative Council of Jewish Institutions (CRIF). In April 2002, the Marseille prefecture instituted 24-hour patrols at all of the city's Jewish sites.

In addition, several incidents occurred against members of the large Arab/Muslim community, including incidents of harassment and vandalism.

In April 2001, the press reported that software produced by Panda International was created by a Scientologist. According to representatives of Panda Software, the Interior Ministry and others subsequently indicated they would not renew their contracts with the company. Panda claimed that critical statements by government officials in press articles linking the product to Scientology have caused a significant loss of business.

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.

Representatives from the Embassy have met several times with government officials and members of Parliament. Embassy officers also meet regularly with a variety of private citizens, religious organizations, and nongovernmental organizations involved in the issue. U.S. Members of Congress and Congressional Commissions also have discussed religious freedom issues with senior government officials. In April 2002, the National Trade Estimate on Foreign Trade Barriers cited France on the grounds that "a U.S. software company alleges that French government agencies have refused to renew contracts with the firm because of the management's relationship to Scientology."

GEORGIA

The Constitution provides for freedom of religion and the Government generally respects this right in practice; however, local authorities sometimes restricted the rights of members of nontraditional religious minority groups.

The status of religious freedom continued to deteriorate, attacks increased in frequency, and acts of violence occurred with impunity during the period covered by this report. Local police and security officials continued to harass nontraditional religious minority groups, particularly local and foreign missionaries and were complicit, or in some cases actually participated in or facilitated attacks against members of such groups. Police failed to respond to continued attacks by Orthodox extremists, largely followers of Father Basil Mkalavishvili, against members of Jehovah's Witnesses and other nontraditional religious minorities.

Citizens generally do not interfere with traditional religious groups; however, there is widespread suspicion of nontraditional religious groups, and the number of incidents in which Orthodox extremists harassed and attacked such groups, especially members of Jehovah's Witnesses, continued to increase.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Government repeatedly raised its concerns about harassment of and attacks against nontraditional religious minorities with senior government officials.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 25,900 square miles and its population is approximately 4.4 million. Most ethnic Georgians (approximately 70 percent of the population, according to the preliminary results of the 2002 census) nominally associate themselves with the Georgian Orthodox Church. Orthodox churches serving other non-Georgian ethnic groups, such as Russians and Greeks, are subordinate to the Georgian Orthodox Church. Non-Georgian Orthodox Churches generally use the language of their communicants. In addition, there are a small number of mostly ethnic Russian adherents from two dissident Orthodox schools: the Malakani Staroveriy (Old Believers); and Dukhoboriy, the majority of whom have left the country. Under Soviet rule, the number of active churches and priests declined sharply and religious education was nearly nonexistent. Membership in the Georgian Orthodox Church has continued to increase since independence in 1991. The Church maintains 4 theological seminaries, 2 academies, several schools, and 27 church dioceses; and has 700 priests, 250 monks, and 150 nuns. The Church is headed by Catholicos Patriarch, Ilya II; the Patriarchate is located in Tbilisi.

Several religions, including the Armenian Apostolic Church, Roman Catholicism, Judaism, and Islam, traditionally have coexisted with Georgian Orthodoxy. A large number of Armenians live in the southern Javakheti region, in which they constitute a majority of the population. Islam is prevalent among Azerbaijani and north Caucasus ethnic communities in the eastern part of the country and also is found

in the regions of Ajara and Abkhazia. Approximately 5 percent of the population are nominally Muslim. Judaism, which has been present since ancient times, is practiced in a number of communities throughout the country, especially in the largest cities of Tbilisi and Kutaisi.

Approximately 8,000 Jews remain in the country, following 2 large waves of emigration, the first in the early 1970s and the second in the period of perestroika during the late 1980s. Before then, Jewish officials estimate there were as many as 100,000 Jews in the country. There also are small numbers of Lutheran worshipers, mostly among descendants of German communities that first settled in the country several hundred years ago. A small number of Kurdish Yezidis have lived in the country for centuries.

Since the collapse of the Soviet Union, Protestant denominations have become more prominent. They include Baptists (composed of Russian, Georgian, Armenian, Ossetian, and Kurdish groups); Seventh-Day Adventists; Pentecostals (both Georgian and Russian); members of Jehovah's Witnesses (local representatives state that the group has been in the country since 1953 and has approximately 15,000 adherents); the New Apostolic Church; and the Assemblies of God. There also are a few Baha'is and Hare Krishnas. Except for Jehovah's Witnesses, there are no available member numbers on these groups; however, their membership combined is most likely fewer than 1,000 persons.

SECTION II. STATUS OF FREEDOM OF RELIGION

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, local police and security officials at times harassed nontraditional religious minority groups and their foreign missionaries. The Constitution recognizes the special role of the Georgian Orthodox Church in the country's history, but also stipulates the independence of the Church from the State. A draft constitutional agreement (concordat), which further specifies church-state relations between the Government and the Patriarchate of the Georgian Orthodox Church, has been discussed however, it was not proposed formally to the Parliament at the end of the period covered by this report.

There are no laws regarding the registration of religious organizations; however, the Ministry of Justice has prepared and submitted to Parliament a draft bill that provides for registration of all religious confessions in the country. The bill has not yet been submitted to Parliament.

Religious groups that perform humanitarian services may be registered as charitable organizations, although religious and other organizations may perform humanitarian services without registration. Organizations that are not registered may not rent office space or import literature, among other activities. Individual members of unregistered organizations may engage in these activities as individuals, but in such cases are exposed to personal legal liability.

While the National Security Council's human rights representative, the chairwoman of the Parliamentary Human Rights Committee, and the Government Ombudsman have been effective advocates for religious freedom in a number of instances, the Ministry of Interior (including the police) and Procuracy generally have failed to pursue criminal cases against Orthodox extremists for their continued attacks against religious minorities. The Ministry of Internal Affairs was reorganized to include a deputy minister, who created an office that has duties including investigating religious violence. On the few occasions in which investigations into such attacks have been opened, they have proceeded very slowly.

During the Soviet era, the Georgian Orthodox Church largely was suppressed, as were many other religious institutions; many churches were destroyed or turned into museums, concert halls, and other secular establishments. As a result of new policies regarding religion implemented by the Soviet government in the late 1980's, the present Patriarch began reconsecrating churches formerly closed throughout the country. The Church remains very active in the restoration of these religious facilities and lobbies the Government for the return of properties that were held by the Church before the Bolshevik Revolution. (Church authorities have claimed that 20 to 30 percent of the land at one time belonged to the Church.)

Restrictions on Religious Freedom

The Georgian Orthodox Church enjoys a tax-exempt status not available to other religious groups. In 2001 Parliament amended the Constitution to allow for ultimate adoption of a concordat between the Church and the State, supported by the Church, which would define relations between the two. While a final concordat draft had not been completed by the end of the period covered by this report, earlier

versions covered several controversial topics, including transfer to the Church of ownership of church treasures expropriated during the Soviet period and held in state museums and repositories; government compensation to the Church for moral and material damage inflicted by the Soviets; and government assistance in establishing after-school Orthodox religious courses in educational institutions and Orthodox chaplaincies in the military and in prisons. The Catholic, Lutheran, Baptist, and Armenian Apostolic churches, as well as representatives of the Jewish and Muslim faiths, signed formal documents with the Orthodox Patriarchate agreeing to the concordat, even before the introduction of associated constitutional amendments on March 20, 2002. Representatives of nontraditional religious minority groups, such as the Jehovah's Witnesses and Pentecostals, were not included in this process. The prospect of such a concordat has raised concerns among nongovernmental organizations (NGO's) that believe that it would discriminate against religious minorities. The Georgian Orthodox Church had lobbied Parliament and the Government for laws that would grant it special status and restrict the activities of missionaries from nontraditional religions. However, parliamentary leaders have indicated that prior to adoption, the final concordat draft is expected to be sent to the Council of Europe, European Parliament, and European Union for informal expert analysis, to ensure that it accords with European norms and the Government's international legal obligations.

While most citizens practice their religion without restriction, the worship of some citizens, particularly members of nontraditional faiths, has been restricted by intimidation and the use of force by rightwing nationalists whom the Government has failed to control. Some nationalist politicians continue to use the issue of the continued supremacy of the Georgian Orthodox Church in their platforms, and criticized some Protestant groups, especially evangelical groups, as subversive. Jehovah's Witnesses in particular are the target of attacks from such politicians, most prominently Member of Parliament Guram Sharadze.

In addition, a February 2001 Supreme Court ruling upheld a 2000 appeals court decision revoking the registration of Jehovah's Witnesses on the grounds that the law does not allow for registration of religious organizations. The effect of the Court decision has restricted the group's ability to rent premises for services and importing literature. The revocation of the registration of Jehovah's Witnesses resulted from a 1999 court case brought by Sharadze seeking to ban the group on the grounds that it presented a threat to the State and the Georgian Orthodox Church.

The Supreme Court emphasized that its ruling was based on technical legal grounds and was not to have the effect of banning the group; however, many local law enforcement officials interpreted the ruling as a ban, and thus used it as a justification not to protect members of Jehovah's Witnesses from attacks by religious extremists. The court decision did not have the effect of revoking the registration of other religious organizations, since the case was brought against Jehovah's Witnesses only.

The Roman Catholic and Armenian Apostolic Churches have been unable to secure the return of their churches and other facilities closed during the Soviet period, many of which later were given to the Georgian Orthodox Church by the State. A prominent Armenian Church in Tbilisi remained closed, and the Roman Catholic and Armenian Apostolic Churches, as with Protestant denominations, have had difficulty obtaining permission to construct new churches due to pressure from the Georgian Orthodox Church. On April 5, 2002, the Catholic Union of Western Georgia filed suit in a Tbilisi court against the Patriarchate for return of the Annunciation cathedral in Kutaisi, in the west.

In 2001 the Ministry of Interior (including the police) and Procuracy generally failed to pursue criminal cases against Orthodox extremists for their attacks against religious minorities. On the few occasions in which there were investigations into such attacks, they have proceeded very slowly.

The Jewish community also experienced delays in the return of property confiscated during Soviet rule. In 1997 the courts ordered that a former synagogue, which had been rented from the Government by a theater group, be returned to the Jewish community. The theater group refused to comply and began a publicity campaign with anti-Semitic overtones to justify its continued occupation of the building. In 1998 President Shevardnadze promised Jewish leaders that the synagogue would be returned before the 2,600-year celebration of Jewish settlement in the country. However, the President's order was not enforced, and the theater group brought suit, claiming that the building never was a synagogue. The court referred the issue to a panel of experts for evaluation. In 2000 the panel informed the court that it had come to a split decision on whether the building had been a synagogue. In April 2001, the Supreme Court ruled that the central hall of the synagogue should be returned to the Jewish community, but that the theater groups should retain part of

the building. However, by the end of the period covered by this report, the theater group had not vacated the central hall.

In April 2001, Jehovah's Witnesses representative Arno Tungler was denied an entry visa at Tbilisi Airport, despite having an official accreditation from the Ministry of Justice. Tungler later received a visa and was allowed entry into the country.

According to some local human rights groups, as a result of pressure from the Georgian Orthodox Church, the Ministry of Education prevented the use of several school textbooks on the history of religion because they did not give absolute precedence to Orthodox Christianity. The textbooks eventually were published and introduced into the school system after the incorporation of changes requested by the Church. However, under the November law, the Church was given a consultative role in curriculum development but has no veto power. On a number of occasions, members of Jehovah's Witnesses encountered difficulty importing religious literature into the country. Shipments were delayed by the Customs Department for lengthy periods of time.

Abuses of Religious Freedom

Local police and security officials continued to harass at times nontraditional religious minority groups, especially members of Jehovah's Witnesses. The police only sporadically intervened to protect such minorities from attacks by Orthodox extremists. In some cases police, actually participated in or facilitated the attacks. The Catholic Church faced difficulties in attempting to build churches in the towns of Kutaisi and Akhaltsikhe.

Since October 1999, followers of excommunicated Orthodox priest Basili Mkalavishvili (Basilists) have engaged in more than 80 violent attacks on nontraditional religious minorities, including Baptists, Seventh-Day Adventists, and especially members of Jehovah's Witnesses. Throughout the period covered by this report, the Basilists, as well as members of an Orthodox extremist group called "Jvari" (Cross), continued their series of attacks, at times together. The attacks involved burning religious literature, including the Bible; breaking up religious gatherings; and beating up parishioners, in some cases with nail-studded sticks and clubs. The attacks have been

publicized widely, in part by the Basilists themselves who videotape the incidents. Most acts of religious violence have gone unpunished, despite the filing of more than 700 criminal complaints. Due to a pending criminal case, Mkalavishvili has not participated in several attacks; however, he did participate in the May 7, 2002, attack against Stereo 1, 1 month after a court denied a prosecution request for preliminary detention of Mkalavishvili. Evidence strongly suggests that Mkalavishvili has directed numerous attacks.

Although law enforcement authorities were present during some of the attacks, in most instances, they failed to intervene, leading to a widespread belief in police complicity in the activities of the Basilists and an atmosphere of impunity surrounding the religious attacks.

During the period covered by this report, Basilists continued to harass several families of Jehovah's Witnesses, demanding that they stop holding meetings in their homes. Because of the continuing violence, the Jehovah's Witnesses have refrained from public meetings in favor of gatherings in private homes.

On September 16, 2001, the police and followers of Mkalavishvili prevented members of Jehovah's Witnesses from holding a convention in Marneuli by stopping buses, physically attacking followers, and burning and looting the convention site. Members of Jehovah's Witnesses alleged that police actively participated in these activities, and at least one eyewitness confirmed that police did not impede the Basilists. On September 19, the head of the Marneuli district administration was dismissed for undisclosed reasons following the incident. An investigation was ongoing at the end of the period covered by this report.

On September 23, 2001, Basilists attacked a choir practice of a Pentecostal church group in the Tbilisi suburb of Gldani. The attackers, led by Mkalavishvili, beat the attendants with wooden clubs and crosses, dragged parishioners by their hair, and threw women and children to the ground. They also damaged the pastor's car. The local police arrived only after the Basilists had left the scene. Police limited their action to taking a report of the incident.

On September 28, 2001, Mkalavishvili and between 70 and 100 supporters, armed with stones, clubs, and bicycle spokes, blocked the highway at Tbilisi's Ponichala road junction. They established their own checkpoint within 300 meters of a traffic police checkpoint, at which from 8 to 10 traffic and regular police were observed to be present. Mkalavishvili's group filtered traffic, seeking cars and buses taking members of Jehovah's Witnesses to a planned convention in the southern town of

Marneuli. They attacked and beat any Jehovah's Witnesses they found, causing numerous injuries and also damaging the vehicles in which the victims were traveling. The nearby police refused to intervene. A Jehovah's Witnesses organization reported that its representatives made urgent telephone calls to many officials of various levels of responsibility in the police, Ministry of Internal Affairs, and the General Procuracy, yet no intervention followed.

On September 30, 2001, approximately 14 men from the Jvari organization raided a Jehovah's Witnesses prayer meeting in Rustavi, and allegedly beat members of the congregation and seized religious literature.

On December 23, 2001, Mkalavishvili and approximately 50 supporters in Tbilisi broke up the church service of the Word of Life Church that was being held in a cinema. As the morning service was ending, the Basilists entered the cinema ringing bells. The attackers severely beat two church members; broke the sound system; stole church money, a music synthesizer and personal handbags; and seized and tore up religious books, including copies of the Bible. Mkalavishvili reportedly used a mobile telephone to direct the attack from outside the cinema to avoid legal consequences related to his ongoing trial.

On January 25, 2002, a mob of Basilists surrounded the building housing television channel Stereo One. The Basilists had been threatening Tbilisi-based Stereo One since early 2001 for broadcasting the American Evangelical program "The Victorious Voice of the Believer" dubbed into Russian. Two Basilists who broke into the building were arrested by the police. However, a crowd of 100 Basilists who quickly gathered outside the police station demanded their release. The police complied with their demand. Stereo One resumed broadcasting the religious program after briefly ceasing transmission in February despite continued threats by Mkalavishvili. On May 7, 2002, Mkalavishvili and four followers again tried to break into the offices of Stereo One, physically assaulting one staff member. The police responded promptly after being alerted by a local human rights NGO.

On February 3, 2002, Mkalavishvili gathered a mob of 150 followers and seized a warehouse owned by the Baptist Union. During the raid, the Basilists burned thousands of copies of the Bible and other religious literature. As during other attacks, Mkalavishvili held an impromptu press conference with the violence in the background.

On April 7, 2002, a group of 25 Basilists armed with truncheons stormed a meeting of members of Jehovah's Witnesses in the village of Ponichala outside Tbilisi. The attackers assaulted participants, damaged the house, and stole religious literature as well as personal property.

On September 3, 2001, Mkalavishvili and Petre Ivanidze were charged with unlawful entry, assault, persecution of an individual on account of his beliefs, constraint of freedom, and unlawful violation of carrying out religious customs. However, they were not detained. Their trial on these charges began on January 25, 2002, but was postponed repeatedly, principally due to the lack of courtroom security for victims and witnesses or absences of prosecutors. The Didube-Chugureti city court consistently refused to provide adequate police guards for security while permitting hundreds of Basilists, armed with wooden and iron crosses—which have been used previously to attack religious minorities—effectively to commandeer the courtroom and intimidate arriving attorneys and witnesses. On April 1, 2002, the presiding judge issued a final sentence refusing the prosecution's request for preliminary detention of Mkalavishvili as part of the ongoing trial. On March 9, 2002, Human Rights Watch addressed an open letter to President Shevardnadze urging law enforcement authorities to promptly and fairly conclude the court case against Mkalavishvili by taking Mkalavishvili into pretrial detention and ensuring the physical safety of trial participants.

The court's failure to provide adequate courtroom security stood in stark contrast to the overwhelming police protection provided during a related court case against Mkalavishvili for a March 2002 assault on three police officers near his Gldani-based church. The Ministry of Interior provided more than 200 security police and special weapons and tactics team members for that hearing during which Mkalavishvili was acquitted in March 2002.

On May 13, 2002, the Marneuli district court acquitted police officers of wrongdoing during an attack by Basilists on a September 2000 Congress of Jehovah's Witnesses in Marneuli. Mkalavishvili and his followers had destroyed the premises for a Jehovah's Witnesses conference in Marneuli and physically assaulted and robbed several dozen members of Jehovah's Witnesses while police looked on. Police also had prevented a number of buses carrying Jehovah's Witnesses from reaching the conference. Similar events occurred during the September 28, 2001, Congress of the Jehovah's Witnesses, when Basilists again attacked the congregation while local police forces ignored the assault. On September 19, the head of the Marneuli district

administration was dismissed for undisclosed reasons following the incident. An investigation was ongoing at the end of the period covered by this report.

On January 22, 2001, Mkalavishvili broke up a press conference in which members of Jehovah's Witnesses were presenting a petition with 130,000 signatures demanding government action against religious violence. Basilists seized and fled with most of the volumes of signatures. In April and May 2001, following the opening of a criminal case against Mkalavishvili, Basilists continued their attacks against members of Jehovah's Witnesses, which included several cases in which peaceful religious gatherings in Tbilisi, Rustavi, and other locales were broken up and members of Jehovah's Witnesses were beaten with sticks and clubs. Mkalavishvili publicly encouraged these attacks, although he did not participate due to fear of potential legal consequences.

On March 14, 2001, Basilists, with the assistance of traffic police, stopped a truck in Mtskheta carrying books imported by the United Bible Society and attempted to seize and burn them.

In May 2001, an appeals court overturned charges of hooliganism against a member of Jehovah's Witnesses and returned the case to the lower court for further investigation. This case began in October 1999, when Basilists violently attacked a worship service of 120 parishioners in the Gldani district of Tbilisi. The Gldani police refused to intervene, and 16 persons were injured in the attack. In December 1999, the case was forwarded to the Gldani prosecutor's office for criminal charges. Despite the advocacy by the National Security Advisor for Human Rights on Jehovah's Witnesses' behalf, in January 2000, the Gldani regional prosecutor's office returned the case to the city prosecutor's office, stating that no violation had occurred. The case has been reopened and closed on several occasions since then. While it is ongoing, the investigation is proceeding very slowly. In June 2000, the investigators charged two of the defendants with hooliganism stemming from the incident. They were convicted in court in September 2000, and received suspended sentences. One of the two appealed his conviction. International organizations such as the U.N. Human Rights Committee and the Council of Europe have admonished the Government's poor record in adequately redressing the deterioration of religious freedom.

On May 17, 2002, the Council of Europe Commission against Racism and Intolerance released a report that strongly criticized the authorities' disregard of religious and racial violence and harassment in the country. The report placed particular emphasis on the harassment of religious minorities. In response to the report, President Shevardnadze announced a special

Government session on human rights, which has since been postponed. On May 17, 2002, President Shevardnadze issued a decree announcing government measures to improve the human rights situation including the protection of the rights of religious minorities but without concrete results.

On May 20, 2002, several dozen followers of Mkalavishvili held protest demonstrations in front of the American Embassy and at the Office of the Public Defender. The protesters criticized a letter sent to President Shevardnadze by 15 U.S. Senators and Members of Congress, who are members of the U.S. Helsinki Commission, urging the Government to enforce the law and protect citizens against criminal attacks from religious extremists.

The Assemblies of God, several of whose members were beaten and abused verbally by police officials while conducting outdoor services in Tbilisi in May 1999, appealed to the European Court in Strasbourg, Germany. The police officials who interrupted the service sought to obtain the names of the church members. Members of the Assemblies of God assert that they remain under local police surveillance. A number of members of the congregation were hesitant to return to their apartments and cars for a few days after the police actions. In September 1999, the group brought suit against the police and lost. The group alleged that the leader of a radical Orthodox group exerted pressure on the court. The suit later was appealed to the Supreme Court, which dismissed it in 2000. The group then appealed to the European Court, where the case remained pending at the end of the period covered by this report.

Regular and reliable information regarding the separatist controlled "Republic of Abkhazia," which is not recognized by any country and over which the Government of Georgia does not exercise control, is difficult to obtain. A 1995 decree by the Abkhaz "President," Vladislav Ardzinba, that banned Jehovah's Witnesses in Abkhazia remains in effect. A number of members of Jehovah's Witnesses have been detained in the last few years; however, according to a representative of Jehovah's Witnesses, none were in detention at the end of the period covered by this report.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There are 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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The public's attitude towards religion is ambivalent. Although many residents are not particularly observant religiously, the link between Georgian Orthodoxy and Georgian ethnic and national identity is strong.

Despite their general tolerance toward minority religious groups traditional to the country—including Catholics, Armenian Apostolic Christians, Jews, and Muslims—many citizens remain apprehensive about Protestants and other nontraditional religions, which they view as taking advantage of the populace's economic hardship by gaining membership through handing out economic assistance to converts. Some members of the Georgian Orthodox Church and the public view non-Orthodox religious groups, especially nontraditional groups or so-called "sects" as a threat to the national Church and Georgian cultural values and have argued that foreign Christian missionaries should confine their activities to non-Christian areas.

The Patriarchy of the Georgian Orthodox Church has criticized strongly the attacks perpetrated by Orthodox extremists against nontraditional religious minorities and has distanced itself from the excommunicated priest Basil Mkalavishvili. However, on February 10, 2002, a senior bishop based in the city of Rustavi stated on a leading television news program that all 'sectarians' (including nontraditional religious minorities such as the Jehovah's Witnesses) in the country should be killed. The bishop also voiced his support for Mkalavishvili. The Patriarchy later released a press statement in response saying that the bishop's comments were quoted out of context. Some observers believe that problems such as the bishop's statement and the actions of some priests, such as the leaders of mobs in 2001 in Sachkere and Martvili, may be due to the fact that many priests were ordained 10 years ago without the appropriate educational background and training in an attempt to meet the requirements of growing congregations with the fall of Communism.

The Georgian Orthodox Church withdrew its membership from the World Council of Churches in 1997 in order to appease clerics strongly opposed to ecumenism. Church officials and nationalists criticized some Protestant groups—especially evangelical groups—as being subversive. In a signed document, eleven leaders of the Georgian Orthodox Church have argued that Christian missionaries should confine their activities to non-Christian areas.

Religious leaders of different faiths have spoken out against such criticism. Some NGO's advocate removing the clause in the Constitution concerning the Church's special role, claiming that it contradicts the Constitution's provisions regarding religious freedom.

The Muslim and Jewish communities report that they have encountered few societal problems. There is no historical pattern of anti-Semitism.

Nationalistic politicians manipulated reports of the activities of Jehovah's Witnesses in order to create public hostility. In April 2000, one politician inaccurately publicized the case of a hospitalized member of Jehovah's Witnesses who refused a blood transfusion and certain forms of medical treatment. The event was covered widely in the press and sparked a brief public debate over religious beliefs and medical ethics.

Many of the problems among traditional religious groups stem from disputes over property. The Roman Catholic and Armenian Apostolic Churches have been unable to secure the return of their churches and other facilities that were closed during the Soviet period, many of which later were given to the Georgian Orthodox Church by the State. A prominent Armenian church in Tbilisi remains closed and the Roman Catholic and Armenian Apostolic Churches, with Protestant denominations, have had difficulty obtaining permission to construct new churches, reportedly in part as a result of pressure from the Georgian Orthodox Church. Georgian Orthodox Church authorities have accused Armenian believers of purposely altering some existing Georgian churches so that they would be mistaken for Armenian churches. The Catholic Church successfully completed the construction of a new church in Batumi in June 2000.

In June 2002, Mkalavishvili and several dozen of his followers held a noisy but peaceful rally in Tbilisi to protest a new draft law on religion prepared by the Ministry of Justice, stating that the law would effectively legalize "criminal sects."

On March 6, 2001, four Orthodox priests led a mob in an attack on members of Jehovah's Witnesses in Sachkere. The mayor and local police chief refused to intervene, and local law enforcement officials warned that there would be further at-

tacks. There was no investigation or arrests made by the end of the period covered by this report.

On March 24, 2001, eight visiting foreign Assembly of God members were attacked by a mob of Basilists, who stole their camera equipment and inflicted minor injuries upon them. Police reportedly were present and observed the attack but made no effort to intervene. In June 2001, a mob that included 30 Orthodox priests attacked Jehovah's Witnesses during a meeting in the western city of Martvili. The mob assaulted two women, beating one with a stick and striking the other in the face while the priests looked on. There was no investigation or arrests made by the end of the period covered by this report.

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. On several occasions during the period covered by this report, senior U.S. Government officials, including the Ambassador, raised U.S. Government concerns regarding harassment of and attacks against nontraditional religious minorities with senior government officials, including the President, Parliament Speaker, and Internal Affairs and Justice Ministers. In April 2002, Senator Gordon Smith, a member of the U.S. Commission on Security and Cooperation in Europe, strongly criticized unpunished religious violence in the country and called upon the Government to prosecute vigorously extremists who have attacked nontraditional religious minorities. A May 17, 2002, letter written by the Commission and signed by 15 Senators called on President Shevardnadze to end violence against groups of religious minorities in the country. Acknowledging the letter, President Shevardnadze again strongly criticized abuses and urged Parliament to adopt quickly a law on religion drafted by the Ministry of Justice. Embassy officials frequently met with representatives of the Government, Parliament, of various religious confessions, as well as with NGO's concerned with religious freedom issues.

In April 2002, a visiting representative from the Department of State's Office of International Religious Freedom met with members of the Government, various religious confessions and NGO's concerned with religious freedom issues, and underscored the need for the Government to end religious violence.

GERMANY

The Basic Law (Constitution) provides for religious freedom and the Government generally respects this right in practice; however, there is some discrimination against minority religions.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Government does not recognize Scientology as a religion and views it as an economic enterprise, and Scientologists continued to report discrimination based on their beliefs. Federal and state classification of Scientology as a potential threat to democratic order has led to occasional attempts to exclude individuals practicing Scientology from government employment and from some sectors of business.

The generally amicable relationship among religions in society contributed to religious freedom. However, following a rise in the incidence of anti-Semitic crimes and an increase in public criticism of the Israeli Government's actions in the Middle East, Jewish community leaders expressed disappointment in some of the country's political leaders for not speaking out more forcefully against anti-Semitism.

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 137,821 square miles, and its population is approximately 82 million. There are no official statistics on religions; however, unofficial estimates and figures provided by the organizations themselves give an approximate breakdown of the membership of the country's denominations. The Evangelical Church, which includes the Lutheran, Uniate, and Reformed Protestant Churches, has 27 million members, who constitute 33 percent of the population. Statistical offices in the Evangelical Church estimate that 1.1 million church members (or 4 percent) attend weekly religious services. The Catholic Church has a membership of 27.2 million, or 33.4 percent of the population. According to the Church's statistics,

4.8 million Catholics (or 17.5 percent) actively participate in weekly services. According to government estimates, there are approximately 2.8 to 3.2 million Muslims living in the country (approximately 3.4 percent to 3.9 percent of the population.) Statistics on mosque attendance were not available.

Orthodox churches have approximately 1.1 million members, or 1.3 percent of the population. The Greek Orthodox Church is the largest, with approximately 450,000 members; the Romanian Orthodox Church has 300,000 members; and the Serbian Orthodox Church has 200,000 members. The Russian Orthodox Church, Moscow Patriarchate has 50,000 members, while the Russian Orthodox Church Abroad has approximately 28,000 members. The Syrian Orthodox Church has 37,000 members, and the Armenian Apostolic Orthodox Church has an estimated 35,000 members.

Other Christian churches have approximately 1 million members, or 1.2 percent of the population. These include Adventists with 35,000 members, the Apostolate of Jesus Christ with 18,000 members, the Apostolate of Judah with 2,800 members, the Apostolic Community with 8,000 members, Baptists with 87,000 members, the Christian Congregation with 12,000 members, the Church of Jesus Christ of Latter-Day Saints (Mormons) with 39,000, the Evangelical Brotherhood with 7,200 members, Jehovah's Witnesses with 165,000 members, Mennonites with 6,500 members, Methodists with 66,000 members, the New Apostolic Church with 430,000 members, Old Catholics with 25,000 members, the Salvation Army with 2,000 members, Seventh-Day Adventists with 53,000 members, the Union of Free Evangelical churches with 30,500 members, the Union of Free Pentecostal Communities with 16,000 members, the Temple Society with 250 members, and the Quakers with 335 members.

Jewish congregations have approximately 87,500 members and make up 0.1 percent of the population. According to press reports, the country's Jewish population is growing rapidly, and more than 100,000 Jews from the former Soviet Union have come to the country since 1990. The vast majority of newly arrived Jews come from countries of the former Soviet Union. Not all new arrivals join congregations, hence the discrepancy between population numbers and the number of congregation members.

The Unification Church has approximately 850 members; the Church of Scientology has 8,000 members; the Hare Krishna society has 5,000 members; the Johannish Church has 3,500 members; the International Grail Movement has 2,300 members; Ananda Marga has 3,000 members; and Sri Chinmoy has 300 members.

Approximately 21.8 million persons, or 26.6 percent of the population, either have no religious affiliation or belong to unrecorded religious organizations.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Basic Law (Constitution) provides for freedom of religion, and the Government generally respects this right in practice.

Church and State are separate, although historically a special partnership exists between the State and those religious communities that have the status of a "corporation under public law." If they fulfill certain requirements, including assurance of permanence, size of the organization, and no indication that the organization is not loyal to the State, organizations may request that they be granted "public law corporation" status, which, among other things, entitles them to levy taxes on their members that the State collects for them. Organizations pay a fee to the Government for this service, and all public law corporations do not avail themselves of this privilege. The decision to grant public law corporation status is made at the state level. In 2000 the Federal Constitutional Court passed a groundbreaking ruling in which it found the condition of "loyalty to the state" to be a violation of the constitutionally mandated separation of church and state. Therefore, this condition is inadmissible in the catalog of conditions imposed on religious organizations. Many religions and denominations have been granted public law corporation status. Among them are the Lutheran and Catholic Churches and Judaism, as well as the Mormons, Seventh-Day Adventists, Mennonites, Baptists, Methodists, Christian Scientists, and the Salvation Army.

The right of Muslims to slaughter animals ritually without the stunning required by the animal protection law was the subject of a court case that concluded in January 2002. In November 2000, the Federal Administrative Court ruled that the Islamic Community of Hessen was not a "religious community" as defined in the animal protection law, which allows religious communities to apply for waivers of animal slaughtering regulations. As a result, Muslims could not apply for a waiver; however, the Jewish Community was granted a waiver shortly after the animal protection law first went into effect in order to slaughter animals by kosher procedures.

The Muslim Community appealed the ruling, and in January 2002, the Federal Constitutional Court ruled that Muslim butchers could apply for waivers.

State subsidies also are provided to some religious organizations for historical and cultural reasons. Some Jewish synagogues have been built with state financial assistance because of the State's role in the destruction of synagogues in 1938 and throughout the Nazi period. Repairs to and restoration of some Christian churches and monasteries are undertaken with state financial support because of the expropriation by the State of church lands in 1803 during the Napoleonic period. Having taken from the churches the means by which they earned money to repair their buildings, the State recognized an obligation to cover the cost of those repairs. Subsidies are paid out only to those buildings affected by the 1803 Napoleonic reforms. Newer buildings do not receive subsidies for upkeep. State governments also subsidize various institutions affiliated with public law corporations, such as church-run schools and hospitals.

Religious organizations do not need to register. Most religious organizations are registered and treated as nonprofit associations and therefore enjoy tax-exempt status. State level authorities review these submissions and routinely grant this status. Organizations must register at a local or municipal court and provide evidence (through their own statutes) that they are a religion and thus contribute socially, spiritually, or materially to society. Local tax offices occasionally conduct reviews of tax-exempt status.

In principle the Central Council of Jews represents the majority of Jewish congregations in the country. However, since the founding of the first liberal congregations in the country in 1997, there were 11 liberal/reform congregations that are represented by the Union of Progressive Jews in Germany, Austria, and Switzerland (UPJGAS), which is not represented on the Central Council, at the end of the period covered by this report. The UPJGAS was seeking to establish a dialog with the Central Council and the Government in order to secure access to federal and state funds allocated for the purpose of development, support, and stability of all German Jewish congregations. Such funds are managed through contracts between the 16 states and the state-level Jewish umbrella organizations, which constitute the Central Council.

Most public schools offer religious instruction in cooperation with the Protestant and Catholic churches and offer instruction in Judaism if enough students express interest. A nonreligious ethics course or study hall generally is available for students not wishing to participate in religious instruction. The issue of Islamic education in public schools is becoming topical in several states. In 2000 the Federal Administrative Court upheld previous court rulings that the Islamic Federation qualified as a religious community and as a result must be given the opportunity to provide religious instruction in Berlin schools. The decision drew criticism from the many Islamic organizations that were not represented by the Islamic Federation, and the Berlin State Government expressed its concerns about the Islamic Federation's alleged links to Milli Gorus, a Turkish group classified as extremist by the Federal Office for the Protection of the Constitution (OPC). However, after another court decision in favor of the Islamic Federation in August 2001, Berlin school authorities decided to allow the Islamic Federation to begin teaching Islamic religious classes in several Berlin schools starting in September 2001. In 2000 Bavaria announced that it would offer German-language Islamic education in its public schools starting in 2003.

The right to provide religious chaplaincies in the military, in hospitals, and in prisons is not dependent on the public law corporation status of a religious community. The Ministry of Defense was looking into the possibility of Islamic clergymen providing religious services in the military, although none of the many Islamic communities has the status of a corporation under public law.

Restrictions on Religious Freedom

In 1997 the Federal Administrative Court in Berlin upheld a Berlin State Government's decision to deny Jehovah's Witnesses public law corporation status. The Court concluded that the group did not offer the "indispensable loyalty" towards the democratic state "essential for lasting cooperation" because it forbade its members from participating in public elections. The group does enjoy the basic tax-exempt status afforded to most religious organizations. In 2000 members of Jehovah's Witnesses appealed, and the Constitutional Court found in their favor, remanding the case back to the Federal Administrative Court in Berlin. For the first time, the Constitutional Court had examined the conditions for granting the status of a public law corporation and found that for reasons of the separation of church and state, "loyalty to the state" cannot be a condition imposed on religious communities. The Constitutional Court tempered the victory for Jehovah's Witnesses by instructing the

Berlin Administrative Court to examine whether Jehovah's Witnesses use coercive methods to prevent their members from leaving the congregation and whether their child-rearing practices conform to the country's human rights standards. In May 2001, the Federal Administrative Court referred the case back down to the Higher Administrative Court in Berlin to address the open questions.

Several states have published pamphlets detailing the ideology and practices of non mainstream religions. States defend the practice by noting their responsibility to respond to citizens' requests for information about these groups. While many of the pamphlets are factual and relatively unbiased, others may harm the reputations of some groups through innuendo and inclusion in a report covering known dangerous cults or movements. Scientology is the focus of many such pamphlets, some of which warn of alleged dangers posed by Scientology to the political order and free market economic system, and to the mental and financial well-being of individuals. For example, the Hamburg OPC published "The Intelligence Service of the Scientology Organization," which outlines its claim that Scientology tried to infiltrate governments, offices, and companies, and that the church spies on its opponents, defames them, and "destroys" them. In 1998 the Federal OPC concluded that although there was no imminent danger of infiltration by Scientology into high levels of the political or economic power structures, there were indications of tendencies within Scientology, supported by its ideology and programmatic goals, which could be seen as directed against the country's free and democratic order and that the public should be informed of these dangers.

The Church of Scientology, which operates 18 churches and missions, remained under scrutiny by both federal and state officials, who contend that its ideology is opposed to democracy. Since 1997 Scientology has been under observation by the Federal and State OPC's. In observing an organization, OPC officials seek to collect information, mostly from written materials and firsthand accounts, to assess whether a "threat" exists. More intrusive methods would be subject to legal checks and would require evidence of involvement in treasonous or terrorist activity. Federal OPC authorities stated that no requests had been made to employ more intrusive methods, nor were any such requests envisioned. One state, Schleswig-Holstein, does not implement observation; state officials have concluded that Scientology does not have an actively aggressive attitude towards the Constitution—the condition required by the state's law to permit the OPC observation.

In December 2001, the Berlin Regional Administrative Court held that the Berlin OPC could not employ undercover agents to continue the observation of Scientology's activities in the state of Berlin. The Court concluded that after 4 years of observation, the Berlin OPC had failed to uncover information that would justify the continued use of intrusive methods. However, the observation of Scientology activities through other means (e.g., open sources or electronic surveillance) was not affected by the ruling, which applies only to the city-state of Berlin. Observation is not an investigation into criminal wrongdoing, and, no criminal charges had been brought against the Church of Scientology by the Government at the end of the period covered by this report.

The Federal OPC's annual reports for 2000 and 2001 concluded that the original reasons for initiating observation of Scientology in 1997 still were valid. As in earlier reports, the OPC based its analysis and conclusions on the writings of Scientology founder L. Ron Hubbard and on Scientology books and pamphlets. The reports noted first that the ideas contained in Hubbard's writings are for Scientology practitioners "binding and unalterable." The reports claim that Scientology poses a threat to democratic constitutional order because it advocates replacement of parliamentary democracies by an undemocratic system of government based on principles of Scientology; it advocates a diminution of basic rights of the person for persons not judged "worthy" by Scientology's criteria; it employs an intelligence service that is not supposed to be constrained by existing laws; and it has the long-term goal of replacing the existing political system through the expansion of Scientology.

Government authorities contend that Scientology is not a religion but an economic enterprise and therefore sometimes have sought to deregister Scientology organizations previously registered as nonprofit associations and require them to register as commercial enterprises. With the exception of Dianetik e.V., a Scientology-related organization in Baden-Wuerttemberg, no Scientology organization has tax-exempt status. Authorities in the state government have attempted to have the tax-exempt status of Dianetik e.V. revoked; however, in January 2002, the State Administrative Court ruled that the organization may retain its tax-exempt status. State officials may appeal the verdict.

Until March 2001, the Government required firms to sign a declaration (a "sect filter") in bidding on government contracts stating that neither the firm's management nor employees were Scientologists. The term "sect filter" is misleading because

the declarations are Scientology-specific and in practice do not refer to any other group; they more accurately could be described as "Scientology filters." Firms that failed to submit a sect filter declaration were presumed "unreliable" and excluded from consideration. In response to concerns expressed by foreign governments and multinational firms unable to determine the religious affiliation of all their employees, the Economics Ministry limited the scope of the sect filter to consulting and training contracts in 2000. In March 2001, the Economics Ministry persuaded the federal and state interior ministries to accept new wording that would only prohibit use of the "technology of L. Ron Hubbard" in executing government contracts. Firms owned or managed by or employing Scientologists could bid on these contracts.

Scientologists continued to report discrimination because of their beliefs. A number of state and local offices share information on individuals known to be Scientologists. In addition, to "sect filters" that some local and state government offices and businesses (including major international corporations) and other organizations require job applicants and bidders on contracts to sign, some state governments also screen companies bidding on contracts relating to training and the handling and processing of personal data. The private sector on occasion has required foreign firms that wish to do business in the country to declare any affiliation that they or their employees may have with Scientology. Private sector firms that screen for Scientology affiliations frequently cited OPC observation of Scientology as a justification for discrimination. The Federal Property Office has barred the sale of some real estate to Scientologists, noting that the federal Finance Ministry has urged that such sales be avoided, if possible.

Scientologists reported employment difficulties, and, in the state of Bavaria, applicants for state civil service positions must complete questionnaires detailing any relationship they may have with Scientology. Bavaria identified some state employees as Scientologists and has required them to complete the questionnaire. The questionnaire specifically states that the failure to complete the form will result in the employment application not being considered. Some of these employees have refused, and two filed suit in the local administrative court. In November 2002, both cases were decided in favor of the employees. Others refused to complete the questionnaire and chose to wait for rulings in the two cases. The Bavarian Interior Ministry commented that these were individual decisions, but withdrew the questionnaire for persons already employed with the State of Bavaria or the City of Munich; however, the questionnaire still was in use for persons seeking new state or municipal government employment. In one case, a person was not given civil service but only employee status (a distinction that involves important differences in levels of benefits); in another case, a person quit Scientology in order not to jeopardize his career. According to Bavarian and federal officials, no one in Bavaria lost a job or was denied employment solely because of association with Scientology; Scientology officials confirmed this fact.

In a well-publicized court case in 1999, a higher social court in Rheinland-Pfalz ruled that a Scientologist was allowed to run her *au pair* agency, for which the state labor ministry had refused to renew her license in 1994, solely based on her Scientology membership. The judge ruled that the question of a person's reliability hinges on the person herself and not on her membership in the Church of Scientology. However, the State Labor Office appealed the decision, and the National Social Court in Kassel overturned it. In September 2001, responding to an appeal by the Scientologist, the State Social Court upheld the Kassel court's finding, ruled out further appeals, and barred the woman from running the *au pair* agency.

In 2002 the Baden-Wuerttemberg Administrative Court ruled that members of the Scientology Organization are not permitted to sell books and brochures in pedestrian zones in the cities of Stuttgart and Freiburg. The court noted that such activity required a permit for which the Scientology Organization never applied. The Scientology Organization argued that this restriction violated the basic right of religious freedom, but this argument was rejected by the court.

The inter ministerial group of midlevel federal and state officials that exchanges information on Scientology-related issues continued its periodic meetings. The group published no report or policy compendium during the period covered by this report and remained purely consultative in purpose.

In June 2001, the Baden-Wuerttemberg State Administrative Court upheld a 1998 ban on Muslim teachers wearing headscarves in the classroom. An appeal was pending at the end of the period covered by this report. The Administrative Court in Lueneburg, Lower Saxony, found that school authorities have to admit the teacher into probationary civil service status, and that wearing a headscarf does not constitute cause for denial of employment. An administrative court in Hamburg had come to a similar finding in 1999. The woman appealed the ruling, and in June

2001, the State Administrative Court dismissed her appeal. It is not clear yet whether she plans to appeal the verdict at the federal level.

In March 2002, the DeMoss Foundation used celebrities to advertise an Evangelical Christian textbook, "Power for Living," which generated approximately 50,000 requests for the free publication. The Government banned the organization's television and radio broadcasts, as well as billboards, based upon its prohibition of broadcast advertising for religious, political, or ideological causes.

Difficulties sometimes arise between churches and state over tax matters and zoning approval for building places of worship.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The country increasingly is becoming secular. Regular attendance at religious services is decreasing. After more than 4 decades of Communist rule, the eastern part of the country had become far more secular than the western part. Church representatives note that only 5 to 10 percent of eastern inhabitants belong to a religious organization.

Relations between the various religious communities are generally amicable. However, following a rise in the incidence of anti-Semitic crimes and an increase in public criticism of the Israeli Government's actions in the Middle East, Jewish community leaders expressed disappointment in the leaders of other religious communities, as well as in some local and national politicians, for not speaking out more forcefully against anti-Semitism. In addition, several Jewish groups accused the print media of pro-Palestinian bias in their reporting of the situation in the Middle East, and expressed concern that this alleged bias could increase anti-Semitic attitudes. In October 2001, the management of a commercial racing track in Oschersleben informed the foreign subsidiary of the California Superbike School—a private firm—that it could not rent the track to conduct a training session; they stated that the denial was based on the grounds that the founder of the School was a Scientologist, and that Scientology was under OPC observation.

With an estimated 4 million adherents, Islam is the 3-rd most commonly practiced religion in the country (after Catholicism and Lutheranism). All branches of Islam are represented, with the vast majority of Muslims coming from a large number of other countries. At times this led to societal discord, such as local resistance to the construction of mosques or disagreements over whether Muslims may use loudspeakers in residential neighborhoods to call the faithful to prayer. There also remain areas where the law conflicts with Islamic practices or raises religious freedom issues. In 2000 the Government published a comprehensive report on "Islam in Germany" that examined these issues in response to an inquiry from Parliament. In June 2002, the Federal Interior Ministry organized the "Forum Islam" in Frankfurt in order to foster dialog among Muslim communities and between these communities and the federal Government.

In the past, opposition to the construction of mosques was reported in various communities around the country. There was no further discussion of the dispute in Heselach regarding the construction of a mosque.

There also was a case of a planned mosque in the Frankfurt suburb of Roedelheim. Neighbors expressed concerns about an increase in traffic if visitors come to attend services at the mosque. There were newspaper reports of open opposition to the project voiced at citizen meetings with the city administration. Leading city officials seem to support the construction of the mosque, but the case was pending at the end of the period covered by this report.

In October 2001, two young men of Arab origin were convicted of aggravated arson in association with an attack on a synagogue in Dusseldorf that month, which caused slight damage to the building. Police found Nazi symbols and related items in the suspects' homes. The synagogue remained under around-the-clock police protection since the incident at the end of the period covered by this report.

In July 2000, an explosive device was detonated at a Dusseldorf train station, injuring 10 persons, most of whom were Jewish refugees from the former Soviet Union. Despite intensive police investigation, the case, which authorities considered a possible hate crime, had not been solved by the end of the period covered by this report.

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.

In response to anti-Semitic crimes, members of the U.S. Mission closely followed the Government's responses and officially expressed the U.S. Government's opposition to anti-Semitism. Mission officers maintained contacts with Jewish groups and continue to monitor closely the incidence of anti-Semitic activity.

The status of Scientology was the subject of many discussions during the period covered by this report. The U.S. Government expressed its concerns over infringement of individual rights because of religious affiliation and over the potential for discrimination in international trade posed by the screening of foreign firms for possible Scientology affiliation. U.S. Government officials discussed with state and federal authorities U.S. concerns about the violation of individual rights posed by the use of declarations of Scientology affiliation. U.S. officials frequently made the point that the use of such "filters" to prevent persons from practicing their professions, solely based on their beliefs, is an abuse of their rights, as well as a discriminatory business practice. The U.S. Government consistently maintained that the determination of whether any organization is religious is for the organization itself to make.

GREECE

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles.

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. Nonorthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

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 81,935 square miles, and its population is an estimated 10.9 million. Approximately 97 percent of the population identify themselves at least nominally with the Greek Orthodox faith. There are approximately 500,000 to 800,000 Old Calendarists throughout the country. With the exception of the Muslim community (some of whose rights and privileges as well as related government obligations are covered by the 1923 Treaty of Lausanne), the Government does not keep statistics on the size of religious groups; the 2001 census did not ask for religious affiliation. Ethnic Greeks account for a sizeable percentage of most non orthodox religions. The balance of the population is composed of Muslims (officially estimated at 98,000, although some Muslims claim up to 130,000 to 140,000 country-wide); accurate figures for other religious groups are not available. Members of Jehovah's Witnesses are estimated at 50,000; Catholics at 50,000; Protestants, including evangelicals, at 30,000; and the Church of Jesus Christ of Latter-Day Saints (Mormons) at 300. Scientologists claim 12,000 members, a figure observers believe to be high. The Jewish community numbers approximately 5,000 adherents; an estimated 1,000 reside in Thessaloniki and the majority are citizens. Approximately 250 members of the Baha'i Faith, the majority of whom are citizens of non-Greek ethnicity, are scattered throughout the country. There also are small populations of Anglicans, Baptists, and nondenominational Christians. There is no official or unofficial estimate of atheists.

The majority of noncitizen residents are not Greek Orthodox. The largest group is the Albanians (approximately 700,000 including legal and illegal residents); most nominally are Muslim, Orthodox, or Roman Catholic, but the majority are non practicing.

Catholics reside primarily in Athens and on the islands of Syros, Tinos, Naxos, and Corfu, as well as in the cities of Thessaloniki and Patras. Immigrants from the

Philippines and Poland also practice Catholicism. The Bishop of Athens heads the Roman Catholic Holy Synod.

Some religious groups, such as the evangelicals and Jehovah's Witnesses, consist almost entirely of ethnic Greeks. Other groups, such as Mormons and Anglicans, consist of an approximately equal number of ethnic Greeks and non-Greeks.

The Muslim population, concentrated in Thrace with small communities in Rhodes, Kos, and Athens, is composed mainly of ethnic Turks but also includes Pomaks and Roma.

Scientologists, most of whom are located in the Athens area, practice their faith through a registered nonprofit philosophical organization.

Foreign missionary groups in the country, including Protestants and Mormons, are active; the latter states that it has approximately 80 missionaries in the country each year, for approximately 2-year terms.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the prevailing religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles. The Orthodox Church exercises significant political and economic influence. The Government, under the direction of the Ministry of Education and Religion, provides some financial support by, for example, paying for the salaries and religious training of clergy, and financing the maintenance of Orthodox Church buildings. However, the conscientious objector provision in the Constitution and an effective, well-run Ombudsman's office, which successfully handled an increasing number of cases, fostered government tolerance of minority religions.

The Orthodox Church, Judaism, and Islam are the only groups considered to be a "legal person of public law" by law. Other religions are considered "legal persons of private law." In practice the primary distinction is that the establishment of "houses of prayer" of religions other than the Orthodox Church, Judaism, or Islam is regulated by the general provisions of the Civil Code regarding corporations. For example, these religions cannot own property as religious entities; the property must belong to a specifically created legal entity rather than to the church itself. In practice this places an additional legal and administrative burden on non-Orthodox religious community organizations, although in most cases this process has been handled routinely. Members of minority religious groups that are classified as private entities also cannot be represented in court as religious entities and cannot will or inherit property as a religious entity. A 1999 law extended legal recognition to Catholic churches and related entities established prior to 1946. By virtue of the Orthodox Church's status as the "prevailing" religion, the Government recognizes the Orthodox Church's canon law (the official statutes of the Church); however, the Catholic Church unsuccessfully has sought government recognition of its canon law since 1999.

Two laws from the 1930's require recognized or "known" religious groups to obtain "house of prayer" permits from the Ministry of Education and Religion in order to open houses of worship. By law the Ministry may base its decision to issue permits on the opinion of the local Orthodox bishop. No formal mechanism exists to gain recognition as a known religion, but Ministry officials state that they no longer obtain the opinion of the local Orthodox bishop when considering house of prayer permit applications. According to the Ministry's officials, applications for additional houses of prayer are numerous and are approved routinely; however, in 2000 the Ministry denied the Scientologists of Greece their application for recognition and a house of prayer permit on the grounds that Scientology is not a religion. An appeal was pending at the end of the period covered by this report. The Church of Scientology appealed the decision with the Council of State in December 2000 and the case still was pending at the end of the period covered by this report.

Leaders of some non-Orthodox religious groups claimed that all taxes on religious organizations were discriminatory, even those that the Orthodox Church has to pay, because the Government subsidizes the Orthodox Church, while other groups are self supporting. The Government also pays the salaries of the two official Muslim religious leaders ("muftis," Islamic judges and religious leaders with limited civic responsibilities) in Thrace and provides them with official vehicles.

The 1923 Treaty of Lausanne, which still is in force, gives Muslims in Thrace the right to maintain social and charitable organizations (“wakfs”) and provides for muftis to render religious judicial services.

The Treaty of Lausanne provides that the Muslim minority has the right to Turkish-language education, with a reciprocal entitlement for the Greek minority in Istanbul (now reduced to approximately 3,000 persons). Western Thrace has both Koranic and secular Turkish-language schools. In 2000 approximately 19 new Turkish-language textbooks approved jointly by the Governments of Greece and Turkey were distributed in the schools, the first such distribution since 1974. Approximately 8,000 Muslim children attended Turkish-language public schools and an additional 150 attended 2 bilingual middle schools with a religious curriculum. Approximately 600 Muslim students attended Turkish-language secondary schools, and approximately 1,600 Muslim students attended Greek-language secondary schools. Some Muslims, especially in Thrace, attend high school in Turkey. In 1999 the Government instituted a European Union funded program for teaching Greek as a second language to Muslim children, primarily in the Greek-language schools, to improve their academic performance and chances of obtaining postsecondary education in the country.

Other than in one multicultural elementary education “pilot school,” the Government does not provide instruction in Greek as a second language to Turcophone children in the Athens area. Muslim parents report that their children are unable to succeed in school as a result of this policy. The Government maintains that Muslims outside Thrace are not covered by the Treaty of Lausanne and therefore do not enjoy those rights provided by the treaty.

Government incentives encourage Muslim and Christian educators to reside and teach in isolated villages.

The law permits the Minister of Education to give special consideration to Muslims for admission to universities and technical institutes. The law requires universities and technical institutes to set aside places for Muslim students each year. Fewer than half of the 400 places available were filled by the end of the period covered by this report.

Restrictions on Religious Freedom

In 2000 the Ministry of Education and Religious Affairs rejected the application of the Scientologists for recognition and a house of prayer permit on the grounds that Scientology “is not a religion.” The Church of Scientology is registered as a philosophical organization because legal counsel advised that the Government would not recognize Scientology as a religion. The Scientologists appealed the ministry decision with the Council of State and the case remained pending at the end of the period covered by this report, allowing Scientologists to operate as a non-profit association.

Minority religious groups have requested that the Government abolish laws regulating house of prayer permits, which are required in order to open houses of worship. Many provisions of these laws are not applied in practice, but local police still have the authority to bring minority churches to court that operate or build places of worship without a permit. A defrocked Orthodox priest in northern Greece continued to hold religious services in Macedonian (the language of the Former Yugoslav Republic of Macedonia) in a meeting hall, despite complaints by Orthodox clergy.

Several religious denominations reported difficulties in dealing with the authorities on a variety of administrative matters. Privileges and legal prerogatives granted to the Greek Orthodox Church are not extended routinely to other recognized religions. The non-Greek Orthodox churches must provide separate and lengthy applications to government authorities on such matters as gaining permission to move places of worship to larger facilities. In contrast Greek Orthodox officials have an institutionalized link between the church hierarchy and the Ministry of Education and Religion to handle administrative matters.

Although Jehovah’s Witnesses are recognized as a “known” religion, members continued to face some harassment in the form of arbitrary identity checks, difficulties in burying their dead, and local officials’ resistance to their construction of churches (which in most cases was resolved quickly and favorably).

Several religious denominations, including foreign Mormons and Jews, reported difficulty in renewing the visas of their non-European Union citizen ministers and rabbis because the Government does not have a distinct religious workers’ visa category. As part of new obligations under the Schengen Treaty and the Treaty of Amsterdam, all non-European Union citizens face a more restrictive visa and residence regime than they did in the past. By the end of the period covered by this report, no progress had been made on issuing visas for foreign clergy to perform their religious work in the country.

In the summer of 2000, the Government decided to remove the notation of religious affiliation on national identity cards. Despite criticism from the Orthodox Church, the Government began issuing the new identity cards in 2001.

Non-Orthodox citizens have claimed that they face career limits within the military, police, fire-fighting forces, and the civil service because of their religions. In the military, generally only members of the Orthodox faith become officers, leading some members of other faiths to declare themselves Orthodox. Few Muslim military personnel have advanced to the rank of reserve officer, and there were reports of pressure exerted on Greek Orthodox military personnel not to marry in the religious ceremony of their non orthodox partner, because they may be passed over for promotion. In addition, the rigorous training requirements to advance also require a solid educational background and fluency in Greek, posing an obstacle for many Muslims.

The percentage of Muslims employed in the public sector and in state-owned industries and corporations is disproportionately lower than the percentage of Muslims in the population, which many observers claim is due to the language barrier, not to religious discrimination. In Xanthi and Komotini, while Muslims hold seats on the prefectural and town councils, there are no Muslims among regular employees of the prefecture. Muslims in Thrace claim that they are hired only for lower level, part-time work. According to the Government, lack of fluency in written and spoken Greek and the need for university degrees for highlevel positions limit the number of Muslims eligible for government jobs.

The approximately 10,000 member Muslim community in Athens (composed primarily of economic migrants from Thrace, Pakistan, Iran, and Iraq) is still without its own mosque or any state appointed cleric to officiate at various religious functions, including funerals. Members of the Muslim community often transport their deceased back to Thrace for religious burials. In 2000 the Parliament approved a bill allowing construction of the first Islamic cultural center and mosque in the Athens area; however, construction had not started by the end of the period covered by this report. Members of the Orthodox Church oppose the cultural center, claiming it may "spread the ideology of Islam and the Arab world" rather than act as a simple museum. According to official sources, a total of 287 mosques operate freely in Thrace and on the islands of Rhodes and Kos.

Differences remain within the Muslim community and between segments of the community and the Government regarding the means of selecting muftis. Under a 1991 law, the Government appointed two muftis and one assistant mufti, all residents in Thrace.

The appointments to 10-year terms were based on the recommendations of a committee of Muslim notables selected by the Government. The Government argued that it must appoint the muftis, because in addition to religious duties, they perform judicial functions in many civil and domestic matters under Muslim religious law, for which the State pays them. In 2001 the mufti from Komotini and the mufti from Xanthi were reappointed for another 10-year term. Some Muslims accept the authority of the two government-appointed muftis; other Muslims, backed by Turkey, have "elected" two muftis to serve their communities (although there is no established procedure or practice for election).

Controversy between the Muslim community and the Government also continued over the management and self-government of the "wakfs" (Muslim charitable organizations), particularly regarding the appointment of officials and the degree and type of administrative control. A 1980 law placed the administration of the wakfs in the hands of the appointed muftis and their representatives. In response to objections from some Muslims that this arrangement weakened the financial autonomy of the wakfs and violated the terms of the Treaty of Lausanne, a 1996 presidential decree placed the wakfs under the administration of a committee for 3 years as an interim measure pending resolution of outstanding problems. The interim period was extended in 1999. At the end of the period covered by this report, the Government was preparing a draft bill that would permit Muslims to elect their own administrative committee for each municipality.

Evangelical parishes are located throughout the country. Members of missionary faiths report having difficulties with harassment and police detention due to antiproselytizing laws. Church officials express concern that antiproselytizing laws remain on the books, although such laws no longer hinder their ministering to the poor and to children.

In 1998 a law providing an alternative form of mandatory national service for conscientious objectors (for religious and ideological reasons) took effect. The law provides that conscientious objectors may work in state hospitals or municipal services for 36 months, in lieu of mandatory military service. Conscientious objector groups generally characterized the legislation as a positive first step but criticized the 36-

month alternative service term, which is double the regular 18-month period of military service. Also since 1998, all members of Jehovah's Witnesses who wished to submit applications for alternative nonmilitary service have been permitted to do so. There were 10 religiously based conscientious objector cases still pending resolution at the end of the reporting period. These cases pertain to individuals who were in the process of contesting a prison term for refusing to serve in the military and whose cases were not covered by the 1998 law.

A 1939 law prohibits the functioning of private schools in buildings owned by non-Orthodox religious foundations; however, this law is not enforced in practice.

Religious instruction in Orthodoxy in public, primary, and secondary schools is mandatory for all Orthodox students. Nonorthodox students are exempt from this requirement. However, members of Jehovah's Witnesses have reported some instances of discrimination related to attendance at religious education classes or other celebrations of religious or nationalistic character. Jewish teachers are not allowed to teach at the primary level because they are not Orthodox and cannot give religious instruction in Orthodoxy to the students. Members of the Muslim community in Athens are lobbying for Islamic religious instruction for their children. The neighborhood schools offer no alternative supervision for the children during the period of religious instruction. The community has complained that this forces the parents to have their children attend Orthodox religious instruction by default.

In the past, Muslim activists have complained that the Government regularly lodges tax liens against the wakfs, although they are tax-free foundations in theory. Under a national land and property registry law that entered into full effect in 1999, the wakfs, along with all property holders, must register all of their property with the Government. The law permits the Government to seize any property that the owners are not able to document; there are built-in reporting and appeals procedures. The wakfs were established in 1560; however, due to the destruction of files during the two world wars, the wakfs are unable to document ownership of much of their property. They have not registered the property, so they cannot pay assessed taxes. The Government had not sought to enforce either the assessments or the registration requirement by the end of the period covered by this report.

In Thessaloniki in 1999, the Government Tax Office refused to recognize the Jehovah's Witnesses as a nonprofit association (Evangelicals and Baha'is are considered nonprofit associations) and imposed an inheritance tax for property willed to them. The groups appealed the decision in 2000; the Court of Appeals overturned the imposed tax in April 2001. However, in 2001 the tax office in Thessaloniki again refused to recognize Jehovah's Witnesses as a nonprofit association in two more cases and again imposed an inheritance tax for property willed to them.

Abuses of Religious Freedom

Church leaders report that their permanent members (non missionaries) do not encounter discriminatory treatment. However, police regularly detained Mormons and members of Jehovah's Witnesses (on average once every 2 weeks) usually after receiving complaints that the individuals were engaged in proselytizing. In most cases, these individuals were held for several hours at a police station and then released with no charges filed. Many reported that they were not allowed to call their lawyers and that they were abused verbally by police officers for their religious beliefs. There were three new charges of proselytism against Jehovah's Witnesses; however, the Public Prosecutor had not filed charges by the end of the period covered by this report. Another three cases remained pending in the courts.

The courts have convicted one of the "elected" muftis 14 times in 5 years for usurping the authority of the official mufti. Most sentences were upheld at the appeal; the elected mufti chose to pay fines rather than serve time in jail. The other "elected" mufti, who was convicted in 1991 of usurping the authority of the official mufti, appealed to the European Court of Human Rights (ECHR). In 1999 the ECHR ruled that the conviction violated his freedom of religion and self-expression, but it did not rule on the question of his legal status as mufti. In July 2001, the Greek Supreme Court ruled that the muftis are innocent because they were not practicing official mufti duties.

There were no reports of religious prisoners or detainees apart from the problems of temporary police detention experienced by Mormons and members of Jehovah's Witnesses.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Citizens tend to link religious affiliation very closely to ethnicity. Many attribute the preservation of national identity to the actions of the Greek Orthodox Church during approximately 400 years of Ottoman rule and the subsequent nation-building period. The Church exercises significant social, political, and economic influence, and it owns a considerable, although undetermined, amount of property.

Many citizens consider an ethnic Greek also an Orthodox Christian. Non-Orthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

Members of minority faiths have reported incidents of societal discrimination, such as local bishops warning parishioners not to visit clergy or members of minority faiths and neighbors, and requesting that the police arrest missionaries for proselytizing. However, with the exception of the Muslim minority of Thrace, most members of minority faiths consider themselves satisfactorily integrated into society. Organized official interaction between religious communities is infrequent.

Some non-Orthodox religious communities believe that they have been unable to communicate with officials of the Orthodox Church and claim that the attitude of the Orthodox Church toward their faiths has increased social intolerance toward their religions. The Orthodox Church has issued a list of practices and religious groups, including members of Jehovah's Witnesses, Evangelical Protestants, Scientologists, Mormons, Baha'is, and others, which it believes to be sacrilegious. Officials of the Orthodox Church have acknowledged that they refuse to enter into dialog with religious groups considered harmful to Orthodox worshippers; church leaders instruct Orthodox Greeks to shun members of these faiths.

A new Jewish museum opened in Thessaloniki in early March 2001 and the Jewish community in Thessaloniki and authorities officially inaugurated it in May 2001. A temporary Anne Frank exhibition was displayed in Thessaloniki in April 2001, and a Holocaust Museum and Memorial was dedicated in April 2002.

In April 2002, vandals desecrated the Jewish Cemetery in Ioannina and the Holocaust Memorial in Thessaloniki.

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. Embassy officers meet regularly with working level officials responsible for religious affairs in the Ministries of Foreign Affairs and Education and Religious Affairs. The Ambassador and Political Counselor discussed religious freedom with senior government officials and religious leaders. The U.S. Embassy also regularly discusses religious freedom issues in contacts with other government officials, including mayors, regional leaders, and Members of Parliament. Officers from the Embassy and the Consulate General in Thessaloniki meet regularly with representatives of various religious groups, including the Greek Orthodox Church, and the Protestant, Catholic, Jewish, and Islamic communities. In an October 2001 meeting with Orthodox religious leaders, the Ambassador severely criticized racist and anti-Semitic comments made by Orthodox Church officials. In early 2002, the Ambassador met with leaders of the Muslim and Christian communities in Thrace for the second time in 34 years. The U.S. Embassy investigates every complaint of religious discrimination brought to its attention.

Employees of the U.S. Embassy's consular section assisted Bible Baptist clergy to receive permission to visit all prisoners, not only those of the Baptist faith. The consular section also has followed actively issues relating to religious workers' visas and property taxes.

The U.S. Embassy and Consulate promote and support initiatives related to religious freedom. For example, Embassy staff has gathered leaders of the religious minority groups in Athens together for representational dinners. In December 2001, the Ambassador hosted an Iftar dinner during the holy month of Ramadan for members of the Muslim community. Participants noted the uniqueness and the value of such gatherings in the country.

The Ambassador and embassy officials regularly visit religious sites throughout the country and meet with representatives of all faiths, soliciting their participation in Embassy social events.

HUNGARY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the four “historic churches” and certain other denominations enjoy some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 35,910 square miles, and its population is an estimated 10 million.

Strict enforcement of data protection regulations impedes the collection of official statistics on popular participation in religious life. However, independent surveys in 1996 and 1997 indicated that the population is not particularly devout. Only 15 percent of those surveyed considered themselves to be religiously active and closely followed the tenets of their church. The majority, 55 percent, said that they practiced religion in their own way or were nominally religious but not regularly active in their church. Approximately 30 percent said that they were nonreligious. The results of the latest census, in which there was an optional question on church affiliation, are expected to be available in July 2002.

According to traditional estimates, 68 percent of citizens are Catholic, 21 percent are members of the Reformed Church, 4 percent are members of the Lutheran Church, and less than 1 percent are followers of Judaism. These four are considered the country’s historic churches. The remaining 7 percent of the population are divided between all other denominations. Largest among these is the Congregation of Faith, a Hungarian evangelical Christian movement. Other denominations include a broad range of Christian groups, including five Orthodox denominations. In addition, there are seven Buddhist denominations and two Islamic communities.

A 1996 law permits citizens to donate 1 percent of their income tax to the church of their choice and an additional 1 percent to the nonprofit agency of their choice. Statistics from the collection of tax revenue voluntarily directed for church use confirm the ranking of traditional estimates of church affiliation. The top 10 churches for the year 2000 and the number of individuals who chose to donate 1 percent of their tax to that church are as follows: Catholic Church—357,163; Calvinist Church—116,073; Lutheran Church—33,217; Congregation of Faith—9,283; Jewish Community—5,950; Jehovah’s Witnesses—5,789; Krishna Consciousness—4,432; Baptist Church—3,889; Tibetan Buddhist Community—2,922; and Unitarian Church—1,760.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The 1990 Law on the Freedom of Conscience regulates the activities and benefits enjoyed by religious communities and establishes the criteria by which they attain that legal designation. Religious groups must declare that they have 100 followers and submit a brief statement of principles to a local court to become registered as a church. While any group is free to practice their faith, formal registration makes available to a religious group certain protections and privileges, and grants access to several forms of state funding. The courts have registered more than 136 churches.

The State grants financial support for religious practice, educational work, and the maintenance of public art collections of cultural value. In 2001 total government support to the various churches was \$93,475 (24,303,487 Hungarian Forint (HUF)), while in 2002 it reached \$102,056 (26,534,800 HUF). The Government provides the same level of financial support for church-sponsored education as for state institutions on a per child basis.

At the end of 2001, the Government also reached an agreement with the 4 historical churches to support clergy in settlements with a population of less than 5,000. Clergy in the small settlements receive supplementary wages for their services. The money has been distributed through the churches since January 1, 2002. As there are no functioning synagogues in small settlements, the Government modified their agreement with the Jewish Community to allow it to spend the money on reconstruction and maintenance of Jewish cemeteries. After a lengthy series of talks, the Government concluded a similar agreement in the beginning of 2002 with six minor churches: the Baptist, Unitarian, and Pentecostal churches, and the Budai Serb, Romanian, and Greek Orthodox Churches.

To promote the revitalization of religious institutions and settle property issues, the Government signed separate agreements with the country's four historic churches and with two smaller churches (Hungarian Baptist and Budai Serb Orthodox) between 1997 and 1999. In defense of the agreements, Prime Minister Viktor Orban stated that "under the given circumstances, we succeeded in removing all financial, administrative, political, and legal hurdles from the path of our historic churches." The churches and the State agreed on a number of properties to be returned and an amount of monetary compensation to be paid for properties that could not be returned. These agreements are subsumed under the 1991 Compensation Law, which require the Government to compensate churches for properties confiscated by the Government after January 1, 1946. In 1999 the Government paid churches \$21 million (5 billion HUF) as compensation for the assets confiscated during the Communist regime. By 2011 the State is expected to pay an estimated total of \$179 million (42 billion HUF) to the churches for buildings not returned. While these agreements primarily addressed property issues and restitution, they also have provisions addressing the public service activities of the churches, religious education, and the preservation of monuments.

As of the end of 2001, there were more than 1,600 pending cases of real property that once belonged to churches that, between 1999 and 2011, the State must decide whether or not to return. Real estate cases have involved 12 religious groups: Catholic, Calvinist, Lutheran, Unitarian, Baptist, Hungarian Romanian Orthodox, Hungarian Orthodox, Budai Serb Orthodox, Hungarian Methodist, Seventh-Day Adventist, the Salvation Army, and the Confederation of Hungarian Jewish Communities (MAZSIHISZ). Overall, 7,220 claims were made by churches for property restitution under the 1991 Compensation Law: 1,600 cases were rejected as inapplicable under the law; the Government decided to return the property in 1,129 cases, and gave cash payments in another 1,770 cases; approximately 1,000 cases were resolved directly between former and present owners without government intervention; and the remainder (approximately 1,660 cases) must be decided by 2011. Religious orders and schools have regained some property confiscated by the Communist regime.

A 1992 compensation law provided for restitution to families of persons who were sentenced in court under the Communist and Nazi regimes. In 1996 the Constitutional Court decreed that the law was drawn too narrowly. In 1997 Parliament passed modifications to this law and extended compensation for the period 1939 to 1989 to "victims of political autocracy." This category includes victims of political, religious, and racist persecution during World War II; forced laborers in Soviet camps; and victims of the 1956 revolution. At that time, the Government decided upon \$12 million (3 billion HUF) as the total compensation figure to be distributed among all Holocaust victims. Based on this figure, in 1998 the Orban Government decided that it could allow compensation of \$128 (30,000 HUF) to the heirs of the Holocaust victims. MAZSIHISZ and international Jewish organizations criticized the package as unfair, comparing it to previous awards of \$4,255 (1 million HUF) given to the heirs of victims executed by the Communist regime. In November 2000, the Constitutional Court ruled that the proposed package was inadequate. The Government is in the process of negotiating a new proposal with the Jewish community; however, talks have stalled over the issue of paying interest on the proposed compensation. In 1998 the Ministry for Cultural Heritage initiated an inventory of museum holdings to identify works of art eligible for restitution or compensation for Holocaust victims.

Easter Monday, Whit Monday, All Saints Day, and Christmas Day are all celebrated as national holidays. These holidays do not impact negatively any religious groups.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

However, the Government has demonstrated a willingness to treat the larger or longer established religions more favorably than the minority religious communities. A 2000 amendment to the tax code makes donations to the country's large or long-established churches tax deductible. For donors to qualify for the deduction, a church must be able to document one of the following: That it has been present in the country for 100 years or more; that it has been registered legally for at least 30 years (as no new churches were registered under the Communist regime, this essentially means churches registered before 1925); or that the present church following equals 1 percent of all tax contributors (approximately 43,000 persons). These criteria limit the tax benefit to only 14 of the some 136 registered churches in the country. Several of the smaller churches whose members cannot participate in this tax deduction took the case to the Constitutional Court, which chose not to review it.

In 2000 investigations into the activities of the Congregation of Faith by the Hungarian Taxation Authority (APEH) resulted in no charges. The Congregation also was the subject of a parliamentary inquiry in 1999 when the ties between the Church and one of the former ruling parties, the Alliance of Free Democrats (SZDSZ), came under scrutiny. The congregation, which has been in existence for 20 years, is the fastest growing religious group in the country. It is a charismatic evangelical Christian church and its religious discipline, zeal, and appeal to youth have engendered distrust among the country's older, more traditional population.

In 2000 the APEH also has initiated investigations of the Church of Scientology based on questions regarding the registration of clergy. The investigations took place at the Church's office where APEH investigators requested files and conducted interviews. The investigations have not affected the usual management of the Church and have not required the expenditure of large amounts of Church funds. In September 2001, the APEH closed its investigation and found no evidence of wrongdoing.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations between religious groups are amicable, and there is little friction between churches. Several Christian churches and the Jewish community have institutionalized a Christian-Jewish dialog, bringing together religious academics for regular discussions. Across a wide range of other areas, churches also have shown a great willingness to work together to achieve common social or political goals.

Overall society welcomed the increasing religious activity that followed the transition from communism. However, there also is some concern over the ease with which regulations on religion may be exploited, as well as concerns about the perceived undue influence that some "new churches" have over their followers.

The 1997 changes to the Penal Code made it easier to enforce and stiffen penalties for hate crimes committed on the basis of the victim's ethnicity, race, or nationality.

There continued to be occasional reports of vandalism and/or destruction of Christian and Jewish property. National Police figures for the first quarter of 2002 indicate a declining trend in cases of vandalism, while there is a worsening trend of burglary. While in 2001, a total of 40 religious buildings and 18 cemeteries were vandalized, during the first quarter of 2002, 21 religious buildings and 22 cemeteries were attacked. In 2001 there were criminal cases of burglary in 144 churches and 4 cemeteries, while in the first quarter of 2002, there were 50 burglaries in churches and 140 burglaries in cemeteries. Most police and religious authorities consider these acts of youth vandalism and not indications of religious intolerance.

Anti-Semitism remained a problem, which the Government continued to address. While there were no reports of anti-Semitic violence, there were incidents of desecration of Jewish tombstones and anti-Semitic graffiti on property. During the April 2002 elections, the Hungarian Justice and Life Party (MIÉP), the one political party that had been accused repeatedly of using anti-Semitic rhetoric, was voted out of Parliament. The Government initiated criminal proceedings against a former Member of Parliament for remarks that were considered anti-Semitic.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy actively monitors religious activities, maintaining regular contact with government officials, members of parliament, leaders of large and small churches, and representatives of local and international nongovernmental organizations that address issues of religious freedom. Through these contacts, embassy officers have tracked closely recent government efforts to modify the country's laws and the impact this might have on smaller, less well-established churches.

The Embassy also has remained active on issues of compensation and property restitution for Holocaust victims. Embassy officers have worked with MAZSIHISZ, the Hungarian Jewish Public Foundation, other local and international Jewish organizations and with Members of Parliament and the Ministry of Cultural Heritage to maintain a dialog on restitution issues, promote fair compensation, and secure access to Holocaust-era archives.

The U.S. Embassy continues to urge the Government to speak out against anti-Semitism and hate speech.

ICELAND

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the State financially supports and promotes an official religion, Lutheranism.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Lutheran Church, which is the state religion, enjoys some advantages not available to other faiths in the country.

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 has a total area of 39,600 square miles, and its population is approximately 286,000. Most residents live on or near the coasts. The area surrounding the capital, Reykjavik, alone has more than 160,000 residents, or approximately 60 percent of the country's total population.

According to the National Statistical Bureau, 249,256 persons (87 percent of the total population) are members of the state Lutheran Church. A total of 990 individuals resigned from the Church during 2001, far exceeding the 225 new registrants. Many of those who resigned from the state Church joined one of the Lutheran Free Churches, which have a total membership of 11,633 persons (4.1 percent). The breakdown in membership is as follows: Reykjavik Free Church—5,520 members; Hafnarfjordur Free Church—3,755 members; and Reykjavik Independent Church—2,358 members. A total of 11,471 individuals (4 percent) are members of 20 other recognized and registered religious organizations: Roman Catholic Church—4,803 members; Pentecostal Church—1,630 members; The Way, Free Church—726 members; Seventh Day Adventists—725 members; Jehovah's Witnesses—638 members; Asa Faith Society—568 members; The Cross—502 members; Buddhist Association of Iceland—445 members; Baha'i Community—387 members; The Church of Jesus Christ of Latter-Day Saints (Mormons)—198 members; The Icelandic Christ-Church—188 members; Muslim Association—178 members; Betania—128 members; Parish Of St. Nicholas Of The Russian Orthodox Church—71 members; The Church of Evangelism—69 members; Kefas, Christian Community—74 members; Sjonarhaed Congregation—52 members; Zen in Iceland, Night Pasture—39 members; The Believers' Fellowship—39 members; and First Baptist Church—11 members. The Birth of the Holy Mary, a Serbian Orthodox Church, was recognized and registered during 2002; however, its membership figures were not available by the end of the period covered by this report. The Rock-Christian Community withdrew its registration as a registered religious organization in 2001 and merged with the Pentecostal Church. There were 7,344 individuals (2.6 percent) who belonged to other or non-specified religious organizations and 6,571 (2.3 percent) who were not part of any religious organization. There also are religions, such as Judaism, which have been practiced in the country for years, but have never requested official recognition. In official statistics these religions are listed as "other and non-specified."

A large proportion of citizens who belong to the state Lutheran Church do not practice their faith actively. However, the majority of citizens use traditional Lu-

theran rituals to mark events such as baptisms, confirmations, weddings, and funerals. Of Christians who practice their faith actively, the majority are members of Christian churches or organizations other than the state Lutheran Church. Growing numbers of citizens are choosing to mark important anniversaries and events with nonreligious ceremonies rather than traditional Lutheran rituals. For example, in the spring of 2002, 49 teenagers chose to be "confirmed" in a ceremony carried out by the 160-member Icelandic Ethical Humanist Association, a secular "life stance" organization founded in 1990 and a member of the International Humanist and Ethical Union.

According to statistics provided by the immigration authorities, the number of foreigners receiving a residence permit has increased significantly during the past several years. In direct relation to the increased number of foreigners (itinerant workers, immigrants, and refugees), the number of religious organizations has increased, since such foreigners often practice faiths different than those of citizens born in the country.

Mormons are the only significant foreign missionary group in the country.

Support for a separation of church and state is strong. Polls since 1993 show that from half to two-thirds of those persons taking a position on the issue favor separation of church and state. This support is strongest among the youth. A nongovernmental organization (NGO) with the goal of separation of church and state was established in 1994. Bills proposing separation are introduced in Parliament on a regular basis.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The official state religion is Lutheranism.

The State directly pays the salaries of the 146 ministers in the state church, and these ministers are considered public servants under the Ministry of Judicial and Ecclesiastical Affairs. The State operates a network of Lutheran parish churches throughout the country. In new housing areas, land automatically is set aside for the construction of a parish church to serve the area. All taxpayers 16 years of age and above must pay a church tax amounting to approximately \$73 (ISK 6,800) per year and a cemetery tax of approximately \$30 (ISK 2,800) per year. A 1987 law on the church tax provides for it to increase in accordance with average incomes; however, in December 2001, Parliament passed a special provision, freezing the 2002 tax at the 2001 level as an inflation-fighting measure. Individuals are free to direct their church tax payments to any of the 21 religious denominations and organizations officially registered and recognized by the State. For individuals who are not registered as belonging to a religious organization, or who belong to one that is not registered officially and recognized by the State, the tax payment goes to the University of Iceland, a secular institution. Atheists have objected to having their fee go to the University, claiming that it is inconsistent with their constitutional right of freedom of association.

The 2002 budget of the State church amounts to approximately \$35 million (ISK 3,215.9 million). Of that, \$14 million (ISK 1,282.5 million), or 40 percent, is funded by the church tax; \$14.5 million (ISK 1,330.4 million), or 41 percent, comes from general revenues; and the remaining \$6.5 million (ISK 603 million), or 19 percent, is funded by the cemetery tax. All the cemetery tax revenues go directly to the State church regardless of the taxpayer's religious affiliation. The State church acts as caretaker of the country's cemeteries; there are no private cemeteries. Persons of all religions have the use of the cemetery services. In 2002 religious organizations other than the State church are expected to receive \$1.2 million (ISK 111.9 million) from the church tax while the University of Iceland is expected to receive \$800,000 (ISK 72 million).

A 1999 law (Law Number 108) sets specific conditions and procedures that religious organizations must follow to be recognized officially and registered by the State. Such recognition is necessary for religious organizations other than the state church to receive a per capita share of church tax funds. The law applies only to religious organizations that are seeking to be, or are already, officially recognized and registered. No restrictions or requirements are placed on unregistered religious organizations, which have the same rights as other groups in society. The law was considered necessary to address frequent attempts by individuals to obtain recognition of religious organizations simply to receive the tax income benefits. The Ministry of Justice and Ecclesiastical Affairs handles applications for recognition and

registration of religious organizations. The 1999 law provides for a three member panel consisting of a theologian, a lawyer, and a social scientist from the University of Iceland to determine the bona fides of the applications. To be recognized officially and registered, a religious organization must, among other things, be well established within the country and have a core group of members who regularly practice the religion in compliance with its teachings. All registered religious organizations are required to submit an annual report to the Ministry of Judicial and Ecclesiastical Affairs describing the organization's operations over the past year. The new law also specifies that the leader of a religious organization must be at least 25 years of age and pay taxes in the country.

A Sunni Muslim group attempted to register in 2001; however, the Ministry of Justice rejected its application in 2002 because it was incomplete. The Icelandic Ethical Humanist Association attempted to register as a religious organization in 2002; however, the Ministry of Justice rejected its application on the basis that life stance organizations do not qualify as religious denominations.

Law Number 108 confirms that parents control the religious affiliation of their children until the children reach the age of 16. However, the Children's Act requires that parents consult their children about any changes in the children's affiliation after the age of 12. In the absence of specific instructions to the contrary, children at birth are assumed to have the same religious affiliation as their mother and are registered as such.

Under Law Number 66, which regulates public elementary schools ("grunnskolar"), the Government requires instruction in religion and ethics based on Christianity during the entire period of compulsory education; that is, ages 6 through 15. Virtually all schools are public schools, with a few exceptions such as the only Roman Catholic parochial school, which is located in Reykjavik where the vast majority of the country's small Roman Catholic community resides. All schools are subject to Law Number 66 with respect to the compulsory curriculum. However, the precise content of this instruction can vary; religious instruction at the Catholic school follows Catholic rather than Lutheran teachings. Students may be exempted from Christianity classes. The law provides the Minister of Education with the formal authority to exempt pupils from instruction in compulsory subjects such as Christianity. In practice, individual school authorities issue exemptions informally. There is no obligation for school authorities to offer other religious or secular instruction in place of Christianity classes.

Educational material on different religions is part of the compulsory syllabus. In addition, since religion is a component of culture, pupils learn about religions other than Christianity in history and social science classes as well. The curriculum is not rigid and teachers often are given wide latitude in the classroom. Some place greater emphasis on ethical and philosophical issues rather than on specifically religious instruction.

The Government is passive rather than proactive in promoting interfaith understanding. The Government does not sponsor programs or official church-government councils to coordinate interfaith dialog. However, one of the ministers in the state Church, who is of Japanese origin, has been designated to serve the immigrant community and help recent arrivals integrate into society.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

Beginning on June 7, 2002, the Government attempted to prevent Falun Gong members from entering the country during a June 12–16 visit by Chinese President Jiang Zemin. On June 11, the authorities detained 67 alleged members of Falun Gong from various countries; however, on June 12, the Government released the detainees and allowed them to enter the country. The Government then changed its strategy and tried to bar Falun Gong members by denying them permission to board Iceland-bound flights at airports in the United States and Europe. The Chinese Government provided lists of alleged Falun Gong members to the government authorities. Despite the Government's efforts, approximately 250 Falun Gong followers succeeded in gaining entry. They publicly practiced their routines without interference and, following negotiations with the Government, were permitted to stage protests against the Jiang Zemin visit in limited times and places. The Government ended its efforts to exclude Falun Gong upon Jiang Zemin's departure. The Government justified its actions on the basis of security, claiming that it did not have sufficient law enforcement resources to control large or violent protests and that the restrictions were necessary to ensure the Chinese President's safety. The Government's treatment of Falun Gong members provoked heavy criticism within the country from politicians, the media, and the public.

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 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. If members of religious minorities face discrimination, it is more indirect in nature, taking the form of prejudice and lack of interfaith or intercultural understanding. The country has a small, close knit, homogenous society that closely guards its culture and is not accustomed to accommodating outsiders. Even though most citizens are not active members of the state church, it is still an important part of the country's cultural identity.

During the last decade, there has been increased awareness of other religious groups. Informal interfaith meetings have occurred, and two NGO's assist new immigrants.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights. The Embassy also maintains a regular dialog on religious freedom issues with the leaders of various religious groups and NGO's.

IRELAND

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 27,136 square miles, and its population was approximately 3.6 million in 1996, the most recent year for which figures are available.

The country is overwhelmingly Roman Catholic. According to official government statistics collected during the 1991 census (the most recent figures available), the religious affiliation of the population is 91.6 percent Roman Catholic, 2.5 percent Church of Ireland (Anglican), 0.4 percent Presbyterian, 0.1 percent Methodist, and less than 0.1 percent Jewish. Approximately 3 percent of the population are members of other religions or have no specific religious belief. (The 2001 census, which was due to have taken place in April 2001, was rescheduled for April 2002, due to the foot and mouth disease crisis; the results were not yet available by mid-2002.) Muslim and Orthodox Christian communities are growing, especially in Dublin, as a result of immigration.

Immigrants and noncitizens encounter few difficulties in practicing their faiths. There are some difficulties for non-Catholics associated with the availability of facilities and personnel outside of Dublin.

Although almost 92 percent of the population are classified as Roman Catholic, this is a "nominal" figure. According to the Catholic Information Office, just over half of Irish Catholics are estimated to be active church members. There are also numerous and varied small religious groups.

SECTION II. STATUS OF FREEDOM OF RELIGION

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this

right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution prohibits promotion of one religion over another and discrimination on the grounds of religion or belief, and the Government does not restrict the teaching or practice of any faith. There is no state religion, and there is no discrimination against nontraditional religious groups. There is no legal requirement that religious groups or organizations register with the Government, nor is there any formal mechanism for government recognition of a religion or religious group.

While Roman Catholicism is the clearly dominant religion, it is not favored officially or in practice. However, adherence to Roman Catholicism may be politically advantageous because of the country's history and tradition as a predominantly Catholic country and society. Members of the major political parties (Fianna Fail and Fine Gael) tend to be practicing Catholics.

The Government does not require but does permit religious instruction in public schools. Most primary and secondary schools are denominational, and their boards of management are controlled partially by the Catholic Church. Under the terms of the Constitution, the Department of Education must and does provide equal funding to schools of different religious denominations (such as an Islamic school in Dublin). Although religious instruction is an integral part of the curriculum, parents may exempt their children from such instruction.

The Employment Equality Act prohibits discrimination in relation to employment on the basis of nine discriminatory grounds, including religion. An Equality Authority works toward continued progress toward the elimination of discrimination and the promotion of equality in employment. The Equal Status 2000 Act prohibits discrimination outside of the employment context (such as in education or provision of goods) based on the same grounds used in the Employment Equality Act.

The following religious holidays are considered national holidays: St. Patrick's Day (the country's national day), Good Friday, Easter Monday, Christmas Day, and St. Stephen's Day. These holidays do not negatively impact any religious groups.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations between various religious communities are amicable and friction is rare. Various religions, nongovernmental organizations (NGO's), and academic institutions have established activities or projects designed to promote greater mutual understanding and tolerance among adherents of different religions.

Society largely is homogenous; as a result, religious differences are not tied to ethnic or political differences. However, some citizens have political attitudes toward the conflict in Northern Ireland that are driven by their religious identities and loyalties. For example, some Catholics support Nationalist and Republican parties or ideals in the north on the basis of their religious loyalty.

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. The U.S. Embassy maintains regular contact with all communities, including religious groups and NGO's that address issues of religious freedom on a regular basis.

ITALY

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion. There is no state religion; however, the Catholic Church receives some privileges not available to other faiths.

The generally amicable relationship among religions in society contributed to religious freedom. The Catholic Church's historic and continuing predominant role in society leads to controversy when Church teaching is perceived as instruction to Catholic legislators on matters of public policy. Increasing immigration has led to some antiimmigrant sentiment; since many migrants are Muslim, religion becomes an additional factor differentiating them from native-born citizens.

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 116,347 square miles and its population is approximately 57.8 million. An estimated 85 percent of native-born citizens are nominally Roman Catholics. Members of Jehovah's Witnesses form the second largest denomination among such citizens, numbering approximately 400,000 adherents. However, immigration—both legal and illegal—continues to add large groups of non-Christian residents, mainly Muslims from North Africa, South Asia, Albania, and the Middle East, who now number an estimated 1 million. Buddhists include approximately 40,000 Europeans and 20,000 Asians.

Scientologists claim approximately 100,000 members, Waldensians approximately 30,000 members, and the Church of Jesus Christ of Latter-Day Saints (Mormons) approximately 20,000 members. A Jewish community of approximately 30,000 persons maintains synagogues in 21 cities. Other significant religious communities include Orthodox churches and small Protestant groups, Japanese Buddhists, and South Asian Hindus.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The 1947 Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Prior to the Constitution's adoption, the country's relations with the Catholic Church were governed by a 1929 Concordat, which established Catholicism as the country's state religion. A 1984 revision of the Concordat formalized the principle of a secular state but maintained the principle of state support for religion—support that also could be extended, if requested, to non-Catholic confessions. In such cases, state support is to be governed by legislation implementing the provisions of an accord ("intesa") entered into by the Government and the religious confession. If a religious community so requests, an intesa may provide for state routing, through a voluntary check-off on taxpayer returns, of funds to that community—a privilege that some communities initially declined but later requested. An intesa grants ministers of religions automatic access to state hospitals, prisons, and military barracks; allows for civil registry of religious marriages; facilitates special religious practices regarding funerals; and exempts students from school attendance on religious holidays. The absence of an intesa does not affect a religious group's ability to worship freely; however, the privileges granted by an intesa are not always granted automatically, and a religious community without an intesa may not benefit financially from the voluntary check-off on taxpayer returns.

In 1984 the first such accord granted specific benefits to the Waldensian Church. Similar accords (which require lengthy procedures to obtain) extended similar benefits to the Adventists and Assembly of God (1988), to Jews (1989), and to Baptists and Lutherans (1995). In March 2000, the Government signed accords with the Buddhist Union and Jehovah's Witnesses; however, these intese did not receive parliamentary ratification before that Government left office. With new filings initiated by the Mormons (1998), the Apostolic Church (2000), the Orthodox Church (of the Constantinople Patriarchate) (1998), Hindus (2001), and (Japanese Buddhist) Soka Gakkai (2001), the current Government, elected in May 2001, chose to complete work on pending requests and submit all such accords to Parliament as a single package. Divisions among the country's Muslim organizations, as well as its multiple Muslim immigrant groups, have hindered that community's efforts to seek an intesa.

The revised Concordat of 1984 accorded the Catholic Church certain privileges. For example, the Church is allowed to select Catholic teachers to provide instruction in "hour of religion" courses taught in the public schools. The teachers are paid by the State. This class is optional, and students who do not wish to attend are free to study other subjects or, in certain cases, to leave school early. While in the past

this instruction involved Catholic priests teaching Catechism, church-selected instructors now may be either lay or religious, and their instruction is intended to include material relevant to non-Catholic faiths. Problems may arise in small communities where information about other faiths and numbers of non-Catholic communicants is limited. The Constitution prohibits state support for private schools; however, declining enrollment in Catholic schools has led Catholic Church officials, as operators of the country's most extensive network of private schools, to seek government aid.

While Roman Catholicism is no longer the state religion, its role as the dominant one occasionally gives rise to problems—some overt, others subtly societal. In January 2002, the Pope called on Catholic jurists to boycott divorce cases; however, Justice Minister Roberto Castelli noted that judges should not exercise “conscientious objection” in discharging their duties. Subsequent to a series of Church consultations with political leaders prior to May 2001 elections, President Carlo Azeglio Ciampi underlined the secular nature of the State and the Constitution's explicit separation of church and state. In June 2002, Parliament passed a Vatican-inspired bill forbidding the use of donated sperm for artificial insemination. The legislation drew support from Catholic legislators across the political spectrum (and secular conservatives and Communists joined to oppose it).

The continuing presence of Catholic symbols, such as crucifixes, which may be found hanging on courtroom or government office walls, has drawn criticism and has been the object of lawsuits. In 2000 the Court of Cassation ruled in favor of a schoolteacher who asserted that crucifixes should not be present at voting sites maintained by a secular state. However, attempts by individual teachers to remove crucifixes from the classroom in public schools, in deference to Muslim students, have resulted in newspaper editorial criticism for “excessive zeal.”

Missionaries or religious workers do not encounter problems but must apply for appropriate visas prior to arriving in the country.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 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 and government officials encourage mutual respect for religious differences.

In view of the negative aspects of the country's Fascist past, government leaders routinely acknowledge and pay tribute to Jews victimized by the country's 1938 racial laws.

In October 2001, Rome Mayor, Walter Veltroni, conferred “honorary citizenship” on Rome's Chief Rabbi Elio Toaff, on the occasion of his retirement after 50 years of service in the city. President Ciampi, Senate President Marcello Pera, and Chamber of Deputies President Pier Ferdinando Casini attended the ceremony. Following the December 2001 terrorist attacks in Israel, Prime Minister Silvio Berlusconi attended a memorial service in Rome's synagogue; this was the first time a Prime Minister had visited the synagogue.

Increasing immigration, much of it from China, South Asia, North and West Africa, Eastern Europe, the Balkans, Turkey, and the Middle East, is altering demographic and cultural patterns in communities across the country and has led to some antiimmigrant sentiment. As many migrants are Muslim, religion becomes an additional factor differentiating them from native-born citizens. Some Catholic prelates have contributed to popular reaction by emphasizing the perceived threat posed by immigrants to the country's “national identity” and what they view as the country's need to favor immigration by Catholics “or at least Christians.” On occasion Church spokesmen have emphasized the difficulties in Catholic-Muslim mixed marriages.

For example, in June 2000, the press reported that Italian Episcopal Conference Secretary Monsignor Ennio Antonelli commented on the Conference's decision earlier that year to tighten dispensation for Catholics to marry Muslims. He said that “the problem of mixed marriages is also tied in with the matter of a possible accord between the Italian State and Muslims. The Italian State should assure, in a rig-

orous manner, that Italian constitutional values are protected, especially in regard to the family.” The report further noted that the Conference’s current position represented a reversal of previous Church policy, because 3 years earlier Church officials had responded to the growing trend of Catholic-Muslim marriages by organizing classes on Muslim world culture and tradition.

In the fall of 2001, hostile comment directed toward Muslims intensified. Prominent priest Gianni Bagget Bozzo, who often writes for the press, warned that the New York and Washington attacks were consonant with “13 centuries” of Muslim warfare against Christians. Bologna Cardinal Giacomo Biffi reiterated previous calls that immigrants be selected for their ability to integrate into Italian society, “integration” being chiefly dependent on religious identity.

While some political figures repeated these sentiments, the country’s top leaders spoke otherwise. President Ciampi warned against “drawing the wrong equation between Islam and terrorism.” Senate President Pera visited Rome’s mosque to underline that “Islam isn’t fundamentalism.” In a separate visit to a mosque, Prime Minister Berlusconi spoke out against “criminalizing Islam.” In other parts of the country, city and regional authorities reiterated plans to contribute public funds toward building a mosque for Naples’ growing Muslim immigrant communities. The Campania regional administration has devoted public funds toward the construction of the planned Naples mosque. Government units in the country normally do not provide funds for the construction of places of worship. However, they sometimes do provide public land for their construction, and they help preserve and maintain historic places of worship that shelter much of the country’s artistic and cultural heritage.

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.

KAZAKHSTAN

The Constitution provides for freedom of religion, and the various religious communities worship largely without government interference; however, the Government’s concerns regarding regional security threats from alleged religious extremists led it to encourage local officials to limit the practice of religion by some nontraditional groups.

There was no change in the overall status of religious freedom during the period covered by this report. Senior government officials below President Nursultan Nazarbayev spoke out on the need to contain religious extremism, and officials at all levels continued to regard religious extremism with concern. In January 2002, the Parliament passed restrictive amendments to the National Religion Law; however, in April 2002, the Constitutional Council ruled that the amendments were unconstitutional. President Nazarbayev chose not to challenge the Council’s ruling. Instances of harassment of religious organizations by local officials increased during the period covered by this report due largely to a February 2001 provision of the Administrative Code requiring religious groups to register. A series of court cases involving local Jehovah’s Witnesses and Baptist congregations sanctioned groups for being unregistered. In late 2001, there were two reports of police beatings in late 2001 targeting members of nontraditional religious groups, one of which resulted in the death of the person. There were credible reports from throughout the country that local law enforcement officials regularly visited religious organizations for inspections.

The generally amicable relationship among religions in society contributed to religious freedom; however, there were reports of instances of interfaith violence directed against members of Jehovah’s Witnesses in Kyzyl-Orda between October 2001 and January 2002.

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 December 2001, Presidents Nazarbayev and Bush issued a joint statement reaffirming “our mutual commitments to advance the rule of law and promote religious freedom and other universal human rights.” The Ambassador and other U.S. officials lobbied intensively against provisions in draft amendments to the Religion Law that would have fallen short of that commitment and international standards for religious freedom. The Embassy sponsored the visit of a United States scholar of Islam to conduct a speaker program regarding the role of Islam in a secular society, as well as a 2-

week visit to the U.S. by leading religious figures to participate in multi-faith events.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has an area of 1,052,540 square miles, and according to unpublished January 2002 estimates of the Agency for Statistics, its population was approximately 14,819,000.

The society is ethnically diverse, and many religions are represented. Ethnic Kazakhs, who constitute approximately one half of the national population, historically are Sunni Muslims of the Hanafi School. Ethnic Uzbeks, Uyghurs, and Tatars, comprising less than 10 percent of the population, also largely are Sunni Hanafi. Other Islamic groups, which account for less than 1 percent of the population, include Shafit Sunni (traditionally practiced by Chechens), Shiite, Sufi, and Akhmadi. Slavs, mostly Russians but also Ukrainians and Belorussians, are by tradition Eastern Orthodox and constitute approximately one-third of the population.

Due to the country's nomadic and Soviet past, many residents describe themselves as nonbelievers. Data from a 1998 government survey suggest that 80 percent of ethnic Kazakhs consider themselves nominally Muslim, while only 60 percent of ethnic Slavs accept the Orthodox Christian designation. The Kazakhstani Association of Sociologists and Political Analysts has estimated that approximately 20 to 25 percent of adults practice a religious faith.

According to government statistics from 2001, evangelical Christian and Baptist congregations outnumber Russian Orthodox. Several other Protestant associations also are represented by more than 50 congregations each, including Lutherans (traditionally practiced by Kazakhstani Germans who still account for approximately 2 percent of the population, despite sizable emigration), Jehovah's Witnesses, and Seventh-Day Adventists.

A small Jewish community, estimated at well below 1 percent of the population, has synagogues in several larger cities. There is a Catholic archdiocese, adherents of which account for a similarly small proportion of the population.

Foreign missionaries are most active in the southern regions of the country and often come from Turkey, Pakistan, and other predominantly Muslim countries. According to government statistics, there were 262 foreign missionaries in the country at the end of 2001; others are present under tourist visas.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion, and the various denominations worship largely without government interference; however, the Government's stated concerns regarding regional security threats from alleged religious extremists led it to encourage local officials to limit the practice of religion by some nontraditional groups. The Constitution defines the country as a secular state.

The National Religion Law, in contrast to laws governing other public associations, does not require religious organizations to register with the Government. It states that all persons are free to practice their religion "alone or together with others." Because the clause makes no reference to registration, legal experts interpret it to ensure the right of members of unregistered groups to practice their religion. However, it does specify that those religious organizations that wish to receive legal status must register. Religious organizations must have legal status in order to buy or rent real property, hire employees, or engage in other legal transactions.

A new Administrative Code, which entered into force in February 2001, allows national and local authorities to suspend the activities or fine the leaders of unregistered religious organizations. Legal experts regard laws and codes to have equal force, but that the more recently enacted takes precedence. Lower courts consistently cited Article 375 of the new Code in sanctioning religious organizations for non registration, but which decisions often were overturned on appeal.

In practice local officials generally insist that religious organizations register at the local level, despite the fact that registration at the national or the oblast level legally is sufficient to obtain the rights that registration offers. Although the law specifies a maximum of 30 days for authorities to complete the registration process, many religious groups have reported delays of several months.

Members of Jehovah's Witnesses reported that they have attempted unsuccessfully to register in Northern Kazakhstan Oblast for 4 years. Their October 2001 application to register in Atyrau Oblast remained pending at the end of the period covered by this report.

The Government maintains that a new National Religion Law would settle any inconsistency with the Administrative Code, and has proposed amendments to the Law several times since 1998, most recently with the introduction of proposed amendments in November 2001, which included registration requirements for religious groups. The Government chose to submit the amendments to the Parliament, which passed them in January 2002, despite several objections raised by international experts and religious organizations. The Government previously responded to similar objections by withdrawing amendments from parliamentary consideration. In April 2002, the Constitutional Council rejected the entire set of amendments after determining that certain provisions contained in them were unconstitutional.

The Constitutional Council specifically ruled that the provision requiring the Muslim Spiritual Association (a national Muslim organization), to approve the registration of any Muslim group violated the constitutional principle separating church and state. The Council also noted more broadly that the amendments might infringe on the constitutional right to spread religious beliefs freely. Other provisions of the amendments that were not ruled specifically unconstitutional included: Requiring that religious organizations be registered; banning "extremist religious associations;" increasing the membership required for registration from 10 to 50 persons; authorizing local officials to suspend the activities of religious groups for criminal violations of 1 or more of their members, or for conducting religious activity outside of the place where they are registered; and requiring that foreign religious organizations be affiliated with a nationally registered organization. Observers have noted that the provisions, which would have restricted religious freedom, were not ruled specifically unconstitutional and could form the basis of a new round of proposed amendments. President Nazarbayev chose not to challenge the Council's ruling; such a challenge would have required the Council to uphold its ruling by a two-thirds vote.

The Government also had proposed amendments to the Religion Law in April 2001; however, it withdrew them from parliamentary consideration in June 2001 after receiving significant international criticism regarding the detrimental effect that the amendments would have on religious freedom and on the Government's international commitments and the Constitution. International experts believe that the amendments introduced in November 2001 were less restrictive, including the amendments on the status of foreign missionaries. If the April 2001 had been passed, foreign missionaries would have been required to receive state accreditation, with criminal penalties for failure to be accredited; however, the November amendments allowed for a much simpler registration procedure for foreign missionaries, with no criminal penalties attached for non-registration.

Neither law nor regulation prohibits foreign missionary activity; however, there is no mechanism governing such activity. In 2001 in anticipation of passage of the amendments to the Religion Law, the Government annulled the previous regulation setting out procedures for the registration of foreign missionaries. Since then there have been widespread reports of inconsistency at the local level regarding the length of validity and cost of visas for foreign missionaries.

Religious organizations receive no tax privileges other than exemptions from taxes on church collections and income from certain religious activities. The Government has donated buildings and provided other assistance for the construction of new mosques, synagogues, and Russian Orthodox churches.

No religious holidays are state holidays.

The Government invited the national leaders of the two largest religious groups, Islam and Russian Orthodoxy, to participate jointly in state events. Some members of other faiths, including Muslims not affiliated with the Muslim Spiritual Association (the national Muslim organization headed by the Mufti), criticized the Government's inclusion of the Mufti and archbishop in state events as official favoritism and a violation of the constitutional separation of church and state. However, leaders of other faiths participated in some events, especially in Almaty.

Restrictions on Religious Freedom

The Procurator General of the country and the Minister of Interior have called for prohibiting the activities of unregistered religious organizations. Law enforcement authorities conducted inspections of religious groups throughout the country, claiming to do so in order to prevent the development of religious extremism and to ensure that religious groups pay taxes. These inspections also provided the authorities with information about the registration status of the groups being inspected, which in some cases led to suspensions pending the registration of the groups concerned. The National Religion Law does not require religious groups to be registered.

The Government typically claims that religious groups' charters do not meet the requirements of the law when refusing or significantly delaying registration for some religious groups. Often authorities cite discrepancies between Russian and Kazakh language versions of groups' charters or refer charters for expert examination. In addition, because the law does not allow religious groups to engage in educating children without approval from the Ministry of Education, applications for religions whose charters include such activities often are refused.

Representatives of many religious organizations and religious rights observers regard Parliament's passage of restrictive amendments to the National Religion Law in January 2002 as the pretext for local officials to engage in a coordinated campaign of harassment directed at smaller, local religious groups. The representatives claim that local officials began enforcing the new law upon its passage. In April 2002, several provisions were found unconstitutional and the amendments never entered into force.

The national Jehovah's Witnesses Religious Center alleged continuing incidents of harassment by a number of local governments. It claimed that city officials in Astana, Almaty, Ust-Kamenogorsk, Kostanay, Karaganda, Aktubinsk, and Shymkent sometimes blocked the group from renting stadiums or other large public or private sites for religious meetings. The Jehovah's Witnesses are registered nationally, as well as in 12 of the country's 14 oblasts. Also during the period covered by this report, local KNB officials disrupted some meetings in private homes of unregistered groups of Jehovah's Witnesses, Protestants, Adventists, Baptists, and other nontraditional groups throughout the country.

During the period covered by this report, there were several court cases against unregistered local Jehovah's Witness congregations throughout the country, including in the cities of Taraz, Atyrau, and Petropavlovsk, and in several smaller villages. Courts typically ruled that unregistered groups were in violation of the Administrative Code and issued warnings, levied fines of \$50 or less, or suspended the activities of the group. When adequate legal counsel was brought in on appeal, the decisions most often were overturned. In a July 2001 case in Taraz, the prosecutor's office withdrew its protest over the court's ruling in favor of the local Jehovah's Witnesses congregation.

In October 2001, a court in Kyzyl-Orda sentenced a Baptist church pastor, Valery Pak, to 5 days in prison for failing to comply with an April 2000 court order, which had suspended the church's activities until it was registered.

In November 2001, a court in the town of Ayaguz (Eastern Kazakhstan Oblast) convicted Pavel Leonov, a Baptist pastor, for failing to uphold a September 2000 court order requiring his church to register. He was assessed a fine of approximately \$135 (20,575 tenge). Leonov reported that he intended to appeal to the Supreme Court; however, he had not done so by the end of the period covered by this report. Leonov's case was the first known to local religious rights observers that employed a criminal, rather than administrative, charge.

Both of Kyzyl-Orda and Ayaguz Baptist congregations belong to the Council of Churches of Evangelical Christians and Baptists, which has a policy of not seeking or accepting registration in former Soviet countries. Prosecutors also sought to suspend the activities of Baptist churches associated with the Council in Taraz, Serebriansk, and Kazalinsk.

The Government has offered several reasons to justify the need to amend the National Religion Law, including that the passage of a new Constitution in 1995 leaves many aspects of the 1992 Religion Law outside of the constitutional framework. Discrepancies also exist with the Administrative Code of February 2001, which requires religious organizations to register. In addition, the Government maintains that the Religion Law does not address the status of foreign missionaries.

Government officials frequently expressed concerns regarding the potential spread of religious extremism from Afghanistan and other states. The KNB has characterized the fight against "religious extremism" as a top priority of the internal intelligence service and believes that this is grounds to amend the law. The Organization for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights stated that religious extremism should be addressed by the Criminal Code, and that no restrictive changes to the Religion Law are justified on security grounds. Local religious rights advocates also have made this point in appeals to the Government and maintain that technical discrepancies between the Law and the Constitution exist, but are minor, and are unrelated to the fundamental right of religious freedom.

Foreign missionary activity is not prohibited by law. The Constitution requires foreign religious associations to conduct their activities, including appointing the heads of religious associations, "in coordination with appropriate state institutions." Foreign missionaries legally are entitled to register religious organizations; however,

they generally are required to list a majority of local citizens among the 10 founders of the organization. Other foreign missionaries, unwelcome to some Muslim and Orthodox citizens, have complained of occasional harassment by low-level government officials. In particular, evangelical Protestants working in schools, hospitals, and other social service institutions have alleged government hostility to their efforts to proselytize.

The 2001 annulment of the regulation regulating foreign missionary activity has led to widespread reports of inconsistency in the rules applied to foreign citizens engaged in religious work. Some local jurisdictions continue to register foreign citizens as religious workers; however, in many cases, foreign missionaries conduct their activities on tourist visas. The duration and cost of temporary visas varies by jurisdiction. Obtaining visas often has required foreign missionaries to produce lengthy documentation regarding their affiliated church. Travel agencies have reported difficulty in obtaining ordinary tourist visas for persons whom they say the Government suspects of entering the country to conduct missionary work.

In April 2001, in the city of Aktau, three American citizens were fined \$230 (33,000 tenge) and expelled from the country for alleged religious activity in violation of their visa status. They were ordered to appear in court for violating Articles 394 and 396 of the Administrative Code, for violating the terms of their stay in the country and not complying with the purpose of their registration, as well as violating the rules governing the recruitment and use of foreign workers.

Both the Government and the national Muslim organization deny that there is any official connection between them. However, the Government has proposed several times in the form of amendments to the Religion law, that the organization assume a quasi-official role by determining which Muslim groups be allowed to register with authorities and by approving the construction of new mosques. In April 2002, the Constitutional Council ruled that these provisions of the proposed amendments were unconstitutional. There were reports that the Mufti sent throughout the country, Kazakh-speaking Imams to mosques that served Uyghur and Chechen speaking communities that had no connection to the Mufti's organization.

During the first part of the period covered by this report, media outlets, including some of those most widely distributed, presented as objective news allegations that nontraditional religious groups present a threat to national security and social cohesion. An article on the Baha'i faith and an account of comments attributed to the national Muslim organization were particularly confrontational; however, such news accounts did not appear in the latter part of the period covered by this report.

Abuses of Religious Freedom

According to local press reports, in October 2001, local KNB officials in Southern Kazakhstan Oblast beat a 21-year-old man to death after they detained him for allegedly belonging to the Hizb ut-Tahrir group. The Government concluded that two KNB officials bore some responsibility for the death and stated that it had released them from their duties; however, no criminal action had been taken by the end of the period covered by this report. Hizb ut-Tahrir advocates the practice of pure Islamic doctrine and the establishment of an Islamic caliphate in Central Asia, and the authorities maintain that Hizb ut-Tahrir is an extremist group. At least three times during the period covered by this report, the authorities detained Hizb ut-Tahrir members for distributing literature. In each instance, the individuals were held in custody for a brief period and then eventually released.

In an unconfirmed report, the Keston Institute alleged that on October 27, 2001, local police threatened and beat Asulbek Nurdanov, a member of the Kyzl-Orda Baptist Church. Following a second session of police questioning in early November 2001, Nurdanov allegedly was committed to a psychiatric hospital for 4 days at the request of his father.

The National Center of the Jehovah's Witnesses reported that on December 11, 2001, a police officer took two of its adherents in the city of Atyrau into custody after they had knocked on the door of his home in the performance of their religious activities. They remained in custody for 7 hours, during which time they reportedly were beaten. While they were in custody, police disrupted a religious activity in their apartment and confiscated religious materials and personal belongings. The National Center of the Jehovah's Witnesses filed a complaint with the city prosecutor 4 days later. The confiscated materials were returned immediately, but no investigation regarding the other allegations had been initiated by the end of the period covered by this report.

The Jehovah's Witnesses alleged that in several villages of the Shiyely District of Kyzl-Orda, local Muslim clergymen incited followers to pressure or assault local members of Jehovah's Witnesses between October 2001 and January 2002. The National Center of the Jehovah's Witnesses claimed that local law enforcement did

nothing to address their many complaints. In March 2002, the State Council on Relations with Religious Communities answered an appeal by instructing members of Jehovah's Witnesses to seek the assistance of local law enforcement. They reported that relatives or other local citizens verbally abused or beat members of their congregation on at least six different occasions. In one of these cases, a follower was forced to renounce his faith and attend regular services at the local mosque.

On January 23, 2002, according to a report by the Keston News Service, Tursunbay Auelbekov, a Baptist in the southern town of Turkestan, was arrested while distributing religious literature in a public area. Prosecutors maintained that his activity was illegal because the Baptists in Turkestan are not registered; however, they decided not to press charges, citing Auelbekov's poor health. Auelbekov's church is affiliated with the Association of Evangelical-Christian Baptists, which is registered in the oblast.

According to an unconfirmed press report, Kulsary prosecutor Hagibula Kasymov threatened to jail Kurmangazy Abdumuratov and Askhat Alimkhanov, leaders of the Iman Kazakhstan Baptist Church, if their church continued to meet without registering. Religious freedom activists were not aware of the two subsequently being jailed. In May 2001, prosecutors had required them to stop meeting. The church claimed that the church did not have the minimum of 10 members registration requires under the law.

In April 2002, regional authorities raided an unregistered farm run by the Society for Krishna Consciousness in the village of Yeltay, in Almaty Oblast. Tax, immigration, fire, and health and hygiene officials all were involved in the inspection. Police confiscated the passports of 15 foreign members of the community, 5 of whom were sentenced to deportation at a May 2002 local court hearing, at which no charges were stated and the lawyers for the accused were not permitted to speak. In early June 2002, the Hare Krishnas appealed the deportations and the court also levied fines against three other members. Leaders of the Krishna Center, registered in Almaty City, alleged that the authorities arrived for the April inspection with television camera crews and then ordered the stations to report on the raid. In one television report, the Krishnas were described as extremists and criminals. On May 18, 2002, the Krishnas' application for registration in Almaty Oblast was approved, after an 8-month delay.

There were no reports of the prolonged detention of members of religious organizations for proselytizing. On occasion the authorities took action against groups engaged in proselytizing; however, such actions were limited to the confiscation of religious literature and brief detentions.

Other than the brief detentions of a Baptist pastor in Kyzl-Orda and a Baptist adherent in Turkestan, two members of Jehovah's Witnesses in Atyrau, and Hizb ut-Tahrir members in Kentau (Southern Kazakhstan Oblast) and Almaty, there were no reports of religious prisoners or detainees.

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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In September 2001, President Nazarbayev supported a trip by the Pope to the country, which included meetings with the Government, diplomats, leading clerics, and academia. The Pope celebrated an outdoor Mass which was aired on national television and radio channels, to a crowd of 50,000 persons. In a speech following the Mass, President Nazarbayev highlighted the religious diversity of the country and remarked that "we should not link terrorism with a nation or a religion."

In 2002 the Government donated land for the construction of a synagogue in the new capital, Astana. In May 2002, government representatives attended the groundbreaking ceremony. In September 2001, a synagogue opened in the city of Pavlodar, also on land the Government had donated.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contributed to religious freedom. The country is multiethnic, with a long tradition of tolerance and secularism. Since independence the number of mosques and churches has increased greatly.

Members of Jehovah's Witnesses cited several examples of interfaith discord in the Shiyely District of Kyzl-Orda, where they allege local Muslim clergy incited their followers to attack local members of Jehovah's Witnesses.

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 December 2001, Presidents Bush and Nazarbayev released a joint statement during President Nazarbayev's visit to the United States, reiterating "our mutual commitments to advance the rule of law and promote religious freedom and other universal human rights.." The U.S. Ambassador and other Embassy officers are proactive in reminding government officials of these commitments. The Embassy's human rights officer maintains contact with a broad range of religious communities and reports on instances of violations of their constitutional and human rights.

The Ambassador, other Embassy officers, senior State Department officials, and the U.S. Congressional Commission on Security and Cooperation in Europe were involved heavily in lobbying the Government against the latest round of draft amendments to the National Religion Law, proposed in November 2001 (See Section II). The Ambassador raised the issue with the Minister Foreign of Foreign Affairs; the Minister of Culture, Information, and Public Accord; and several other senior government officials, both during the parliamentary debate and after passage. As during the period covered by the previous report, the Embassy worked closely with the OSCE Center in Almaty to facilitate expert analysis of the proposed legislation.

The Ambassador pressed government officials to investigate the apparent death by torture, of a Muslim in the South in October 2001. The subsequent investigation resulted in the dismissal of two employees of the KNB in Turkestan, though no criminal proceedings had been initiated by the end of the period covered by this report.

In November 2001, the Embassy sponsored a 5-day visit of a U.S. academic expert on Islam to conduct a series of programs on the role of Islam in a secular society. The scholar met with religious, academic, and NGO leaders; lectured at universities in Almaty, Astana, and Taraz in the South; and conducted an interview for radio broadcast.

In December 2001, the Embassy sponsored the visit to the United States of the director of the State Council on Relations with Religious Organizations, the head of a local NGO working on issues of religious freedom, and an Imam representing the Spiritual Administration of Muslims. The program of the visit included meetings with U.S. government officials, academics, NGO leaders, and representatives of multiple U.S. religious organizations.

In May 2002, the Ambassador spoke at the groundbreaking ceremony for a new synagogue in Astana.

KYRGYZ REPUBLIC

The Constitution and the law provide for freedom of religion, and the Government generally respects this right in practice; however, the Government restricts the activities of radical Islamic groups that it considers to be threats to national stability. The Constitution provides for a secular state and the separation of church and state, and the Government does not support any one religion.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government continued steps to monitor and restrict Islamist groups that it considers to be a threat to the country.

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 has a total area of 76,600 square miles, and its population is approximately 5 million. The latest official statistical data from the 1999 census reflected the following ethnic breakdown of the population: 64.9 percent were Kyrgyz, 13.8 percent were Uzbeks, 12.5 percent were Russians, 1.1 percent were Dzungans (ethnic Chinese Muslims), 1 percent were Uighurs; 0.9 percent were Tatars, and 0.4 percent were Germans.

Islam is the most widely practiced faith. Official sources estimate that up to 80 percent of the inhabitants are Muslims. The majority of Muslims are Sunni and there are only a few Shi'a (approximately 1,000). According to the State Commission on Religious Affairs (SCRA), as of June 2002 there were an estimated 1,338 mosques in the country, of which 931 are registered. There also are two institutes

for higher Islamic teaching. A Soviet-era estimate found that approximately 17 percent of the population were Russian Orthodox; there are no official post-independence figures. The country has 43 Russian Orthodox churches, and 1 Russian Orthodox monastery. The Seventh-Day Adventist Church operates six churches in Bishkek, as well as several elsewhere in the country. Jews, Buddhists, and Catholics account for approximately 3 percent of the population, and their adherents practice their religions openly in churches, temples, and synagogues. In addition, there are: 151 registered Protestant houses of worship, 13 registered Baha'i houses of worship, 2 Buddhist temples, 1 Catholic church, and 1 Jewish synagogue. The Roman Catholic Church in Bishkek functions freely, and a small Jewish congregation meets in Bishkek. The Jewish congregation organizes informal cultural studies and humanitarian services, chiefly food assistance for its elderly. There also are examples of syncretistic religious practices. Most notably, there is a Baptist church in the Naryn region whose followers are predominantly ethnic Kyrgyz. While they worship as Christians, they have incorporated Muslim modes of prayer into their Christian rituals. There is no official estimate of the number of atheists in the population.

Islam is practiced widely throughout the country in both the urban and rural areas. Russian Orthodoxy typically is concentrated in the cities in which a larger ethnic Russian population exists. The other faiths also are practiced more commonly in the cities where their smaller communities tend to be concentrated. There is a correlation between ethnicity and religion; ethnic Kyrgyz primarily are Muslims, while ethnic Russians usually belong to either the Russian Orthodox Church or one of the Western origin denominations. Exact statistics are not available, but while the majority of the population claims to follow Islam, a significant number of these adherents appear to be only nominal believers and identify with the faith out of historical or ethnic allegiance. A significant number of the followers of the Russian Orthodox Church also appear to be only nominal believers.

A number of missionary groups operate in the country. The SCRA has registered missionaries from the Republic of Korea, the United States, Germany, Turkey, Pakistan, and Saudi Arabia. They represent a variety of religious groups including Islam, Jehovah's Witnesses, the Unified Church of Christ of Evangelists, and Korean Presbyterians.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution and the law provide for freedom of religion, and the Government generally respects this right; however, the Government restricted this right in practice, in particular for Islamic groups it considered to be a threat to the country. The Constitution provides for a secular state and for the separation of church and state, and the Government does not support any one religion.

The SCRA promotes religious tolerance, protects freedom of conscience, and oversees laws on religion. A 1997 Presidential Decree governs the registration of religious organizations, and according to the decree, all religious organizations that must register with the SCRA, which in turn must recognize the registrant as a religious organization. Each congregation must register separately. A religious organization then must complete the registration process with the Ministry of Justice in order to obtain status as a legal entity, which is necessary to own property, open bank accounts, and otherwise engage in contractual activities. If a religious organization engages in commercial activity, it is required to pay taxes in accordance with the tax code. In practice the Ministry never has registered a religious organization without prior registration by the SCRA. The registration process often is cumbersome, taking 1 month on average. The SCRA claims that it has refused registration to only one organization, the Russian Overseas Church. The refusal came after a court held that the Church was not a religious organization.

According to the SCRA, there are more than 300 registered religious groups, of which 208 are Christian. In the past, several religious organizations, including the Catholic Church, have reported difficulty registering with the SCRA. Almost all eventually registered, although sometimes after a lengthy delay. As many as 55 small Christian churches that were having difficulty in 2001 were able to complete registration by the end of the period covered by this report.

The country's Roman Catholic Church, approximately 80 percent of whose members are citizens, remains an unregistered foreign religious organization in the country despite the efforts of the Roman Catholic mission to register with the SCRA. The Roman Catholic Church in Bishkek first attained legal status under Soviet law in 1969; however, the SCRA notified the church that it would have to reregister as a foreign religion in the country after the issuance of Presidential Decree 319 in 1996. The Holy See established the Catholic Mission in the country in 1997, and a rep-

representative from the Vatican visited the country in 2001 to meet with SCRA members on behalf of registration. In February 2002 the SCRA approved the Catholic Mission's application for registration; however, the Ministry of Justice had failed to take any action to register the Mission by the end of the period covered by this report. The Unification Church, which is registered as a social, rather than a religious, organization, has "semiofficial" status. According to the SCRA, the Unification Church has not applied for registration as a religious organization. However, an affiliated organization is registered as a nongovernmental organization (NGO).

Missionary groups of a variety of faiths operate freely, although they are required to register with the Government.

The Government expressly forbids the teaching of religion (or atheism) in public schools. In April 2001, the Government instructed the SCRA to draw up programs for training clergy and to prepare methodologies for the teaching of religion in public schools. These instructions came in response to concerns about the spread of "Wahhabism" and "unconventional religious sects." The SCRA turned to a number of religious organizations for their ideas on introducing religious education in schools. The reaction of the organizations generally was negative. The groups preferred to retain responsibility for the religious education of their adherents. While the SCRA continued to work on the development of a religious education program, no action had been taken to implement it by the end of the period covered by this report.

The Government recognizes three Muslim holidays (Noorus, Kurban Ait, and Orozo Ait) and one Russian Orthodox holiday (Christmas, which is observed on January 7 in accordance with the Russian Orthodox calendar) as national holidays. The President and the Government send greetings to the followers of the Muslim and Orthodox faiths on their major religious holidays, and the greetings are printed in the mass media.

The Government works through the SCRA to promote interfaith dialog and encourage religious tolerance. The SCRA hosts meetings of religious groups to bring the faiths together in open forums. The SCRA assists various faiths in working together on programs for the protection of the poor and the elderly. In February 2002, the SCRA and the Organization for Security and Cooperation in Europe (OSCE) cohosted a regional conference on religious tolerance in the southern city of Jalal-Abad.

Since March 2001, the Government has worked with representatives of various religious faiths and NGO's on a draft law on religion. The draft law "On Freedom of Conscience and Religious Organizations" ostensibly is a response to concerns about terrorism and other illegal activities committed by groups disguising themselves as religious organizations. The initial draft included compulsory registration of religious bodies, a prohibition against unregistered religious activity, the lack of an alternative to military service, and tight control over religious activity deemed "destructive." The Parliament worked with the OSCE to revise the draft law in an effort to ensure that it respected the Government's OSCE obligations and would allow free practice of religion by all faiths, because OSCE comments on an earlier draft found that several of the law's points were inconsistent with OSCE commitments. At the end of the period covered by this report, the draft law was being revised to tighten regulations on missionary activities, and the current redraft of the law remained incomplete at the end of the period covered by this report. Representatives of the religious communities remain cautious and there is concern that some Muslim believers could be labeled extremists under this law. In April 2002, the Central Asian Eparchy of the Russian Orthodox Church issued a statement strongly opposing the draft law, warning that its passage would result in a flood of foreign missionaries.

Restrictions on Religious Freedom

The Government is concerned about the threat of political Islam, whose followers (Islamists) it labels "Wahhabis." The Government perceives Islamists to be a threat to national stability, particularly in the southern part of the country, and fears that Islamists seek to overthrow the secular government and establish an Islamic theocracy. Armed incursions of Islamic militants in 1999 and 2000 by members of the Islamic Movement of Uzbekistan (IMU), a terrorist organization, increased the Government's concern regarding political Islam and the actions of its followers, particularly militant Islamic groups. Presidential Decree Number 319 states that a religious organization may be denied registration or its registration may be suspended if the organization's activities do not comply with the law or is dangerous to state security, social stability, inter-ethnic and inter-confessional relations, or the health and morals of citizens. Such suspensions or refusals of a religious organization's registration are subject to judicial appeal. There were no reports of such suspensions

during the period covered by this report. In May 2001, the Procurator General proposed amending the Criminal Code to include tougher sentences for those convicted of “religious extremism.” During the period covered by this report, the Government continued to express public concern about groups that it viewed as extremist with either radical religious or political agendas.

The Islamist organization Hizb ut-Tahrir, mainly active in the southern part of the country, is not registered with the Government and is considered to be an illegal organization.

In early April 2001, the local press quoted then-Prime Minister Bakiyev’s call for increased monitoring of mosques and schools in order to prevent such institutions from becoming a source of Islamic extremist activity. However, there were no reports of increased monitoring during the period covered by this report.

In January 2002, the Government issued a decree imposing strict control on printing activities, ostensibly to control the spread of Islamic extremist leaflets. The Decree also required the SCRA to issue a report listing all registered religious organizations and to create an inventory of houses of worship. The President rescinded the decree in May 2002 after protests by local and international media, human rights NGO’s, and other organizations.

Religious leaders note with concern that the SCRA frequently uses the term national security in its statements. Law enforcement authorities, including the Ministry of Internal Affairs (MVD) and the National Security Service (SNB), often play a role in investigating religious organizations and resolving inter religious disputes.

A Christian group in a village outside of Bishkek reported that in September 2001, village elders said that “Christianity is not allowed in the Kyrgyz Republic,” called for the expulsion of Christian converts from the village, and dismissed one Church member from the village educational council. In the southern village of Suzak, village elders called for the expulsion of four former Muslims who had converted to evangelical Christianity.

Abuses of Religious Freedom

The arrest and prosecution of persons accused of possessing and distributing literature of Hizb ut-Tahrir increased during 2001 and early 2002. Most arrests occurred in the south and involved ethnic Uzbeks. Those arrested typically were charged with violation of Article 299 of the Criminal Code, which prohibits the distribution of literature inciting ethnic, racial, or religious hatred. Figures for arrests of alleged Hizb ut-Tahrir activities vary depending on the source. According to the International Crisis Group (ICG), which monitors Hizb ut-Tahrir in the south, during 2001 police detained 49 persons in Osh Oblast and 86 persons in Jalal-Abad Oblast for membership in the Hizb ut-Tahrir organization and for distribution of its literature. Of those arrested in Osh Oblast, the Government brought criminal charges against 30 persons. The ICG estimated that the number of prosecutions in Jalal-Abad Oblast was approximately the same. The SNB reported that there were 117 arrests of Hizb ut-Tahrir members in Jalal-Abad Oblast in 2001.

In 2000 Amnesty International reported the arrest and illegal deportation to China of Jelil Turadi, an ethnic Uighur Chinese national. Unofficial sources reported that Turadi was arrested allegedly for possessing “Wahhabist” literature and was handed over to Chinese security agents in Bishkek. Turadi’s fate remains unknown.

There were no other 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 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. Members of the two major religions, Islam and the Russian Orthodox Church, respect each other’s major holidays and exchange holiday greetings.

There is no evidence of widespread societal discrimination or violence against members of different religious groups. However, there is evidence of periodic tension in rural areas between conservative Muslims and foreign missionaries and individuals from traditionally Muslim ethnic groups who convert to other faiths. In April 2002, Muslim villagers in eastern IssykKul Oblast refused to allow the burial in the local cemetery of a former Muslim who had converted to Christianity. Similar incidents also were reported in Chui and Naryn Oblasts. In subsequent press releases, both Muslim and Russian Orthodox spiritual leaders responded with criticism of the

proselytizing activities of nontraditional Christian groups, while the Chairman of the SCRA called for tolerance on all sides.

In March 2002, members of the country's Jewish Cultural Society reported that they had heard calls for violence against Jews issued in Russian and Kyrgyz from a loudspeaker at a mosque in central Bishkek. According to the Israeli Embassy in Almaty, the Government is investigating.

In January 2001, there was a standoff in the village of Kurkol between local villagers and ethnic Uzbek Jehovah's Witnesses. The standoff occurred when the villagers demanded that the four Uzbeks either reconvert to Islam or leave the village. The incident was resolved peacefully by the Ministry of Interior and the Security Service. There were no reports of incidents between local villagers and ethnic Uzbek Jehovah's Witnesses during the period covered by this report.

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.

During the period covered by this report, the U.S. Embassy continued to monitor the progress of the draft law on religion and maintained contact with government officials with regard to religious affairs.

LATVIA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, bureaucratic problems persist for some minority religions.

The generally amicable relations among religions in society contributed to religious freedom; however, lingering suspicions remain towards newer nontraditional 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 25,000 square miles, and its population is estimated at 2.4 million. The three largest faiths are Catholicism, Lutheranism, and Orthodox Christianity. No precise denomination membership statistics are available. Sizeable religious minorities include Baptists, Pentecostals, and various evangelical Protestant groups. The once large Jewish community was virtually destroyed in the Holocaust during the 1941-44 German occupation and now totals only an estimated 6,000 persons.

As of May 2002, the Justice Ministry had registered more than 1,000 congregations. This total included: Lutheran (309), Roman Catholic (251), Orthodox (114), Baptist (89), Old Believer Orthodox (67), Seventh-Day Adventist (46), Jehovah's Witnesses (10), Methodists (12), Jewish (7), Buddhist (4), Muslim (7), Hare Krishna (10), Church of Jesus Christ of Latter-Day Saints (Mormons) (3), and more than 100 others.

Interest in religion has increased markedly since independence. However, a large percentage of these adherents do not practice their faith regularly. Churches have provided the following estimates of church membership to the Justice Ministry: Lutherans (400,000), Roman Catholic (500,000), Orthodox (300,000), Baptist (6,000), Old Believer Orthodox (70,000), Seventh-Day Adventist (4,000), Jehovah's Witnesses (2,000), Methodists (500), Jewish (6,000), Buddhist (100), Muslim (300), Hare Krishna (500), and Mormons (2,000). There are significant numbers of atheists, perhaps a majority of the population. Orthodox Christians, many of them Russian-speaking, non-citizen, permanent residents, are concentrated in the major cities, while many Catholics live in the east.

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, bureaucratic problems persist for some minority religions. There is no state religion; however, the Government distinguishes

between “traditional” (Lutheran, Roman Catholic, Orthodox, Old Believers, Baptists, and Jewish) and “new” religions.

Although the Government does not require the registration of religious groups, the 1995 Law on Religious Organizations accords religious organizations certain rights and privileges when they register, such as status as a separate legal entity for owning property or other financial transactions, as well as tax benefits for donors. Registration also eases the rules for public gatherings.

According to the Law on Religious Organizations, any 10 citizens or permanent residents over the age of 18 may apply to register a church. Asylum seekers, foreign Embassy staff, and those in the country temporarily in a special status may not register a religious organization. Congregations functioning in the country for the first time that do not belong to a church association already registered must reregister each year for 10 years. Ten or more congregations of the same denomination and with permanent registration status may form a religious association. Only churches with religious association status may establish theological schools or monasteries. A decision to register a church is made by the Minister of Justice. According to Ministry of Justice officials, most registration applications are approved eventually once proper documents are submitted; however, the law does not permit the simultaneous registration of more than one religious union (church) in a single confession, and the Government occasionally denies applications on this basis.

Property restitution has been completed substantially. The status of the remaining properties is unclear and is the subject of complicated legal and bureaucratic processes.

Citizens’ passports indicate the ethnicity of the bearer. For example, Jews are considered an ethnic group and are listed as such rather than as Latvian or Russian.

December 25 is celebrated as Christmas and is a recognized national holiday. Good Friday and Easter Monday also are national holidays.

The Latvian Lutheran Church established its own clergy education center, the Luther Academy in Riga, in 1998. The Roman Catholic Church also has its own seminary. The University of Latvia’s theological faculty is nondenominational.

There is a New Religions Consultative Council whose membership consists of doctors, academics, and the independent human rights ombudsman. The Council, which meets on an “ad hoc” basis, can research and write opinions on specific issues, but has no decision-making authority. There also is a Traditional Religion Council, which meets monthly. This body reportedly aims at facilitating greater ecumenical communication, discussing matters of common concern, and improving dialog between the traditional faiths and the Government.

Restrictions on Religious Freedom

Problems arise and registration is denied because the Law on Religious Organizations does not permit simultaneous registration of more than one religious union (church) in a single confession, and the Government occasionally denies groups registration. Because of this provision, the Government does not register any splinter groups, including an independent Jewish congregation, the Latvian Free Orthodox Church, and a separate Old Believers group.

Visa regulations effective since 1999 require religious workers to present either an ordination certificate or evidence of religious education that corresponds to a Latvian bachelor’s degree in theology. The visa application process still is cumbersome. While the Government generally was cooperative in assisting to resolve difficult visa cases in favor of missionary workers, problems still persist. In June 2002, an American religious worker successfully appealed a visa denial; however, that decision later was overturned through a government appeal.

Foreign evangelists and missionaries, including from the United States, are permitted to hold meetings and to proselytize, but the law stipulates that only domestic religious organizations may invite them to conduct such activities. Foreign religious denominations have criticized this provision.

The Law on Religious Organizations stipulates that religion may be taught to students in public schools on a voluntary basis only by representatives of Evangelical Lutheran, Roman Catholic, Orthodox, Old Believer, Baptist, and Jewish religions. The Government provides funds for this education. Students at state supported national minority schools also may receive education on the religion “characteristic of the national minority” on a voluntary basis. Other denominations may provide religious education in private schools only.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Relations between the various religious communities are generally amicable. Ecumenism still is a new concept in the country, and traditional religions have adopted a distinctly reserved attitude towards the concept. Although government officials encourage a broader understanding of and acceptance of newer religions, suspicions remain towards newer nontraditional faiths.

The Latvian Historical Commission, under the sponsorship of President Vaira Vike-Freiberga, has continued to promote Holocaust awareness throughout all elements of Society. In December 2001, President Vike-Freiberga dedicated a memorial to Holocaust victims in a Riga suburb.

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.

During the period covered by this report, the U.S. Embassy worked to support the principle of religious freedom by engaging in regular exchanges with appropriate government bodies, including the Director of the Office of Religious Affairs, human rights nongovernmental organizations, and representatives of various religious confessions, including missionaries. The Embassy's Consular Section also held regular discussions with local immigration authorities and section meetings with the Department of Religious Affairs.

The Embassy actively supports the Latvian Historical Commission. It has funded the travel of Latvian scholars to the United States for education in ethnic and religious tolerance and of U.S. experts to Latvia for Historical Commission activities. The Embassy also sponsored a series of academic exchanges and lectures on Holocaust issues.

Embassy officials maintain an open and productive dialog with the Government's Director of the Office of Religious Affairs. Embassy officials also meet regularly with visiting missionary groups as well as representatives of different religious confessions, both Latvian and foreign. Problems that members of certain minority religions have experienced at the Citizenship and Migration Department when seeking visas and residency permits often are discussed. For example, in June 2002, an American religious worker successfully appealed a visa denial; however, that decision later was overturned through a government appeal. The Embassy was working with the Government to resolve this issue at the end of the period covered by this report.

LIECHTENSTEIN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Roman Catholic Church is the official state church.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

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 has a total land area of 61.7 square miles, and a total population of 32,883 (as of December 31, 2000, according to the Office of the National Economy). There are 25,362 Roman Catholics, 2,306 Protestants, 1,197 Muslims, 242 Eastern Orthodox, 58 Buddhists, 30 members of Jehovah's Witnesses, 12 Anglicans, 16 Jews, 12 Baha'is, 10 New Apostolics, 6 members of other religions, and 3,350 persons who were undecided.

There are no significant foreign missionary groups in the country.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of creed and conscience, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Criminal Code prohibits any form of discrimination, or debasement of any religion or any of its adherents. The Constitution establishes the Catholic Church as the official state church.

Church funding comes from the general budget, as decided by Parliament, and is not a direct "tithe" paid by the citizens. The Government gives money not only to the Catholic Church but also to other denominations. The budget is allocated proportionately according to membership numbers. The Roman Catholic Church's finances are integrated directly into the budgets of the national and local governments. The Catholic Church receives approximately \$190,000 (300,000 Swiss francs) per year, plus additional sums from the 11 communes. The relationship between the State and the Roman Catholic Church is being redefined. Under an interim regulation of December 1998, the state contributions to the Catholic Church temporarily had been paid into a blocked special account to be released when a new agreement was reached. The 1998 regulation expired on January 1, 2002, before a consensus had been reached. Therefore, the Church again is entitled to the State's annual contributions under the terms of a 1987 law. The Government missed its self imposed 2002 deadline because it wanted to allow additional time to find the widest possible consensus on the redefinition of the relationship between the State and the Catholic Church. The State's financial contributions for 1999, 2000, and 2001 have been paid out to the Church. All religious groups enjoy tax-exempt status.

There are no significant foreign missionary groups in the country. In order to receive a religious-worker visa, an applicant must demonstrate that the host organization is important for the entire country. An applicant must have completed theological studies and be accredited with an acknowledged order. Visa requests normally are not denied and are processed in the same manner as requests from other individuals or workers.

Roman Catholic or Protestant religious education is compulsory in all schools, but the authorities routinely grant exemptions for children whose parents so request. Both religions typically are taught separately but simultaneously in primary and secondary schools, normally 2 hours per week.

The Government collaborates with religious institutions by supporting interfaith dialogs and providing adult education courses in religion, as well as other subjects.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are amicable relations between the religious communities. Catholics, Protestants, and members of other faiths work well together on an ecumenical basis. Differences among religious faiths are not a significant source of tension in society.

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.

LITHUANIA

The Constitution provides for freedom of religion except in cases where religious activities contradict the Constitution and the law, and the Government generally respects this right in practice. There is no state religion; however, some religious groups enjoy government benefits not available to others. Nontraditional religious groups face some restrictions.

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

There are generally amicable relations among the various religious communities, although members of religious minorities occasionally are subject to acts of intolerance. A certain level of anti-Semitic sentiment persists in the country.

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 an area of 25,174 square miles, and its population is approximately 3.5 million. The 2001 population census indicated that approximately 79 percent of the inhabitants consider themselves to be Roman Catholics; there were a reported 673 Catholic communities in 2000. The second largest religious group is the Orthodox Church (141,000 members and 43 communities), concentrated in the east, along the border with Belarus. The "Old Believers" number 27,000 and have 27 communities. An estimated 19,500 Lutherans (54 communities) are concentrated to the southwest. The Evangelical Reformed community has approximately 7,000 members in 12 communities. The 5 Sunni Muslim communities number approximately 2,700 members, while the Greek Catholic community has approximately 300 members. The Jewish community numbers approximately 4,000 (6 Jewish religious communities have 1,200 members). An estimated 9.4 percent of the population does not identify with any religious denomination.

Karaites, while not unique to the country, exist in few other locations in the world. They are considered by some to be a branch of Judaism; their religion is based exclusively on the Old Testament. Two houses of worship in Vilnius and Trakai serve the Karaite religious community of approximately 250 members. The Karaites have been in the country since 1397. Considered as well to constitute a distinct ethnic group, Karaites speak a Turkic-based language and use the Hebrew alphabet. Their community president also is their only religious leader.

The Chabad Lubavich, a Hassidic Jewish group, operates a school (kindergarten through 12th grade), a social center, and a kosher kitchen in the capital of Vilnius.

Approximately 0.23 percent of the population belong to what the Government refers to as "nontraditional" religious communities. The most numerous are the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, New Apostolic Church, Jehovah's Witnesses, Baptists, and Seventh-Day Adventists. According to the Ministry of Justice, a total of 967 traditional and 184 nontraditional religious associations and communities are registered.

Foreign missionary groups, including Baptists, The Church of Jesus Christ of Latter-Day Saints (Mormons), and members of Jehovah's Witnesses, also are active in the country.

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 Constitution provides that a person's freedom to profess and propagate his or her religion or faith "may be subject only to those limitations prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, a person's health or morals, or the fundamental rights and freedoms of others." The religious teachings of churches and other religious organizations, their religious activities, and their houses of prayer may not be used for purposes that contradict the Constitution and the law. The freedom of expression of religious conviction also may be restricted temporarily during a period of martial law or a state of emergency. None of the limitations specified in the Constitution has been invoked. There is no state religion. However, under the 1995 Law on Religious Communities and Associations, some religious groups enjoy government benefits not available to others.

The Constitution divides religious communities into state recognized traditional groups and others. However, in practice a four-tier system exists: traditional, state recognized, registered, and unregistered communities.

Traditional religious communities and associations are not required to register their bylaws with the Ministry of Justice in order to receive legal status. However, nontraditional religious communities must present an application, a founding statement signed by no less than 15 members who are adult citizens of the country, and a description of their religious teachings and their aims. The Ministry must review the documents within 6 months.

The law stipulates that nontraditional religious communities may be granted state recognition if they are “backed by society” and have been registered in the country for at least 25 years. Both traditional and state recognized communities can receive state subsidies; however, only the traditional ones receive the subsidy regularly. The law grants property rights for prayer houses, homes, and other buildings to religious communities, associations, and centers, and permits construction that is necessary for their activities. These traditional associations and communities receive annual financial support from the Government. Other religious communities are not eligible for regular financial assistance from the Government; however, they may receive government support for their cultural and social projects.

The law specifies nine religious communities that have been declared “traditional” and therefore are eligible for governmental assistance. They are Latin Rite Catholics, Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Church members, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites. They do not have to pay social and health insurance for clergy and other employees; they can register marriages; and they are not subject to a value added tax (VAT) on such services as electricity, telephone, and heat. However, only traditional communities have the right to teach religion in state schools and buy land to build churches (other communities may rent it). Only their clergy and theological students are exempt from military service, and only their top religious leaders are eligible for diplomatic passports. They also may have military chaplains. In addition, they have the right to establish subsidiary institutions.

Religious communities registered by the Ministry of Justice constitute the third status group; they do not receive regular subsidies, tax exemptions, social benefits, or military exemptions enjoyed by traditional and state recognized communities but can act as legal entities and thus rent land for religious buildings.

Unregistered communities have no juridical status or state privileges, but there were no reports that any such groups were prevented from worshipping or seeking members.

There is no separate government agency addressing religious groups; a small department in the Ministry of Justice handles requests of religious groups for registration. In November 2001, the Government reestablished the position of advisor for religious affairs, which it had abolished in March 2001, and appointed a person designated by the Catholic Church. The former advisor admitted in a public interview that the Catholic Lithuanian Bishops’ Conference had proposed his candidacy. The decision to abolish the position had contributed to a more evenhanded approach to religious matters; however, some observers believe that its reestablishment may benefit the Catholic Church more than other religions.

In 2000 after reviewing an appeal by several members of Parliament, the Constitutional Court confirmed the principle of separation between church and state in the sphere of education. The Court ruled that in state educational institutions, classes or groups may not be co-established with state-recognized traditional religious associations. The Court also ruled that if either public or private educational establishments are sponsored jointly by a state institution and a religious group, the group may not set any religious test for employment of staff not connected with religious instruction. Finally, the Court ruled that the heads of state educational establishments could not be appointed and dismissed by government institutions on the recommendation of a religious association. The Catholic Church criticized the Court’s ruling.

In 2000 the Government and the Holy See agreed to establish a military Ordinariat to provide religious support to Catholic members of the military service in the form of military chaplains. The Ministry of Defense provides material support for the Ordinariat and its places of worship. Other traditional churches and religious groups also can provide religious support to the military services. Alternative military service within military structures is available, but there is no option for alternative nonmilitary service, as requested by members of Jehovah’s Witnesses.

In August 2000, three agreements between the Government and the Holy See took effect: “On Cooperation in the Sphere of Education and Culture,” “On Spiritual Guidance of Catholics Serving in the Military,” and “On Legal Aspects of Relations Between the Catholic Church and the State.” The last of these agreements established Assumption Day (August 15) as a national holiday, in addition to the previously established holidays of St. Mary’s celebration (January 1), Easter Monday, All Saint’s Day (November 1), Christmas, and Boxing Day (December 26). The list of holidays can be changed by agreement of both sides. There were no reports of formal complaints that these agreements adversely affect religious freedom for the adherents of other religions.

Restrictions on Religious Freedom

Nontraditional religious communities must submit an application and supporting documents to the Ministry of Justice in order to receive legal status. Since 1995 the Ministry of Justice has turned down two applications, those of the Osho Ojas Meditation Center and the Lithuanian Pagans Community (Old Sorcerer). In 1995 the Old Sorcerer community brought a case against the Ministry of Justice over registration but lost its case in the spring of 2002. Both were rejected because the authorities concluded that these groups were nonreligious. They were advised to register as nongovernmental organizations (NGO's) instead.

The operations of foreign missionary groups within the country are not restricted. Most of the problems related to procedures for residency permits for religious workers (enacted by law in 1999) had been resolved by mid-2001.

According to the Constitution, state and local teaching and education establishments are secular. The law provides that only religious instruction of traditional and other state recognized religious communities may be taught in state educational institutions. At the request of parents from these communities, schools can offer classes in religious instruction. In practice parents can choose classes in religious instruction or classes in ethics for non-religious education. The Government is obliged by law to finance religious instruction (of traditional confessions only) in state schools, and to fund fully schools of traditional religious groups and schools cofounded with traditional religious groups. In addition, the Government may, and often does, support schools run by nontraditional religious groups, who have the right to establish private schools and receive partial state funding.

Since September 2001, amendments to the Law on Religious Communities and Associations have granted full government funding only to the educational institutions of traditional religious organizations. The governmental Department of European Law had criticized the amendments for discriminating against traditional religious communities and associations. The Department implied that although the Government has the right to provide different legal statuses for different religious communities, differences in status should not result in differences in rights and privileges.

In 2001 the Word of Faith Church (a charismatic Protestant Church) complained that Vilnius County and district authorities refused to reregister a private school established by the Church. The problem emerged when the school, which operates under a license issued by the Education and Science Ministry, relocated in 1999 from Vilnius city to Vilnius county. The community appealed to the court and was reregistered in February 2002; however, its pupils did not receive vouchers, which are used to finance school programs. The school appealed the decision to the Education Ministry and expected to receive vouchers in the fall of 2002.

The law grants all religious communities equal opportunity in regaining control over former property used for conducting religious services. However, the Catholic community has been more successful in regaining its property than many other religious communities. Some religious property, including 26 synagogues, was returned to the Jewish community, mostly from 1993 to 1996. The deadline for filing claims from Soviet times (July 1940) passed in March 1996. A number of claims successfully were resolved, and others still were pending. Lack of funds for compensation and protracted bureaucratic obstacles are the primary problems preventing the return of private property. The Government has taken no action on the problem of restoring property of religious institutions that no longer exist and has no plans to do so.

In early 2002, the Government established a commission on communal property restitution to identify communal property eligible for restitution and propose amendments to the law on restituting property to religious communities so that the Jewish secular community (the majority of Jewish citizens) can benefit from the restitution process. The Government and city of Vilnius also established a procedure for rebuilding parts of the Jewish quarter in Vilnius Old Town. The project was expected to use private funds and give the Jewish community parts of the reconstructed buildings.

In spring 2002, the Supreme Court ruled in favor of an appeal by the Evangelical Lutheran Church of the April 2001 Vilnius First District Court decision's that the Vilnius City Council had violated the previous owners' and tenants' rights when it returned four buildings to the Church in 1992 and 1993. The Church had appealed, asserting that it had owned the properties before they were nationalized in 1945 and that restitution had been carried out according to the law. According to the ruling, the Church may regain ownership of, or compensation for, the four buildings in Vilnius Old Town.

The Government's commission to coordinate the activities of governmental institutions in order to investigate whether the activities of religious, esoteric, or spiritual

groups comply with the law includes representatives of the Ministries of Justice, Interior, Education, Health, and Foreign Affairs, the General Prosecutor's office, and the State Security Department. The Minister of Justice appoints the chairman of the commission. The commission was established in 2000 following some parliamentarians' calls for increased control of "sects," following negative coverage of some religious groups in the media. The commission takes as its guidance domestic laws and the recommendations (No. 1412 and No. 1178) of the Council of Europe, which seek to ensure that activities of religious groups are in line with the principles of a democratic society, human rights, and fundamental freedoms. The commission had taken no action and made no statements affecting specific religious groups by the end of the period covered by this report.

In December 2001, Stanislovas Buskevicius, a nationalist Member of Parliament, proposed draft legislation "On Barring the Activities of Sects." The draft was discussed widely and was expected to be considered by the Parliament in 2002; however, it had not been considered by the end of the period covered by this report. The Parliament's Department of Law criticized the draft law, and the Government's Department of European Law publicly expressed concern regarding the legal shortcomings of the draft and indicated its inconsistencies with European law practice.

In June 2000, the Ministry of Justice warned the "Collegiate Association for the Research of the Principle" to discontinue its religious activities. They were proselytizing on behalf of the Unification Church, an activity that was not described in their own statutes, and thus violated the Law on Public Organizations. The Association informed the Ministry of Justice that the religious activities of its members will not be carried out in the name of the Association. The Government has taken no further action against the Association.

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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In the period between April 2001 and April 2002, the Ministry of Justice registered 11 nontraditional religious groups and granted 27 traditional religious communities legal person status. In July 2001, the Parliament granted the Association of Evangelical Baptist Churches of Lithuania the status of state recognized religion, and the United Methodist Church of Lithuania expects recognition of the same status in late 2002. Legally the status of "state recognized" religious community is higher than that of a "registered" community but lower than that of a "traditional" community.

Following President Adamkus' January 17, 2002, visit to Washington, on January 30, the Government turned over 309 Torahs to an Israeli spiritual and heritage group for distribution among Jewish congregations worldwide. The Government has made an effort to support post-World War II restitution efforts during the period covered by this report. An ad hoc committee of Lithuanian, American, and Israeli representatives of Jewish organizations, headed by Rabbi Andrew Baker, was negotiating the return of several of the most valuable Torahs still at the Lithuanian National Library.

SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the various religious communities, although members of religious minorities occasionally are subjected to acts of intolerance, such as insults.

An estimated 10 percent of the population before World War II were Jewish. More than 200,000 Jews (approximately 95 percent of that population) were killed in the Holocaust. The country still is reconciling itself with its past and working to understand it better. In 1998, President Valdas Adamkus established a historical commission to investigate both the crimes of the Holocaust and the subsequent Soviet occupation. The Commission has held annual conferences and several seminars and published several reports. A government-sponsored international forum on Holocaust-era looted cultural assets occurred in October 2000. In spring 2001, the Ministry of Justice asked the United Kingdom to extradite genocide suspect Antanas Geceviciu (Gecas), a resident of Edinburgh, Scotland. Scottish authorities declined to extradite Gecas because of his poor health; he died in September 2001.

In the past several years, the country's Jewish communities have expressed concern over an increase in anti-Semitic remarks made by extremist and a few, more

mainstream, politicians. The political leadership of the country and the national press generally criticize anti-Semitic statements when they occur.

On April 9, 2002, Holocaust Commemoration Day, in the Seimas (Parliament), the Lithuanian Freedom Party (LFP) issued a statement that described the Government's efforts to restore communal property to the Jewish community as "kow-towing to the Jews" and stated that it would turn its labor force into "slaves of the Jews." It also demanded that the Government end relations with Israel. The Seimas chairman, who is the leader of the New Union Party, criticized the statement; however, the Deputy Chairman of the Christian Democratic Party (CDP) warned the Government against making special arrangements to return Jewish communal property.

The Seimas commemorated Holocaust Day by publicly acknowledging and apologizing for the murder of Jews and destruction of Jewish culture in the country during WWII. Simonas Alperavicius, Chairman of the Lithuanian Jewish Community, attributed recent public expressions of anti-Semitism to ignorance and the failure of society to recognize the extent of the destruction that occurred there. On April 11, 2002, the Vilnius basketball arena apologized for anti-Semitic chants by its fans during a game between a local team and an Israeli team.

The Seimas opposition requested that the Prime Minister disassociate himself from Education and Culture Advisor Arvydas Juozaitis after Juozaitis criticized Culture Minister Roma Dovydienene for "giving too much attention" to Jewish heritage in the Government's program for a Frankfurt Book fair.

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. The U.S. Embassy maintains a close and regular dialog on religious issues with senior officials in the Government, Members of Parliament, and presidential advisors, as well as continual contact with religious leaders. Religious groups use the Embassy as a vehicle to voice their complaints, and the Embassy encourages religious leaders to keep the Embassy informed of their views on the status of religious freedom and any complaints. The Embassy has been active in discussing the restitution of Jewish communal property with government officials and community leaders in the country. The Embassy also maintains regular contact with U.S. missionary groups.

During the period covered by this report, the Embassy's democracy commission funded a number of projects with the goal of promoting greater religious tolerance, particularly those related to building broader understanding of the Holocaust.

LUXEMBOURG

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 998.5 square miles, and its population is approximately 441,000. The country is historically Roman Catholic, and Catholicism remains the predominant faith. According to a 1979 law, the Government may not collect or maintain statistics on religious affiliation; however, over 90 percent of the population is estimated to be baptized Catholic. The Lutheran and Calvinist churches are the largest Protestant denominations. Muslims are estimated to number approximately 6,000 persons, including 1,500 refugees from Montenegro; Greek Orthodox adherents are estimated to number approximately 1,500 persons; and there are approximately 1,000 Jews. The Baha'i Faith, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Universal Church, and members of Jehovah's Witnesses are represented in smaller numbers. The number of professed atheists reportedly is growing.

There are no significant foreign missionary groups. Many religious groups described as “sects” have representations in the country. They are expected to obey the law, but their activities have not become significant political or social issues.

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 government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. There is no state religion. The State does not register religions or religious groups. However, based on the Concordat of 1801, when the country was under Napoleonic rule, some churches receive financial support from the State. The Constitution specifically provides for state payment of the salaries of clergy. Pursuant to negotiated agreements with the Government, the following religious groups receive such support: Roman Catholic, Greek and Russian Orthodox, Jewish, and some Protestant denominations. Applications for financial support from the Anglican Church and the Muslim community have been under consideration for over 5 years without resolution.

There is a long tradition of religious education in public schools. A 1997 convention between the Minister of National Education and the Roman Catholic Archbishop governs religious instruction. In accordance with this convention, religious instruction is a local matter, coordinated at the communal level between representatives of the Catholic Church and communal authorities. Government-paid lay teachers provide instruction (totaling 2 school hours) at the primary school level. Parents and pupils may choose between instruction in Roman Catholicism or an ethics course; requests for exemption from religious instruction are addressed on an individual basis. Although approximately 85 percent of primary school students choose religious instruction, the number drops to 65 percent for high school students. The Roman Catholic, Lutheran, and Calvinist Churches have an agreement for the provision of instruction in the Protestant religions within the overall framework of religious instruction in the school system. There are oral agreements between Catholics and Protestants at the local level to provide religious instruction to Protestant students, as required, during school hours. Protestant instruction is available on demand, and provision of instruction in other faiths may develop in response to demand.

The State subsidizes private religious schools. All private, religious, and non-sectarian schools are eligible for and receive government subsidies. The State also subsidizes a Catholic seminary.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 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. The Roman Catholic, Protestant, and Jewish faiths work well together on an interfaith basis. Differences among religious faiths are not a significant source of tension in society.

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.

MACEDONIA (THE FORMER YUGOSLAV REPUBLIC OF)

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no overall change in the status of respect for religious freedom during the period covered by this report; however, the ethnic-Albanian insurgency led by a group of Kosovar and Macedonian ethnic Albanians who call themselves the “National Liberation Army” (NLA), in 2001 has strained religious tolerance. While religion was not a focus of the conflict, both sides occasionally have targeted religious buildings due to the linkage between religion and ethnicity in the country. The August 13 Framework Agreement concluded in 2001 contained broad constitutional and legislative reforms focused on greater minority rights. Throughout the implementation of this agreement and the 2002 election campaign, religious issues increasingly were politicized. The law places some limits on religious practice by restricting the establishment of places of worship and restricting where contributions may be made.

The generally amicable relationship among the various religious communities contributed to religious freedom; however, inter ethnic conflict and the increased politicization of religion by the Government have strained this relationship.

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 9,781 square miles, and its population is approximately 2 million. The country has two major religions: Orthodox and Muslim. Nominally, approximately 66 percent of the population are Macedonian Orthodox, approximately 30 percent are Muslim, approximately 1 percent are Roman Catholic, and approximately 3 percent are of other faiths (largely various Protestant denominations). There is also a small Jewish community in Skopje. Religious participation tends to focus on major holidays or life cycle events.

Numerous foreign missionaries are active and represent a very wide range of faiths. Many of these missionaries enter the country in connection with other work, often charitable or medical. Several Protestant missionary groups and members of Jehovah’s Witnesses are active.

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, the law places some limits on religious practices, including the establishment of places of worship and the collection of contributions. Prior to January 2002, the Constitution specifically mentioned the Macedonian Orthodox Church, although it did not confer official status. As part of the Framework Agreement, the Constitution was amended to include mention of the Jewish community and the Methodist church. None of these communities has official status or privileges.

The constitutional provision for religious freedom is refined further in the 1997 Law on Religious Communities and Religious Groups. This law designates the Macedonian Orthodox Church, the Islamic community, the Roman Catholic Church, the Jewish community, and the Methodist Church as religious communities, and all other religions as religious groups. However, there is no legal differentiation between religious communities and groups. In 1999 the Constitutional Court struck down several provisions of the 1997 law, and in practice the remaining provisions of the law are not enforced consistently.

The Government requires that religious groups be registered. The 1997 Law on Religious Communities and Religious Groups contained a number of specific requirements for the registration of religious groups that were struck down by the Constitutional Court in 1999. Consequently, there was considerable confusion over which procedures still applied, and several foreign religious bodies experienced delays in their efforts to register. During the period covered by this report, the process remained slow and cumbersome. In practice religious groups need to register to obtain permits to build churches, and to request visas for foreigners and other permits from the Government. During 2001 several international Protestant churches were granted legal registration, including the Christian Church Bozji Glas; several others were at some stage in the registration process by the end of the period covered by this report.

The Law on Religious Communities and Religious Groups also requires that foreigners carrying out religious work and religious rites be registered with the Government’s Commission on Relations with the Religious Communities. The Government does not restrict nor actively monitor new groups or advise the public on them.

The Government no longer keeps a count of registered religious groups and communities.

Restrictions on Religious Freedom

The Law on Religious Communities and Religious Groups places some restrictions on the establishment of places of worship. It provides that religious rites and religious activities “shall take place at churches, mosques, and other temples, and in gardens that are parts of those facilities, at cemeteries, and at other facilities of the religious group.” Provision is made for holding services in other places, provided that a permit is obtained at least 15 days in advance. No permit or permission is required to perform religious rites in a private home. The law also states that religious activities “shall not violate the public peace and order, and shall not disrespect the religious feelings and other freedoms and rights” of persons who are not members of that particular religion. The Government does not enforce actively most of these provisions of the law but acts upon complaints when they are received. On May 10–14, 2002 in Skopje, a conference was held called “Nurturing a Culture of Dialog,” where Muslim leaders complained that crosses were placed on clock towers in villages and that only the Orthodox Church was invited to give prayers at government and sporting events.

Several registered Protestant groups have been unable to obtain building permits for new church facilities due to normal bureaucratic complications that affect all new construction. Churches and mosques often are built without the appropriate building permits. The Government has not taken any actions against religious buildings that lack proper construction permits.

The Law on Religious Communities and Religious Groups also places some limitations on the collection of contributions by restricting them only to places where religious rites and activities are conducted.

During the period covered by this report, the Government increasingly politicized religious issues and increased the role of religion in official events. For example, on January 9, 2002, the Minister of Interior organized a ceremony where police special forces were blessed by the Archbishop of Ohrid and each police officer was given a religious plaque. The Government also is financing the placement of a 60-foot-tall Orthodox cross on Mt. Vodno near Skopje. These actions are seen as provocations by the country’s ethnic Albanians and have contributed to strained relations between religious groups.

Children below the age of 10 years may not receive religious instruction without the permission of their parents or guardians. A new law provides for religious education in the schools on a voluntary basis. The Government is developing the implementation guidelines.

The 1997 Law on Religious Communities and Religious Groups specifically allows for foreign citizens to carry out religious activities, but only at the request of a registered religious body. Because many evangelical Christian missionaries wish to conduct religious activities that are aimed at the creation of new groups of believers, rather than at operating through existing churches, some foreign missionaries have chosen to disregard this portion of the law. This approach has on occasion led to difficulties for those missionaries, as the authorities have questioned their actual reasons for entering the country, usually on tourist visas. The Baptist Church registered in country has refused to sponsor Baptist missionaries from churches based in other countries. During the period covered by this report, several missionaries with improper immigration status were able to obtain religious worker visas. Several applications still were pending in June 2002. In addition, bureaucratic complications between ministries have delayed significantly the issuance of religious worker visas.

The issue of restitution of religious properties expropriated by the former Yugoslav Government has not been resolved fully. Many churches and mosques had extensive grounds or other properties that were expropriated by the Communist regime. Virtually all churches and mosques have been returned to the ownership of the appropriate religious community, but that is not the case for many of the other properties. Often restitution or compensation claims are complicated by the fact that the seized properties have changed hands many times or have been developed. In view of the country’s very limited financial resources, it is unlikely that religious communities will gain restitution of much of the expropriated properties.

Abuses of Religious Freedom

Forces on both sides of the civil conflict targeted and in some cases destroyed religious buildings. On June 16, 2001, during combat operations, police fired at the mosque at Stracini, although the NLA was not using it as a combat position. In June 2001, during anti-Albanian riots in Bitola, local police reportedly did not take

any action to stop rioters from vandalizing a city mosque and its adjacent Muslim cemetery. Some witnesses claimed that a few police officers participated in the riots. On May 21, 2001, in Runica, in the Kumanovo area, government forces burned down the local mosque and a number of other buildings in retaliation for earlier NLA strikes. The NLA used religious sites—both Orthodox and Muslim—as military bases and firing positions, in an attempt to deter security forces from attacking. During the spring of 2002, NLA fighters used the St. Bogorodica Orthodox Church near Tetovo as a base and caused significant damage to it; the NLA also used the Arabati Baba Teke Dervish monastery near Tetovo as a base. The NLA also attacked Orthodox buildings. On June 3, 2001, NLA combatants attacked and defaced the Orthodox Christian monastery at Matejce, near Kumanovo. On August 21, 2001, the NLA destroyed the church within the Orthodox Christian monastery at Lesok.

On December 8, 2001, arsonists, allegedly former NLA members, destroyed the Sveti Gjorgija (St. George) Church in the village of Golema Recica near Tetovo, the night before St. George's Day. The following night, on December 9, the mosque in Bitola caught fire. Police claimed that the fire was due to faulty electrical wiring; however, most observers believed that the fire was set intentionally in response to the St. George Church fire.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among the various religious communities continued to contribute to religious freedom although it has been tested severely and continues to deteriorate as a result of inter-ethnic tensions.

The religious communities in the country often reflect an ethnic identity. Specifically, most Muslims are ethnic Albanians. However, there are a number of ethnic Macedonians who are Muslim by religion. Ethnic Macedonians contend that they often are associated with the policies of ethnic Albanian Muslims, which they do not support. Societal discrimination is more likely to be based upon ethnic bias than upon religious prejudice.

During the period covered by this report, there was a significant increase in vandalism of religious properties (see Section II). Both mosques and Orthodox churches were targeted, many repeatedly. In June 2001, rioters vandalized the Bitola mosque, breaking windows, setting fire to the mosque interior, and breaking open several graves. Rioters also sprayed swastikas and anti-Albanian graffiti on the mosque. On August 7, in Prilep, a group of ethnic Macedonians burned down the local mosque.

The leaders of the long-established Orthodox, Muslim, and Roman Catholic communities have better connections within the Government than do the leaders of new churches, and there were some indications of an effort by the established religions to use that influence to shut out newcomers.

SECTION IV. U.S. GOVERNMENT POLICY

During the period covered by this report, the U.S. Embassy maintained an extensive dialog with the Government's Commission on Relations with the Religious Communities, the office charged with the implementation of the Law on Religious Communities and Religious Groups. The Ambassador met with leaders of the various religious communities, as well as the head of the Commission on Religious Communities and Religious Groups, on several occasions during the period covered by this report.

MALTA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution establishes Roman Catholicism as the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

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, which consists of 3 islands in the Mediterranean Sea, has a total area of 122 square miles, and its population is approximately 394,600. The overwhelming majority of citizens (approximately 95 percent) are Roman Catholic, and approximately 65 percent attend services regularly. While some political leaders diverge from Catholicism, most of the country's political leaders also are Roman Catholic.

Most congregants at the local Protestant churches are not Maltese; many British retirees live in the country, and vacationers from many other nations compose the remainder of such congregations. Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), and the Bible Baptist Church also have an active missionary presence. There is one Muslim mosque and one Jewish congregation. Zen Buddhism and the Baha'i Faith also have centers. Of the estimated 3,000 Muslims, approximately 2,250 are foreigners, approximately 600 are naturalized citizens, and approximately 150 are native-born Maltese.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution establishes Roman Catholicism as the state religion, and declares that the authorities of the Catholic Church have "the authority to teach which principles are right and which are wrong." The Government and the Catholic Church participate in a foundation that finances Catholic schools, where tuition is free. The foundation was established in 1991 as a result of the transfer of non-pastoral land to the State under the 1991 Ecclesiastical Entities Act. The Government subsidizes children living in Church-sponsored residential homes. There is one Muslim private school, and in November 2001, a site for a 500-grave Muslim cemetery was approved. Some governmental policies, such as a ban on divorce, reflect the teachings of the Catholic Church.

Since 1991 churches of all kinds (not just the Roman Catholic Church) have had similar legal rights: Religious organizations can own property such as buildings, and their ministers can perform marriages and other functions.

While religious instruction in Catholicism is compulsory in all state schools, the Constitution establishes the right not to receive this instruction if the student (or guardian, in the case of a minor) objects.

There are four religious holidays that are considered to be national holidays: the Motherhood of Our Lady (January 1), St. Paul's Shipwreck (February 10), the Assumption (August 15), and Christmas Day (December 25). These holidays do not impact negatively any religious groups.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The Roman Catholic Church makes its presence and its influence felt in everyday life. However, converts from Catholicism do not face legal or societal discrimination, and relations between the Catholic Church and other Christian denominations generally are characterized by respect and cooperation.

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. Whenever

possible, the Embassy advocates continued observance of basic human rights such as freedom of expression and freedom of religion. Both the Embassy's private discussions with government officials and its informational programs for the public consistently emphasize these points.

MOLDOVA

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law includes restrictions that at times inhibit the activities of some religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, the Government continued to uphold its earlier decisions to deny some groups registration. There is no state religion; however, the Moldovan Orthodox Church receives some special treatment from the Government. A number of minority religious groups in the separatist region of Transnistria continued to be denied registration and subjected to official harassment.

The generally amicable relationship among religions in society contributed to religious freedom; however, disputes among various branches of the Christian Orthodox faith continued, and there was one reported instance of the desecration of a Jewish cemetery. Unlike in the period covered by the previous report, no major cases of harassment were reported.

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 an area of approximately 13,000 square miles and its population is approximately 4.5 million. The predominant religion is Christian Orthodox. More than 90 percent of the population nominally belong to one of two Orthodox denominations, the Moldovan Church claims more than 1,000 parishes, and the Bessarabian Church claims close to 100. In addition followers of the Old Rite Russian Orthodox Church (Old Believers) make up approximately 3.6 percent of the population. The religious traditions of the Orthodox Church are entwined with the culture and patrimony of the country. Many self professed atheists routinely celebrate religious holidays, cross themselves, and even light candles and kiss icons if the occasion demands. Other faiths include: Roman Catholics, Baptists, Pentecostals, Seventh-Day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, followers of Reverend Moon, Molocans (a Russian group), Messianic Jews (who believe that Jesus was the Messiah), Lutherans, Presbyterians, Hare Krishnas, and some other charismatic Christian and evangelical Christian groups. The Church of Jesus Christ of Latter-Day Saints (Mormons) has 2 congregations, with approximately 170 members.

According to the most recently available numbers, the Jewish community has approximately 31,300 members, including approximately 20,000 living in Chisinau; 3,100 in Balti and surrounding areas; 2,200 in Tiraspol; 2,000 in Benderi; and 4,000 in small towns.

These numbers, provided by the groups themselves, may be only rough approximations, as they do not appear to have been adjusted for the substantial emigration that took place over the period covered by this report.

Foreign missionaries represent many faiths and denominations.

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, the 1992 Law on Religions, which codifies religious freedoms contains restrictions that have inhibited the activities of unregistered religious groups. The law provides for freedom of religious practice, including each person's right to profess his religion in any form. It also protects the confidentiality of the confessional, allows denominations to establish associations and foundations, and states that the Government may not interfere in the religious activities of denominations. The Law specifies that "in order to organize and function," religious organizations must be registered with the Government, and unregistered groups may not own property, engage employees, or obtain space in public cemeteries in their own names. There is no state religion; however, the Moldovan Ortho-

dox Church receives some favored treatment from the Government. The Metropolitan of Chisinau and All Moldova has a diplomatic passport. Other high ranking Orthodox Church officials also reportedly have diplomatic passports issued by the Government.

The procedures for registering a religious organization are the same for all groups. Under the Law on Religions, an organization wishing to register must submit a request to the Cabinet. The Department of Religions examines the required statutes and the organization chart of the religious body, determines whether the officers of the Moldovan branch of the religion are, as required by law, citizens of the country, and examines whether the organization's beliefs fail to conform with the Constitution or any other laws. The ultimate recognition or rejection of the registration application is accomplished by government decree signed by the Prime Minister and printed in the Official Gazette. The Government has recognized 20 religious organizations; however, a number of organizations have been denied registration or encountered difficulties in connection with their registration applications. In 1999 amendments to the Law on Religion legalizing proselytizing went into effect. However, the law explicitly forbids "abusive proselytizing," which is defined as an attempt to influence an individual's religious faith through violence or abuse of authority. At the end of the period covered by this report the authorities had not taken any legal action against any individual for proselytizing.

Foreign missionaries are permitted to enter the country. They experience the same difficulties in obtaining residence permits and customs clearances as other foreign workers.

A 2000 Parliamentary decree made "moral and spiritual" instruction mandatory for primary school students and optional for secondary and university students. The Ministry of Education had planned for the instruction to begin in September 2000; however, difficulties arose in establishing the nature of this religious instruction. Such difficulties, combined with the chronic financial problems of the country's schools, have continued to prevent the implementation of the decree.

Two public schools and a kindergarten are open only to Jewish students. These schools receive the same funding as the other state schools and are supplemented by financial support from the community. However, Jewish students are not restricted to these schools. There are no comparable schools for Moldovan Orthodox believers and no reports of such schools for other religious faiths. Agudath Israel operates a private boys' yeshiva and a girls' yeshiva, both licensed by the Ministry of Education. The total enrollment of both schools is fewer than 100 students. There are a number of theological institutes, seminaries, and other places of religious education throughout the country.

The authorities in Transnistria (a separatist region not under the control of the Government) also impose registration requirements that negatively affect religious groups and have denied registration to some groups.

Restrictions on Religious Freedom

The Law on Religions contains restrictions that have inhibited the activities of unregistered religious groups and the Government continued to deny registration to some religious groups. The Government has cited Article 15 of the law, which prohibits registration of "schismatic movements" of a particular religion, as the basis for its decision not to recognize two Orthodox Christian groups. However, according to critics, the Government's interpretation of this article is selective. For example, the Government recognizes the following as separate religions: the Seventh-Day Adventist Church and the Reform Movement Seventh Day Adventist Church; the Federation of Jewish Communities and the Union of Messianic Jewish Communities; and the Orthodox Church of Chisinau and All Moldova and the Russian Old Rite Orthodox Church.

Unregistered religious organizations are not permitted to buy land or obtain construction permits for churches or seminaries. In some cases, members of unregistered religious groups hold services in homes, nongovernmental organization (NGO) offices, and other locations. In other cases, the groups obtain property and permits in the names of individual members.

The continued attempt by the Bessarabian Orthodox Church to obtain registration was unsuccessful during the period covered by this report. On April 24, 2002, in response to broader antigovernment demonstrations, the Council of Europe (COE) issued a report on the functioning of democratic institutions in Moldova. Its recommendations included registration of the Bessarabian Church by July 31. Government authorities assured the COE that they would comply with the recommendations, but Justice Minister Morei stated that the Government might not be able to meet the deadline because it would first need to change certain existing laws.

The Church had appealed its case to the European Court of Human Rights (ECHR) in 1998 after the Government had denied several applications for registration. On December 13, 2001, the ECHR ruled that the Government had violated articles of the European Convention concerning freedom of religion and the right to an effective appeal by refusing to register the Bessarabian Church. The Government objected to this ruling and on February 22, 2002, appealed the decision and requested a hearing from the ECHR Grand Chamber. On March 27, the ECHR refused to hear the appeal.

The Bessarabian Orthodox Church was formed in 1992 when a number of priests broke away from the Moldovan Orthodox Church, which is subordinate to the Moscow Patriarchate. The Bessarabian Orthodox Church, which regards itself as the legal and canonical successor to the pre-World War II Romanian Orthodox Church in Bessarabia (the territory bounded by the Nistru, Prut, and Danube Rivers and the Black Sea, of which most of present-day Moldova is a part) subordinated itself to the Bucharest Patriarchate of the Romanian Orthodox Church. Recognition of the Bessarabian Church could have implications for the church's ongoing property disputes with the Moldovan Orthodox Church, and the Government consistently has cited these issues, as well as its designation of the Bessarabian Church as a "schismatic movement," in its denial of registration. On September 27, 2001, the Government declared the Moldovan Orthodox Church the successor to the pre-World War II Romanian Orthodox Church for purposes of all property ownership, although no attempt has been made to seize those properties already in Bessarabian Church hands. The registration issue has political as well as religious overtones, since it raises the question of whether the Orthodox Church should be united and oriented toward Moscow, or divided, with a branch oriented toward Bucharest.

On November 5, 2001, a Communist parliamentary deputy called on Parliament to expel opposition deputy Vlad Cubreacov, a prominent figure in the Bessarabian Church, on the grounds that Cubreacov was an advisor to an "anti-constitutional" church structure. Parliament took no action on the proposal. Cubreacov disappeared on March 21, 2002, in the midst of a series of anti-Government protests, and reappeared May 25, claiming that still-unknown Russian-speaking kidnapers had held him. Although the disappearance is still unexplained, many believe that it may have been related to his work with the Church.

On May 29, 2002, after a long series of registration denials and legal appeals, the Supreme Court of Justice ruled that the Government must register the Church of the True Orthodox Moldova, a branch of the Russian Orthodox Church Abroad based in the United States. The Church had submitted applications for registration in 1997, 1998, and 2000; the Government rejected the applications on various grounds. The Government had not registered this Church by the end of the period covered by this report.

The Mormons continued to face bureaucratic obstacles and were not successful in obtaining registration during the period covered by this report.

In May 2002, the Supreme Court of Justice affirmed rulings of lower courts that upheld the Government's refusal, on technical grounds, to register the Spiritual Organization of Muslims in Moldova, the main Muslim organization in the country. The organization filed a case with the ECHR in September 2001, and the ECHR acknowledged receipt of the claim in March 2002; however, no other action was taken during the period covered by this report. The Muslim organization also asserted that it was discriminated against because some members are Afghan and Chechen refugees.

The law provides for restitution to politically repressed or exiled persons of property that was confiscated during the successive Nazi and Soviet regimes. This regulation, in effect, has been extended to religious communities; however, the Moldovan Orthodox Church has been favored over other religious groups in this area. The Church had little difficulty in recovering nearly all of its property and, in cases where property was destroyed, the Government offered alternative compensation. The Church has recovered churches, schools, hospitals, orphanages, and administrative properties. Property disputes among the Moldovan and Bessarabian Churches have not been resolved. The Jewish community has experienced mixed results in its effort to recover its property. The Baptist Church only has one remaining property restitution claim. In May 2001, the Molocans appealed to Parliament to hear their property restitution case, but the Parliament denied their request on the grounds that it was not within its jurisdiction. There was no movement on the Molocans' case during the period covered by this report.

Authorities in Transnistria used registration requirements and other legal mechanisms to restrict the religious freedom of some religious groups. Evangelical religious groups meeting in private homes reportedly have been told that they do not have the correct permits to use their residences as venues for religious services. In

the past they and other non-Orthodox groups generally were not allowed to rent property and often were harassed during religious services. In December 2001, Transnistrian authorities threatened to demolish a house in which Baptists had been meeting. However, the threat had not been carried out as of June 30, 2002, and the Baptists continued to meet there.

In 1998 the authorities in Transnistria canceled the registration of Jehovah's Witnesses. Repeated attempts by members of Jehovah's Witnesses to reregister have been denied or delayed. In late 2001, Jehovah's Witnesses lodged a court action against a Transnistrian official for allegedly abusing his office by blocking a property purchase. The case was settled on June 26, 2002, but on June 29 the Prosecutor General filed a case against Jehovah's Witnesses claiming that the organization had submitted invalid documents for its activities. There have been no reported instances since January 2000 in which Transnistrian officials confiscated religious tracts from members of Jehovah's Witnesses. The Methodist Church was denied registration in late 2000 and made no progress in its efforts to have its case reviewed. The Church of the Living God has been denied registration in five towns in Transnistria. The Church has not been in contact with international organizations since 2000, and some international observers believe it has ceased to exist.

The Baptist community in Transnistria remains unregistered. During the period covered by this report, Baptists in Transnistria complained of increased harassment from the authorities. One Baptist group reportedly was accused of having constructed its church in Tiraspol illegally, and the authorities reportedly threatened to demolish it. The matter drew some international attention, and the authorities since have permitted the church to continue to function. In the February 2001 Moldovan parliamentary elections, a reported 80 percent of those persons from Transnistria who crossed the Dniester River to vote (voting was not allowed in Transnistria itself), voted for independent candidate, and Baptist minister, Valeriu Ghiletschi.

In April 2001, Russian Patriarch Alexei II named Tiraspol Bishop Justinian to the post of Rector of the Theological Seminary at the Noul Neamt Monastery in Chitcani. The monastery is on the western bank of the Nistru River and traditionally has come under the religious authority of Chisinau Metropolitan Vladimir, although the area is under the de facto control of the separatist regime in Transnistria. The monks resisted the appointment, and Bishop Justinian used the Transnistrian military to force his entry into the monastery. A heated controversy ensued, ultimately resulting in Metropolitan Vladimir's reinstatement as rector in August 2001. In January 2002, the seminary moved to Chisinau.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relations among religions in society contributed to religious freedom. The dispute between the Moldovan and Bessarabian Orthodox Churches is ongoing (see Section II); however, the adherents of the respective Churches do not interfere with each others' freedom to worship.

Dozens of graves in Chisinau's main Jewish cemetery were desecrated in April 2002, and many of the gravestones were destroyed. The Jewish Community received reports that a group of teenagers confessed to the crime, but the Government has not filed criminal charges. The Jewish Community requested that the city place full-time armed guards at the cemetery, but the presence of the guards was reported to be sporadic.

Some Jewish cemeteries in Transnistria also were desecrated. Three youths were charged with the vandalism in one such incident, but no verdict was reached as of June 30, 2002.

In contrast to previous years, there were no reported examples during the period covered by this report of negative press articles about non-Orthodox religions.

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. U.S. Embassy officers have met with Baptist, Mormon, Muslim, Jewish, True Orthodox, and Bessarabian Orthodox leaders as well as their legal representatives, to discuss registra-

tion, restitution, and other problems the organizations have had with the authorities.

The U.S. Ambassador met with leaders of the major religious organizations at various times during the period covered by this report. Embassy employees maintain official or social contact with most of the resident American missionaries. The Embassy has supported the activities of religious (and secular) groups.

The Embassy's human rights officer maintains regular contact with religious leaders throughout the country, including in the separatist Transnistria region.

MONACO

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. The Government denies religious organizations regarded as "sects" permission to operate.

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 principality has a total area of 0.8 square miles and its population is approximately 32,020. Roman Catholicism is the state religion, and most of the approximately 7,100 Monegasque citizens living in the principality adhere to that religion, at least nominally. There are five Catholic churches in the principality and a cathedral presided over by an archbishop. Protestantism is the next most practiced religion, with two churches. There is one synagogue. The Constitution provides the nearly 25,000 noncitizens resident in the principality the same religious freedom as citizens. Most noncitizens also adhere to either Catholicism or Protestantism, although there are some residents who adhere to Judaism, Islam, or other world religions. There are no mosques in the principality. No missionaries operate in the principality.

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 are some restrictions. Roman Catholicism is the state religion. Most citizens adhere to Roman Catholicism. The Catholic ritual generally plays an important role in state festivities, such as the annual national day celebration. The Constitution provides the nearly 25,000 noncitizens who live in the principality with the same religious freedom as the approximately 7,100 citizens.

Restrictions on Religious Freedom

No missionaries operate in the principality and proselytizing is strongly discouraged. However, there is no law against proselytizing by religious organizations that are registered formally by the Ministry of State. Organizations regarded as religious "sects" routinely have been denied such registration in the past. There were no reports of religious organizations being denied registration 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 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 are no known ecumenical movements or activities to promote greater mutual understanding and tolerance among adherents of different religions. There were no reports of societal religious violence in the principality.

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.

THE NETHERLANDS

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion. The generally amicable relationship among religions in society contributed to religious freedom. Following the national debate triggered by the killing of an anti-immigrant, anti-Muslim politician, the new Government is focusing on better integration of Muslims into society. However, there is rising intolerance towards Muslims due to the events of fall 2001, as well as rising crime in the country. There also is growing anti-Semitism, particularly among Muslims, due to the ongoing conflict between Israel and the Palestinians.

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 16,485 square miles and its population is approximately 16 million. Approximately 30 percent of the population consider themselves to be Roman Catholic, 15 percent Dutch Reformed, 7 percent Calvinist Reformist, 8 percent non-Christian (Islamic, Hindu, Jewish, or Buddhist), and 40 percent atheist or agnostic.

Society has become increasingly secular. According to the Government's Social Cultural Planning Bureau, church membership has declined steadily from 76 percent in 1958 to 41 percent in 1995 and still is decreasing, although at a slower pace. The breakdown within this 41 percent is 20 percent Roman Catholic, 9 percent Dutch Reformed, 6 percent Calvinist Reformist, 2 percent Muslim, and 4 percent other. Membership is decreasing among all denominations, except Islam, which is expected to become the second largest religion in the country by 2010.

Approximately 26 percent of church members are active within their religious communities. In 1999 an estimated 14 percent of Roman Catholics, 30 percent of Dutch Reformed, and 51 percent of Calvinist Reformed attended church at least once every 2 weeks.

Those who leave a church rarely return. Nonetheless, significant numbers of those who have left their churches still consider themselves to be members of a religious group. Approximately 60 percent of citizens claim adherence to a religion. However, the beliefs and practices of many of these adherents have developed into what some describe as a selective approach to religion: Accepting the positive but not the negative aspects of a particular religion. Approximately 20 percent of citizens, primarily among those who have left the "traditional" churches, describe themselves as "seekers of spiritual or philosophical truths." These persons tend to gravitate toward (although not necessarily join) newer or nonorthodox religious movements, such as Pentecostal groups, Jehovah's Witnesses, Hare Krishna, Transcendental Meditation, Scientology, Theosophy, or Anthroposophy.

In the wake of secularization since the 1960's, many Roman Catholics left the Church. Among those remaining, many express alienation from their religious hierarchy and doctrine. For example, most Dutch Catholics express no objections to female or married priests and differ with church thinking on a number of sensitive doctrinal issues.

Dutch Protestantism is quite heterogeneous. Among the Protestant churches, the Dutch Reformed Church remains the largest, although it is also the one that has suffered the greatest losses to secularization. Church membership in this denomination has declined by two-thirds in the past 50 years. The second largest Protestant group, the Calvinist Reformist Church, has been less affected by membership losses and even has succeeded in attracting former members of the Dutch Reformed Church. Other Protestant denominations include Baptists, Lutherans, and Remonstrants.

The country has a long tradition of providing shelter to non-Christian religions. For example, the present Jewish community includes fewer than 20,000 members but is thriving and operates its own schools.

The number of Muslims has risen due to the arrival of migrant workers, primarily from Morocco and Turkey. By 2001 there were approximately 279,000 Moroccans and 320,000 Turks in the country. Additional Muslims came from the former Dutch colony of Suriname. In the past decade, Muslim numbers further increased due to the large numbers of asylum seekers from countries such as Iran, Iraq, Somalia, and Bosnia. By 2001 the total number of Muslims amounted to about 750,000, or 4.7 percent of the population; the majority are Sunni. A network of mosques and cultural centers serves the Islamic community. It is organized to conform to the country's system of subsidies, which underwrites cultural activities geared to social orientation and the promotion of equal opportunities. The number of mosques has increased to approximately 400; more than half cater to Turks, approximately 140 cater to Moroccans, and approximately 50 cater to Surinamese. The increased influence of Islam also is reflected in the founding of over 30 Islamic schools.

There is a sizable community of approximately 90,000 Hindus from the former Dutch colony of Suriname. The country also hosts smaller groups of Hindus who came from India and Uganda, as well as similar movements based on Hindu teachings as Ramakrishna, Hare Krishna, Sai Baba, and Osho. The Buddhist community is quite small, with approximately 17,000 members.

There were no reports of foreign missionary groups operating in the country.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution permits the Government to place restrictions on the exercise of religion only on limited grounds, such as health hazards, traffic safety, and risk of public disorder.

The Calvinist Reformist Church enjoyed a privileged status until 1795. It received government subsidies and only church members could hold public office. Church and State have been separate since 1798. However, the Government provides state subsidies to religious organizations that maintain educational facilities. The Government provides funding to public as well as to religious schools, other religious educational institutions, and religious health care facilities, irrespective of their religious affiliation. In order to qualify for funding, institutions must meet strict non-religious-based criteria for curriculum standards, minimum size, and health care.

The law provides for minority views to be heard on radio and television. For example, broadcasting time has been allotted to the Islamic Broadcasting Foundation, an alliance of all Muslim groups in the country.

The Government of Turkey exercises influence within the Dutch-Turkish Islamic community through its religious affairs directorate, the Diyanet, which is permitted to appoint imams for the 140 Turkish mosques in the country. There is no such arrangement with the Moroccan Government that allows it to appoint religious officials to Moroccan mosques. The Moroccan Government tries to exercise influence over the approximately 100 Moroccan mosques through a federation of Moroccan friendship societies. Dutch authorities have not been pleased with Turkish and Moroccan interference with religious and political affairs because it appears to run counter to government efforts to encourage integration of Muslims into Dutch society. For example, government authorities insist on strict observance of mandatory school attendance up to the age of 16. They disapprove of appeals by foreign imams to keep sexually mature girls under the age of 16 at home.

Restrictions on Religious Freedom

To counter undesired foreign influence, the authorities have proposed training imams in the Netherlands itself so that they will have at least basic knowledge of the Dutch language and of the prevailing norms and values in Dutch society. Given the strict separation between the State and religion, the authorities themselves cannot organize such training. However, the Theological University of Kampen and the Protestant Free University of Amsterdam have started providing religious training to Muslims. As an interim measure, the Government has decided that all imams and other spiritual leaders recruited in Islamic countries first must follow a 1-year integration course before they are allowed to practice in the country.

Disputes have arisen when the exercise of the rights to freedom of religion and speech clashed with the strictly enforced ban on discrimination. Such disputes are addressed either in the courts or by anti discrimination boards. Complaints have repeatedly been filed against religious or political spokesmen who publicly condemned homosexuality. However, it is longstanding jurisprudence that such statements

made on religious grounds do not constitute a criminal offense if the intention to offend or discriminate against homosexuals was deemed absent.

The headscarf issue also has been addressed repeatedly in the courts and by equal opportunities committees. The prevailing opinion is that the wearing of headscarves only may be banned on narrow grounds, such as security considerations or inconsistency with an official government uniform.

In other areas, employers have been rebuked publicly by anti discrimination boards for failure to allow non-Christians to take leave from work on their religious holidays, for objecting to Sikhs wearing turbans or to Muslim women wearing headscarves, or to observance of food requirements on religious grounds. In 1999 the Equal Opportunities Committee ruled against a company that had denied employment to a Turkish applicant because he intended to attend Friday service at a mosque. This was considered a violation of freedom of religion. According to the Committee, Friday service for Muslims is equivalent to Sunday service for Christians. It ruled that employers are obliged to take account of reasonable religious demands from their employees, except in exceptional circumstances.

The Calvinist Reformist Social Union (RMU) charged that the 1996 law on working hours contributed to discrimination. This law permits work on Sunday under certain circumstances. Based on a survey of 2,000 companies, the RMU reported that job applicants increasingly are turned down if they refuse for religious reasons to work on Sunday. The larger labor federations reacted by calling for agreements between labor and management on the practice of religion during working hours. This matter usually does not lead to problems; however, if problems arise, the federations made clear their intention to call upon offending employers to observe this fundamental right. At the end of the period covered by this report, the legislature still was working on an amendment to the laws on working hours and business hours to permit employees to claim time off for the practice of religion.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Religious communities have tended to live alongside each other in harmony. Among them, the Protestant denominations in particular have both promoted the Jewish cause and reached out to the Islamic community. However, in the fall of 2001, widespread societal resentment of growing numbers of Muslims and their culture became apparent. Populist politician Pim Fortuyn, who was killed shortly before the May 2002 general elections, received broad support for his characterization of Islam as "a backward culture" that is intolerant toward women and homosexuals, and that allows practices from the Middle Ages. The consequent backlash against the Muslim community was worsened by growing resentment of Moroccan youth gangs held responsible for a major rise in crime.

In the fall of 2001, there were a number of incidents of arson and the painting of hateful slogans on mosques and other Islamic institutions. The National Association of Anti-Discrimination Bureaus registered over 90 incidents against Muslims, including vandalism, arson, the defacing of mosques or Islamic institutions, harassment, and verbal abuse in public places, directed particularly at women wearing headscarves. Such incidents subsequently subsided, but individuals of the large Muslim communities of mostly Turks and Moroccans and other refugees from Iran and Iraq continue to be harassed and threatened. Incidents of actual physical assault remain quite rare.

The escalating conflict between Israel and the Palestinians also caused a backlash in society. Several monitoring organizations observed an increase in anti-Semitic incidents. Most anti-Semitic incidents were non-violent and involved the chanting or painting of anti-Semitic slogans, the use of swastikas, distribution of neo-Nazi propaganda, and individuals making the Hitler salute. However, pockets of militant young Muslims, mostly Moroccans, have on a number of occasions assaulted or intimidated identifiable Jews. The Center for Information and Documentation Israel (CIDI) observed a sharp increase in anti-Semitic incidents in 2001, particularly assaults, intimidation, and verbal attacks, perpetrated mostly by Moroccan youths; however, there were no serious attacks on synagogues or Jewish institutions or shops. On April 13, 2002, a range of incidents occurred during an anti-Israel demonstration in Amsterdam. The demonstration escalated into serious rioting. Most of the 20,000 attendees were Muslims. Demonstrators carried anti-Semitic slogans and

symbols and burned Israeli and U.S. flags. Two recognizable Jews were attacked and beaten.

The labor federations have been working to include in collective bargaining agreements stipulations that permit non-Christian employees to take leave on non-Christian religious holidays. Such stipulations have now been included in most agreements.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights. Promoting religious freedom around the world is a high priority goal of Dutch foreign policy. The U.S. Embassy works very closely with the Government to promote religious freedom.

NORWAY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Evangelical Lutheran Church, which is the state church, enjoys some benefits not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. Muslims continued to encounter some difficulties in obtaining local permission to build mosques.

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 has a total area of approximately 150,000 square miles, and its population is approximately 4.5 million. Citizens are considered to be members of the state church unless they explicitly associate themselves with another denomination; 86 percent of the population nominally belong to the state church. However, actual church attendance is considered to be rather low. Other denominations operate freely.

In 2001 a total of 268,097 persons were registered in religious communities outside the Evangelical Lutheran Church of Norway. An additional 23,962 persons belong to unregistered communities.

The major registered religions and religious groups are: Islam (62,051 members); Pentecostal congregations (43,019 members); Roman Catholic Church (42,546 members); Evangelical Lutheran Free Church of Norway (21,303 members); members of the Jehovah's Witnesses (14,812 members); Methodist Church of Norway (12,918 members); Norwegian Baptist Union (10,385 members); Church of Norway Mission Covenantants (8,445 members); and the Buddhist Federation (8,020 members). Other groups include Orthodox Jews, the Greek Orthodox Church, the Anglican Church, and Hindus. In addition, there is one main organization for the nonreligious or atheists, which is the Norwegian Humanist Association. The Association has 70,363 registered adult members and 10,000 to 12,000 children as associate members. Persons cannot register as full members until they reach early adulthood.

Members of registered religious communities outside the state church are concentrated in the Oslo region and the west coast region of the country. The Hordaland, Rogaland, and Vest Agder districts have the highest number of members of religious communities outside the state church. The majority of European and American immigrants are either Christians or nonreligious, the exception being Muslim refugees from Bosnia and Kosovo. Most non-European immigrants practice Islam, Buddhism, or Hinduism.

Foreign missionaries and other religious workers operate freely in the country.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The Evangelical Lutheran Church of Norway is the state church. It is supported financially by the State, and there is a constitutional requirement that the King and one-half of the Cabinet belong to this church. The relationship between the Church and the State regularly generates discussion. Church officials have spoken in favor of a greater separation in the state-church relationship. On March 7, 2002, a Commission, appointed by the National Council of the Church of Norway, presented its report after 4 years work on evaluating the church-state relationship in the country. The report called "The Same Church A New Order" concluded that the strong ties between church and state in the country should be loosened. The Commission recommended that all passages in the Constitution that mention the Church of Norway or the Lutheran belief be amended to reflect the country's multicultural and multi-religious society. During the spring of 2002, all Parish Councils in the Church of Norway were invited to comment on the issue. The Government is expected to appoint a governmental Commission to follow up on the proposal.

A religious community is required to register with the Government only if it desires state support, which is provided to all registered denominations on a proportional basis in accordance with membership.

Foreign religious workers from countries whose citizens Norway requires visas need to obtain such visas before entering the country. In addition, all foreign religious workers from countries outside the European Union or European Economic Area must apply for work permits. There is no government registration of foreign religious workers beyond the regularly established database of issued work permits.

A 1995 law introduced the subject "Religious Knowledge and Education in Ethics" in the school system. The course covers world religions and philosophy and promotes tolerance and respect for all religious beliefs; however, based on the country's history and the importance of Christianity to society, the course devotes more time to Christianity. All children must attend this mandatory class, and there are no exceptions for children of other faiths; on special grounds students may be exempted from participating in or performing specific religious acts such as church services or prayer, but they may not forgo instruction in the subject as a whole. In 2001 independent education experts evaluated the course and presented a report to Parliament. Based on the report, Parliament concluded that it should be easier for parents to request that their children be exempted from parts of the class. In June 2001, Parliament directed the Ministry of Education to draft a standard form for this purpose, which was sent to all schools with instruction on its implementation. Organizations for atheists as well as Muslim communities have contested the legality of forced religious teaching. The Norwegian Humanist Association contested the teaching of the subject in the courts claiming that it is a breach of freedom of religion and parents' rights to provide religious instruction to their children. In August 2001, the Supreme Court unanimously rejected the claims from the Humanist Association.

In 1998 the Government suspended two priests in the Church of Norway and asked the courts for approval to terminate legally their priesthood due to insubordination and disloyalty. The conservative priests, serving in a rural community, openly had refused to accept religious and spiritual guidance from their more liberal bishop based in the provincial capital. The parties were in disagreement on a number of social issues (such as gay rights). In 2000 the Alta county court ruled that the two local priests could not be fired due to insubordination and disloyalty. The Minister of Church Affairs appealed the decision to the Haalogaland district court, which ruled against the two priests. One of the priests accepted the ruling, and has left his position. The other priest appealed his case to the Supreme Court. In August 2001, the Supreme Court rejected the appeal.

Muslims encountered some difficulties in obtaining local permission to build mosques in areas where they are concentrated. Since 1975 the town council in Drammen has regularly turned down applications to build a mosque.

The Workers' Protection and Working Environment Act permits prospective employers to ask job applicants for positions in private or religious schools, or in day care centers, whether they agree to teach and behave in accordance with the institutions or religion's beliefs and principles.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

A Cooperation Council for Faith and Secular Society consists of the state church and other religious communities, including the Jewish, Muslim, Buddhist, and secular humanist communities. The Oslo Coalition for Freedom of Religious Beliefs works to facilitate closer coordination and international cooperation.

The Ecumenical Council of Christian Communities has been active in promoting cooperation within the Christian community. There also has been cooperation between the various religious communities on human rights issues in the past several years. Bilateral dialog between the state church and the Muslim and Jewish communities has generated statements in support of minority rights and human rights.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government, particularly during the annual meeting of the UNCHR, in the overall context of the promotion of human rights. During the period covered by this report, a U.S. Embassy officer met with members of the local Jewish community to discuss allegations of anti-Semitism and the effect upon Jewish community opposition to the policies of the Government of Israel.

POLAND

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom; however, sporadic incidents of harassment and violence against Jews and occasional desecration of Jewish and, more frequently, Catholic cemeteries continued, mostly by skinheads and other marginal elements of society.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. U.S. Embassy and Consulate General Krakow officers actively monitor threats to religious freedom and seek to further resolution of unsettled legacies of the Holocaust and the Communist era.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 120,725 square miles, and its population is an estimated 39 million. More than 96 percent of citizens are Roman Catholic; however, Eastern Orthodox, Greek Catholic, and much smaller Protestant, Jewish, and Muslim congregations meet freely.

According to the 2001 Annual Statistical Yearbook of Poland, the following figures represent the formal membership of the listed religious groups, but not the number of actual persons (for example, the actual number of Jews in the country is estimated at between 10,000 and 30,000). There are an estimated 34,608,697 baptized Roman Catholics in the country; 509,500 Orthodox Church members; 123,000 Greek Catholics; 122,575 members of Jehovah's Witnesses; 87,300 Lutherans (Augsburg); 24,445 Old Catholic Mariavits; 23,031 members of the Polish-Catholic Church; 19,840 Pentecostals; 9,942 Seventh-Day Adventists; 4,367 Baptists; 5,433 members of the New Apostolic Church; 5,123 members of the Muslim Religious Union; 5,043 Hare Krishna; 4,367 Methodists; 3,593 members of the Church of Christ; 3,610 Lutherans (Reformed); 2,610 Catholic Mariavits; 1,222 members of the Union of Jewish Communities; 982 members of the Eastern Old Ceremonial Church; and 160 members of the Karaims Religious Union. Each of these religious groups has a relationship with the State governed by either legislation or treaty, with the exception of Jehovah's Witnesses, the New Apostolic Church, the Church of Krishna Consciousness (Hare Krishna), and the Church of Christ.

According to an April 2001 poll, approximately 58 percent of citizens actively participate in religious ceremonies at least once per week; a 1999 poll found that 8 percent declared that they have no contact with the Catholic Church. An estimated 34 percent declared that they attend church irregularly or sporadically. An estimated 3 percent declared themselves to be nonbelievers. The survey found women to be more religious than men, with 64 percent of the former attending church regularly, compared with 52 percent of the latter. Farmers are the most religious occupational

group, with 69 percent attending church regularly. No figures are available on the number of atheists in the country.

Foreign missionary groups operate freely in the country.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The Criminal Code stipulates that offending religious sentiment through public speech is punishable by a fine or up to a 3-year prison term. The Roman Catholic Church is the dominant religion in the country.

There are 15 religious groups in the country whose relationship with the State is governed by specific legislation and 141 other religious communities. The legislation outlines the internal structure of the religious groups, their activities, and procedures for property restitution.

Religious communities may register with the Government; however, they are not required to do so and may function freely without registration. According to 1998 regulations, registration requires that the group have submitted the names of at least 100 members as well as information regarding the group itself. This information on membership (i.e., signatures) must be confirmed by a notary public, although the registration itself often appears to be a formality. No new religious communities registered during the period covered by this report. All churches and recognized religious groups share the same privileges (duty-free importation of office equipment, reduced taxes, etc.).

Citizens enjoy the freedom to practice any faith that they choose. Religious groups may organize, select, and train personnel, solicit and receive contributions, publish, and meet without government interference. There are no government restrictions on establishing and maintaining places of worship.

The law places Protestant, Catholic, Orthodox, and Jewish communities on the same legal footing, and the Government attempts to address the problems that minority religious groups may face.

Foreign missionaries are subject only to the standard rules applicable to foreigners temporarily in the country.

Although the Constitution gives parents the right to bring up their children in compliance with their own religious and philosophical beliefs, religious education classes continue to be taught in the public schools at public expense. While children are supposed to have the choice between religious instruction and ethics, the Ombudsman's office states that in most schools, ethics courses are not offered due to financial constraints. Although Catholic Church representatives teach the vast majority of religious classes in the schools, parents may request religious classes in any of the religions legally registered, including Protestant, Orthodox, and Jewish religious instruction. Such non-Catholic religious instruction exists in practice, although it is not common, and the Ministry of Education pays the instructors. Priests and other instructors receive salaries from the State for teaching religion in public schools, and Catholic Church representatives are included on a commission that determines whether books qualify for school use.

Five Catholic religious holidays (Easter Monday, Corpus Christi Day, Assumption of the Virgin Mary, All Saints' Day, and St. Stephen's Day) are national holidays.

In 1998 the Concordat, a treaty regulating relations between the Government and the Vatican that was signed in 1993, was ratified by Parliament, signed by the President, and went into effect. The vote came after years of bitter disputes between Concordat supporters and opponents over whether the treaty simply provides the Catholic Church's rights or blurs the line between church and state. Since 1998 the Government and the Catholic Church each have established groups which meet regularly to discuss Church-State relations.

The Government continues to work with both local and international religious groups to address property claims and other sensitive issues stemming from Nazi- and Communist-era confiscations and persecutions. The Government enjoys generally good relations with international Jewish groups; the Ministry of Foreign Affairs largely is responsible for coordinating relations between the Government and these organizations, although President Aleksander Kwasniewski also plays an important role. The Government cooperates effectively with a variety of international organizations, both governmental and nongovernmental, for the preservation of historic sites including cemeteries and houses of worship.

Progress continues in implementing the laws that permit local religious communities to submit claims for property owned prior to World War II that subsequently

was nationalized. A 1997 law permits the local Jewish community to submit claims for such property, which mirrored legislation benefiting other religious communities. The laws allow for the return of churches and synagogues, cemeteries, and community headquarters, as well as buildings that were used for other religious, educational, or charitable activities. The laws included time limits for filing claims; in several cases the deadlines have expired, and no additional claims may be filed. However, restitution commissions (composed of representatives of the Government and the religious community) are continuing adjudication of previously filed claims. The Government is drafting legislation that is expected to grant all affected religions an additional 2-year period to file claims.

The time limit for applications by the Catholic Church expired in December 1991. As of May 2002, 2,693 of the 3,051 claims filed by the Church had been concluded, with 1,282 claims settled by agreement between the Church and the party in possession of the property (usually the national or a local government); 866 properties were returned through decision of the Commission on Property Restitution, which rules on disputed claims; 507 claims were rejected; and 17 cases were likely to go to court. Claims by the local Jewish community (whose deadline for filing claims under the 1997 law expired on May 11, 2002) number approximately 5,200. The Commission on Property Restitution considered 1,136 cases; 211 were closed—109 by a financial agreement between the parties and 72 with ownership transferred. A total of 25 cases were discontinued. As of May 2002, Lutheran claims for 1,200 properties had resulted in 583 cases being closed with the return of the properties in question (the deadline for filing such claims was July 1996). A total of 120 claims were filed with the Commission for the Orthodox Church, of which 49 were closed by agreement as of May 2002.

The laws on communal property restitution also do not address the issue of communal properties to which third parties now have title, leaving several controversial and complicated cases unresolved. In a number of cases over several years, buildings and residences were built on land that included Jewish cemeteries that were destroyed during or after World War II. For example, a school for disabled children now stands on the site of a completely destroyed Jewish cemetery in Kalisz. The existence of the school complicated the issue of returning the cemetery to the Jewish community. Efforts continued during the period covered by this report to reach a resolution acceptable to all concerned.

In the case of other cemeteries, progress was made. In October 2001, as the result of cooperation between local officials and Jews from several countries, the Jewish cemetery in Ozarow was reconstructed and rededicated.

Efforts by local and central government authorities resulted in the closing of a brothel in Slubice located on the grounds of a former cemetery that had been destroyed by Communist authorities in the 1970's and the recovery by the local Jewish community in Pobiedziska of a cemetery after the end of the period covered by this report.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. In March 2001, the Government established a department within the Ministry of Interior to monitor the activities of "new religious groups" and "cults." In April 2002, the Government closed the department; however, there still is a person in the Interior Ministry's Public Order Department who monitors religious movements.

Although the Constitution provides for the separation of church and state, crucifixes hang in both the upper and lower houses of Parliament, as well as in many government offices.

State-run radio broadcasts Catholic Mass on Sundays, and the Catholic Church is authorized to relicense radio and television stations to operate on frequencies assigned to the Church, the only body outside the National Radio and Television Broadcasting Council allowed to do so.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

The generally amicable relationship among religions in society contribute to religious freedom; however, sporadic incidents of harassment and violence against Jews and occasional desecration of Jewish and, more often, Catholic cemeteries continued, mostly generated by skinheads and other marginal elements of society.

Orthodox religious officials reported anecdotal accounts of discrimination towards the Orthodox community. There were reports of less than proportional funds for cultural events associated with the Orthodox community, layoffs in which Orthodox employees were the first dismissed, and an attitude in the local press associating Catholicism as being necessary for true citizenship.

During the period covered by this report, Polish-Jewish relations were complicated by a controversy that arose over revelations regarding the 1941 massacre of the Jewish population of the northeastern town of Jedwabne. The publication of a book, which alleged that the killings were perpetrated by the town's ethnic Polish inhabitants and not by the occupying Germans as stated in a monument at the site, led to considerable discussion of the Polish role during the Holocaust, of the extent of Jewish cooperation with Soviet occupation forces, and of Polish-Jewish relations in general. The Government moved quickly to address the problem, removed the inaccurate monument, began an investigation of the Jedwabne events, and held a ceremony of reconciliation on the 60th anniversary of the killings in July 2001. The National Remembrance Institute continued to investigate all circumstances surrounding the Jedwabne incident through April 2002.

On March 1, 2002, the National Remembrance Institute (IPN), which was created to provide access to Communist-era secret police files and provide an accurate history of the Communist period, released its first annual report. During the debate, one Member of Parliament criticized the report for devoting too much time to the July 1941 killing of Jews in Jedwabne and introduced a motion to reject the report; he made remarks that some observers interpreted as anti-Semitic. The case was referred to the ethics committee; however, there were no reports of an investigation at the end of the period covered by this report. A group of well-known politicians, scientists, clergymen, artists, and business persons signed an open letter of protest against the verbal attacks on the IPN Chairman.

Anti-Semitic feelings persist among certain sectors of the population, occasionally manifesting themselves in acts of vandalism and physical or verbal abuse. However, surveys in the past several years show a continuing decline in anti-Semitic sentiment, and avowedly anti-Semitic candidates have won few elections. However, some far-right Members of Parliament made anti-Semitic remarks in a parliamentary debate over the activities of the IPN.

Sporadic and isolated incidents of harassment and violence against Jews continue to occur in the country, often generated by skinheads and other marginal societal groups. Occasional cases of cemetery desecration, including both Jewish and, more frequently, Catholic shrines, also occurred during the period covered by this report.

In April 2001, controversial Gdansk priest Henryk Jankowski created in his church a replica of the barn in Jedwabne in which members of that town's Jewish community were burned to death in 1941. A sign near the display accused Jews of having killed Christ and of persecuting Poles. The tableau was removed after the local archbishop ordered it removed; however, anti-Semitic literature is available for purchase in the church bookstore. Religious and political leaders strongly criticized the tableau's construction in the church.

On November 11, 2001, during Polish Independence Day, approximately 400 Polish ultra-nationalists chanting anti-Semitic and anti-European Union slogans marched through the heavily industrialized city of Katowice. The march culminated in a rally at which the demonstrators burned the Israeli and U.S. flags.

In April 2002, during the 14th March of the Living from Auschwitz to Birkenau to honor victims of the Holocaust, several hundred citizens joined 1,500 marchers from Israel and other countries. Government officials participating in the march included the Minister of Education, the province's governor, and Oswiecim's mayor and city council chairman. Schoolchildren, boy scouts, the Polish-Israeli Friendship Society, Polish survivors of Auschwitz, and the Polish Union of Jewish Students participated in the march. The Israeli Minister of Education also participated in the march.

On April 22, 2002, members of the Polish Council for Christians and Jews commemorated the 59th anniversary of the 1943 anti-Nazi uprising in Warsaw's Jewish Ghetto with visits to memorial sites connected with the city's former Jewish quarter.

A dispute between Gdansk's local Jewish community and the leadership of the Union of Jewish Communities in Poland, involving accusations of mismanagement of community funds, continued. The Gdansk Jewish community split into two organizations over this issue. On May 6, 2002, the District Court in Gdansk presided over an agreement between the two sides in which they agreed to use a professional mediator registered at the Ministry of Justice to try and resolve the conflict. If the mediator does not broker a settlement within a month, the case returns to the court. After an unsuccessful mediation, in May 2002, the Gdansk group filed a motion with the Interior Ministry to register a new organization, the Jewish Religious Union.

There is some public concern about the growth of groups perceived to be “sects” and the influence of non mainstream religious groups, especially during the summer travel season when young persons travel to camps and other gatherings. Articles have appeared in the press and on the Internet reporting the involvement of “sects” in disappearances.

Interfaith groups work to bring together the various religious groups in the country.

SECTION IV. U.S. GOVERNMENT POLICY

Representatives of the U.S. Embassy and Consulate General Krakow continue to monitor closely issues relating to religious freedom and interfaith relations; for example, one officer devotes a majority of time to questions of Polish and Jewish relations. Embassy and Consulate officers meet frequently with representatives of religious communities, the Government, and local authorities on such matters as property restitution, skinhead harassment, and interfaith cooperation.

Embassy and consulate officers actively monitor threats to religious freedom. On a regular basis, Embassy and Consulate officials discuss issues of religious freedom, including property restitution, with a wide range of government officials at all levels. The Embassy and Consulate General also work to facilitate the protection and return of former Jewish cemeteries throughout the country. The Embassy and the Consulate General play a continuing role in ongoing efforts to establish an international foundation to oversee restitution of Jewish communal property. A U.S. Government mediator worked with the two sides (the Polish Union of Jewish Religious Communities and the World Jewish Restitution Organization) to resolve outstanding differences that have delayed establishment of such a foundation. In June 2000, the sides reached agreement. Although the agreement subsequently collapsed, it was revived in September 2001. As a result, in January 2002, the foundation began operation and was registered formally in April 2002.

Embassy and consulate representatives, including the Ambassador, also regularly meet with representatives of major religious communities, including leaders of the Jewish community, both in the capital and during travels throughout the country.

The public affairs sections of the Embassy and the Consulate in Krakow provided continuing support for activities designed to promote cultural and religious tolerance. Such activities included providing a Democracy Commission grant to the Union of Jewish Religious Communities for use in building a database of claimable Jewish communal property; sponsoring a speaking tour by a visiting U.S. professor to lecture on tolerance; and continuing press and public affairs support for the Auschwitz Jewish Center Foundation’s education project in Oswiecim. The Embassy supported a local nongovernmental organization sponsored event, “Days of Tolerance,” in Kolobrzeg that brought together youths of various religious and ethnic backgrounds.

PORTUGAL

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom; there are a number of government- and privately-sponsored activities that contribute to interfaith understanding.

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 35,672 square miles, and the population as of 2001 was estimated to be 10 million. More than 80 percent of the population above the age of 12 identify with the Roman Catholic Church; however, a large percentage state that they do not participate actively in church activities. Approximately 4 percent identify with various Protestant denominations (including about 250,000 Evangelists) and approximately 1 percent with non-Christian religions. Less than 3 percent state that they have no religion.

Practitioners of non-Christian religions include about 35,000 Muslims (largely from Portuguese Africa, who are ethnically sub-Saharan African or South Asian),

approximately 700 Jews, and very small numbers of Buddhists, Taoists, and Zoroastrians. There is also a Hindu community of about 7,000 persons, which largely traces its origins to South Asians who emigrated from Portuguese Africa and the former Portuguese colony of Goa in India. Many of these minority communities are not organized formally.

Over 100,000 Eastern Europeans have immigrated to Portugal in the past 2 years. Many are Eastern Orthodox. The Church of Jesus Christ of Latter-Day Saints (Mormons) reports 35,000 members. Brazilian syncretistic Catholic Churches, which combine Catholic ritual with pre-Christian Afro-Brazilian ritual, such as Candomble and Umbanda, also operate in small numbers, as do the Seventh-Day Adventists. The Igreja Universal do Reino de Deus (the Universal Church of the Kingdom of God), a proselytizing church that originated in Brazil, also exists. The Church of Scientology has approximately 200 active members, primarily in the Lisbon area.

Foreign missionary groups, such as the Mormons, operate freely.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors. The Constitution forbids discrimination based on religion.

The Government is secular. Other than the Constitution, the two most important documents relating to religious freedom are the 2001 Religious Freedom Act and the 1940 Concordata (as amended in 1971) between Portugal and the Holy See.

The Religious Freedom Act, passed in April 2001, created a legislative framework for religions established in the country for at least 30 years, or those recognized internationally for at least 60 years. The Act provides qualifying religions with benefits previously reserved for the Catholic Church: full tax-exempt status, legal recognition for marriage and other rites, chaplain visits to prisons and hospitals, and respect for traditional holidays. It allows for each religion to negotiate its own Concordata-style agreement with the Government, although it does not ensure the acceptance of any such agreements. The Act also called for an independent consultative commission within the Justice Ministry to oversee the application of the Act. Some religions protested the fact that the Catholic Church, although exempt from the Act, was granted membership on the Commission. The Act specified that rules must be established within 60 days after its passage; however, the Government has not yet created rules enabling this legislation.

The Catholic Church maintains a separate agreement with the Government under the 1940 terms of the Concordata. In order to comply constitutionally with the Religious Freedom Act, the Government began negotiations with the Vatican to amend the Concordata; these negotiations continued during the period covered by this report. The Vatican is seeking to remove language requiring it to consult the Government when appointing bishops, as well as language outlining its role and responsibilities in former Portuguese possessions. In the interim, the existing Concordata remains in force.

Public secondary school curriculums include an optional course called "religion and morals." This course functions as a survey of world religions and is taught by a lay person. It can be used to give instruction on the Catholic religion; the Catholic Church must approve all teachers for this course. Other religions may set up such a course if they have 10 or more children in the particular school. For example, the Evangelical Alliance established 191 classes in 129 schools during the 2001–02 school year. Under the 2001 Act, each religion may approve the course's respective instructor.

Under the Concordata, major Catholic holidays also are official holidays. Seven of the country's 16 national holidays are Catholic holidays; these 7 holidays do not impact negatively other religious groups.

The Diocese of Leiria-Fatima is seeking funding to establish a cable television station.

The Government takes active steps to promote interfaith understanding. Most notably 5 days a week the state television channel (Radiotelevisao Portuguesa 2) broadcasts "A Fe dos Homens" (The Faith of Man)—a half-hour program consisting of various segments written and produced by different religious communities. The Government pays for the segments, and professional production companies are hired under contract to produce the segments. Religious communities send delegates to a special television commission, which determines the scheduling of segments. The television commission has operated on the general rule that religious communities eligible for the program are those that have been operating for at least 30 years

in the country or at least 60 years in their country of origin. The Catholic Church receives 22.5 minutes of programming time per episode, while the remaining 7.5 minutes is divided among the other religions. The Evangelical Alliance receives two 7.5-minute segments per week, while other participating religions receive approximately one 7.5-minute segment per month. Religious faiths also work together to schedule programming on the "Caminhos" (Paths) broadcast every Sunday morning.

Lisbon City Hall provided matching funds for completion of the city's mosque, which was not completed at the end of the period covered by this report. The municipality also provided matching funds for the restoration of Lisbon's 19th century synagogue, considered a building of historic significance. The municipality of Lisbon also provides the opportunity for the religious communities to participate in summer festival events.

In October 2001, the Islamic community of Lisbon, along with the municipality of Lisbon, sponsored a conference entitled "Dialogue among Civilizations: the Contributions of the Religions," which brought together members of the Islamic, Christian, Jewish, Buddhist, Hindu, and Baha'i faiths for discussions concerning historical perspectives, culture, citizenship, ethics, and faith. The President of the country and the Mayor of Lisbon also participated.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. The Catholic Church receives some preferential treatment; for example, chief chaplaincies for the military, prisons, and hospitals remain state-funded positions for Roman Catholics only. The Papal Nuncio is always the dean of the diplomatic corps. The Church of Scientology, although recognized as a religious association since 1986, does not benefit from the 2001 Religious Freedom Act, as it has not been established in the country for 30 years or recognized internationally for 60 years, as required under the law. The Church's leaders are concerned that exclusion from the benefits accorded under the Act may have a negative impact on their ability to practice their faith; however, they reported no discrimination or opposition 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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are amicable relations among the various religious communities. Participation among the various faiths in crafting the programming schedule for "A Fe dos Homens" has facilitated greater understanding and enhanced mutual respect. Many communities conduct "open houses" or sponsor interfaith education seminars.

The residents of the Azores archipelago, although overall traditionally very Catholic, are also quite tolerant of other faiths. Both Mormon and Baptist missionaries are active on the islands. They are well treated and participate in Azorean social life.

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. U.S. Embassy representatives discuss issues and problems of religious freedom with government officials, members of the National Assembly, broadcasting executives, and leading religious figures.

ROMANIA

The Constitution provides for religious freedom; while the Government generally respects this right in practice, there are some restrictions, and several minority religious groups continued to claim credibly that low-level government officials impeded their efforts at proselytizing, as well as interfered with other religious activities.

There was no overall change in the status of respect for religious freedom during the period covered by this report. Government registration and recognition requirements still pose obstacles to minority religions. In May 2002, the Government decided to enforce a 2000 Supreme Court ruling requiring that Jehovah's Witnesses

be recognized as an official religion; however, the Government did not complete this process by the end of the period covered by this report. Despite initial fears, regulations introduced in May 2001 that governed the construction of places of worship did not increase difficulties for non-Orthodox religions in obtaining construction permits. Most minority religions declared that the process was smooth, although a few encountered lengthy delays. The Government has made no further effort to adopt a new law regulating religions and there are no prospects for the submission of such a draft law to Parliament before 2003. In June 2002, Parliament passed a law restituting church property held by the State. The law does not address churches that belonged previously to the Greek Catholic Church and now are held by the Orthodox Church.

There are generally amicable relations among the different religious groups; however, the Romanian Orthodox Church has shown some hostility toward non-Orthodox religious churches and criticized the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church repeatedly has described as "sects." The Orthodox Church continues to oppose the return of the Greek Catholic churches it had received from the State after the dismantling of the Greek Catholic Church by the Communists in 1948.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy met with the Government and religious leaders to encourage respect for religious freedom and urged the restitution of religious property seized under the Communists.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 91,799 square miles, and its population is approximately 22.4 million.

The Romanian Orthodox Church is the predominant religion in the country. The Government officially recognizes 15 religions: the Romanian Orthodox Church, the Roman Catholic Church, the Greek Catholic Church, the Old Rite Christian Church, the Reformed (Protestant) Church, the Christian Evangelical Church, the Evangelical Augustinian Church, the Lutheran Evangelical Church synod Presbyterian, the Unitarian Church, the Baptist Church, the Pentecostal Church, the Seventh-Day Adventist Church, the Armenian Church, Judaism, and Islam. However, members of other faiths worship freely. The latest available official figures on the number of believers of the recognized religious denominations date from the 1992 census. A new population census was conducted in March 2002; however, the final results are not expected to be available until March 2003.

According to the 1992 census, the Romanian Orthodox Church had 19,802,389 members (86.8 percent of the population) including approximately 26,000 Serbs and 53,000 Ukrainians. The Roman Catholic Church had 1,161,942 members. The Catholic Church of Byzantine Rite (Greek Catholics or Uniates) had 223,327 members. This figure is disputed by the Greek Catholic Church, which claims that the census was taken in an atmosphere of intimidation that discouraged Greek Catholics from declaring themselves as such. The Greek Catholic Church estimated in 1999 that its adherents number close to 750,000 members. (Greek Catholics were former members of the Romanian Orthodox Church who accepted the four principles that were required for union with the Roman Catholic Church in 1697, but continue to observe Orthodox festivals and many Orthodox traditions). The Old Rite Christian Church had 28,141 members (of whom 3,711 are ethnic Romanians and 24,016 are ethnic Lippovans/Russians). The Protestant Reformed Church had 802,454 members (of whom 765,370 are ethnic Hungarians). The Christian Evangelical Church had 49,963 members. The Evangelical Augustinian Church had 39,119 members (including 3,660 Romanians and 27,313 ethnic Germans). The Lutheran Evangelical Church Synod-Presbyterian had 21,221 members (including 12,842 ethnic Hungarians). The Unitarian Church of Romania had 76,708 members. The Baptist Church had 109,462 members. The Apostolic Church of God (Pentecostal Church) had 220,824 members (400,000, according to the Pentecostals). The Seventh-Day Christian Adventist Church had 77,546 members. The Armenian Church had 2,023 members. There were 9,670 Jews, according to the 1992 census (the Jewish Community Federation states that there are approximately 12,000 members). Muslims numbered 55,928. According to the same census, the number of atheists was 10,331. There were 24,314 persons who do not have any religious affiliation and 8,137 persons who did not declare any religious affiliation.

According to the State Secretariat for Religious Denominations, most religions have followers dispersed throughout the country, although a few religious communities are concentrated in particular regions. Old Rite members (Lippovans) are lo-

cated in Moldavia and Dobrogea. Most Muslims are located in the southeastern part of the country in Dobrogea (near Bulgaria and the coast). Most Greek Catholics are in Transylvania but there are also Greek Catholics in Moldavia. Protestant and Catholic believers tend to be in Transylvania, but many also are located around Bacau. Orthodox or Greek Catholic ethnic Ukrainians are mostly in the northwestern part of the country. Orthodox ethnic Serbs are in Banat. Armenians are in Moldavia and the south.

According to published sources, the Baha'i Faith, the Family (God's Children), the Church of Jesus Christ of Latter-Day Saints (Mormons), the Unification Church; the Methodist Church, Jehovah's Witnesses, the Presbyterian Church, Transcendental Meditation, Hare Krishna, and Zen Buddhism are active denominations in the country.

According to a nationwide poll conducted in November/December 2001, 1 percent of those polled said they go to church on a daily basis; 10 percent of those polled said that they go to church several times per week; 35 percent claim to go several times per month; 38 percent attend services once a month or less; and 15 percent do not go to church at all. The same poll shows that 88 percent of citizens say that church is the institution they trust most.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, laws and decrees give the Government considerable potential control over religious life. Government registration and recognition requirements still pose obstacles to minority religions. Several minority religious groups continued to claim credibly that low-level government officials and the Romanian Orthodox clergy impeded their efforts at proselytizing, as well as interfered with other religious activities.

A Communist era decree, number 177 of 1948, remains the basic law governing religious denominations. It allows considerable state control over religious life. Technically almost none of the articles of this law have been abrogated formally; however, according to the State Secretariat for Religious Denominations, a large number of its articles have been nullified in practice by the Constitution and a series of governmental decrees. Although several religious denominations and religious associations confirmed that articles stipulating the State's interference with or control over religious life and activities have not been enforced, such provisions still exist in the law.

The Government requires religious groups to register. To be recognized as a religion, religious groups must register with the State Secretariat for Religious Denominations and present their statutes, organizational, leadership, and management diagrams, and the body of dogma and doctrines formally stated by a religion. The Government has refused to recognize a number of religious groups, and no religious group has received status as a religion since 1990. In March 2000, the Supreme Court ordered that Jehovah's witnesses be recognized. While the Government was slow to issue an administrative act to enforce this court order, in May 2002, it promised it would do so by June. However, during the period covered by this report, the process was not completed.

Under the provisions of Decree 177 of 1948, the Government recognized 14 religions. In addition to this, a 1989 decree reestablished the Greek Catholic Church as a recognized religion. The Greek Catholics had been forced to merge with the Romanian Orthodox Church by another Communist decree in 1948. Only the clergy of these 15 recognized religions are eligible to receive state support. Recognized religions have the right to establish schools, teach religion in public schools, receive government funds to build churches, pay clergy salaries with state funds and subsidize clergy's housing expenses, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, and enjoy tax-exempt status.

The Government registers religious groups that it does not recognize either as religious and charitable foundations or as cultural associations. The State Secretariat for Religious Denominations reported that it licensed 622 religious and charitable foundations, as well as cultural organizations, under Law 21 of 1924 on Juridical Entities, thereby entitling them to juridical status as well as to exemptions from income and customs taxes.

A government decree (26 of 2000) on associations and foundations became effective in May 2000, abrogating Law 21 of 1924. The new law eliminates, at least in theory, the bureaucratic obstacles in the registration process, which religious groups repeatedly criticized as arbitrary and time-consuming. It also removes the minimum

requirement of members needed to establish religious associations and foundations. The State Secretariat for Religious Denominations reported in May 2002 that 11 new religious associations have been registered since May 2001. However, the figure may be larger, since, according to the new law, religious associations no longer need the State Secretariat's approval in order to be registered.

The number of adherents that each religion had in the 1992 census determines the proportion of the budget each recognized religion receives. The Romanian Orthodox religion receives the largest share of governmental financial support. In addition, Orthodox religious leaders generally preside over state occasions. In 2001 the Government allocated funds amounting to almost \$1.67 million (48,581 million lei) to the Orthodox Church, approximately \$50,000 (1,455 million lei) to the Roman Catholic Church, close to \$32,000 (930 million lei) to the Greek Catholic Church, and approximately \$44,000 (1,285 million lei) to the Reformed Church, for the construction and repair of churches.

According to the State Secretariat for Religious Denominations, missionaries who enter the country as tourists may renew their residence permits without special formalities. They require only a formal letter of request from the religious group for which they work. The State Secretariat for Religious Denominations reported that approximately 2,154 missionaries received visa extensions in 2001 and that approximately 700 renewed their visas in the first 4 months of 2002. Most religious groups state that they have not had any problems other than minor bureaucratic delays in getting residence permit extensions for their missionaries. Six-month extensions are available for all categories. There are penalties for any foreigner who stays without a visa, but such penalties do not appear to be linked to religious activities.

The regulations issued by the Government in May 2001 for the organization and operation of the commission in charge of granting approvals for the construction of places of worship defines these as "buildings such as churches, houses of prayer, temples, mosques, synagogues, houses of assembly, etc., used by religious denominations, religious associations and foundations for their specific religious services." However, there are other provisions in these regulations that could make it more difficult for minority (non-Orthodox, whether recognized or unrecognized) religious groups to get such approvals. The commission that approves such permits consists of 11 permanent members. Of the 15 recognized religions, only the Orthodox Church has members on this commission, which also includes government officials and technical experts. In addition, to the technical aspects of building a church, the commission is entitled to decide on the "opportuneness" of building the place of worship, and whether the construction is in line with the specific dogma, doctrines, and statutes of the religion in question. There were no reports that the commission denied any applications; however, there were reports of lengthy delays.

In February 2001, the Government circulated for comment to the 15 recognized religions an old draft law on religious denominations, which had been withdrawn in 2000 by the previous government under domestic and international pressure for being undemocratic and overly restrictive of the freedom of religion. The draft law would have imposed tough conditions on the registration of religious denominations and religious groups (including a membership of 1/2 of 1 percent of the country's population—over 100,000 persons), strengthened the powers of the State Secretary for Religious Denominations, and declared the Orthodox Church to be the national church. Following renewed criticism, the draft law was put on hold. The State Secretariat for Religious Denominations is analyzing comments from the 15 recognized religions on the draft law. The Government plans to distribute a new draft law, incorporating these comments, back to religious denominations for more comment at the end of 2002 or the beginning of 2003. The Government also plans to have the draft reviewed by international organizations such as the Council of Europe. Government officials expect the bill to be submitted to Parliament some time in spring or summer 2003. However, minority religions are less optimistic due to the ongoing Greek Catholic-Orthodox tensions and pressure by the Orthodox Church to be declared the national church.

Minority religious groups assert that they have found central government and parliamentary officials more cooperative than local officials. They specifically reported that relations with the State Secretariat for Religious Denominations have continued to improve.

The State Secretariat for Religious Denominations has been moved from the Prime Minister's office to the Ministry of Culture; independent observers believe the move indicates a reduction in the Secretariat's influence. There have been no complaints regarding the reestablishment of the position of local Inspector for Culture and Religious Denominations in the counties.

Following a 1999 Supreme Court ruling, the Ministry of Education no longer requires Adventist students to come to school or take exams on Saturdays. However,

according to Adventist reports, this is not observed universally; for example, Adventist students still have been called to exams on Saturdays at the Police Officer Academy.

The Baptist and Roman Catholic Churches raised concerns that the Government wanted to transfer “irrevocably and for good” the church property used to endow private church-run universities to the national education system. At the end of June 2002, the lower chamber of Parliament amended decrees of October 2001 establishing the Catholic and Baptist universities to make it clear that the property would be returned to the churches if the religious universities closed for any reason. As the Senate had adopted the decrees without amendment, a conference committee is expected to adopt these amendments for final passage in the fall session of Parliament.

During the period covered by this report, the State Secretariat for Religious Denominations, along with religious denominations and local authorities, sponsored approximately 10 seminars and symposia on the role of religious denominations in assisting child protection (in Bucharest, in July 2001), on ecumenism (in Calarasi County), on the relationship between the state and religious denominations (in 8 counties), and an international seminar on the state and religious denominations (in Cluj, in May 2002). In addition, the State Secretariat for Religious Denominations organized and played the role of mediator in a meeting of the Orthodox and Greek Catholic Churches in Bucharest on April 5, 2002.

Christmas and the Orthodox Easter are national holidays, but this does not appear to affect any of the other religious groups. Members of the other recognized religions that celebrate Easter are entitled by law to have an additional holiday. Religious leaders occasionally play a role in politics. In particular, many Orthodox leaders make public appearances alongside prominent political figures on various occasions.

Most mainstream politicians have criticized anti-Semitism, racism, and xenophobia publicly. At an international symposium on this issue, President Ion Iliescu, Prime Minister Adrian Nastase, and several members of the cabinet (the Minister of Foreign Affairs, the Minister of Culture and Religious Denominations, and others) made public statements on various occasions against extremism, anti-Semitism, and xenophobia and criticized attempts to deny the Holocaust in the country and to rehabilitate WWII dictator and executed war criminal Marshal Ion Antonescu. In March 2002, a course in the history of the Holocaust was included among subjects to be studied at the National War College. During the same month, the Government issued two decrees aimed at anti-Semitism. On March 13, the Government issued Decree 31 which bans fascist, racist, or xenophobic organizations and symbols and prohibits fostering the cult of personality of war criminals. Decree 36, which was issued on March 21, protects Jewish cemeteries and synagogues. In accordance with ordinance 31, three statues of Antonescu located on public land (in Piatra Neamt, Slobozia and Letcani) were taken down at the end of March and in the first half of April. A Marshal Ion Antonescu square in Piatra Neamt was renamed at the end of April. The Minister of Culture and Religious Denominations announced that the Government planned to inaugurate a memorial of the Holocaust in Targu; however, this had not occurred by the end of the period covered by this report.

Restrictions on Religious Freedom

Although protected by law, several minority religious groups, which include both recognized and unrecognized religions, made credible complaints that low-level government officials and Romanian Orthodox clergy impeded their efforts to proselytize, interfered in religious activities, and otherwise discriminated against them during the period covered by this report. Due to its substantial influence, few politicians sponsor bills and measures that would oppose the Orthodox Church. Local officials tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. According to one official of the State Secretariat for Religious Denominations, such cases are caused by personal feuds at the local level and overly aggressive attitudes by minority religious groups toward the Orthodox Church. In some instances, local police and administrative authorities tacitly supported, at times violent, societal campaigns against proselytizing (see Section III). There is no law against proselytizing, nor is there a clear understanding by the authorities of what activities constitute proselytizing.

The Government has not granted any religious group status as a religion since 1990. Representatives of religious groups that sought recognition after 1990 allege that the registration process was arbitrary and unduly influenced by the Romanian Orthodox Church, and that they did not receive clear instructions concerning the requirements. The Organization of the Orthodox Believers of Old Rite, Jehovah’s Witnesses, the Adventist Movement for Reform, the Baha’i Faith, and the (Mormons)

are some of the religious groups that have tried unsuccessfully to register as religions. The Baha'i Faith stated that it has never received an answer to its repeated requests to be registered as a religious denomination. Despite a Supreme Court Ruling in March 2000 calling on the State Secretariat for Religious Denominations to issue an administrative document recognizing Jehovah's Witnesses, this religious group consistently has been denied religion status. On May 14, 2002, the State Secretary for Religious Denominations told members of Jehovah's Witnesses that the Ministry of Culture and Religious Denominations was drafting the administrative document in question and that the process would be completed by the end of June; however, it had not yet been completed by the end of the period covered by this report.

One explanation given by the State Secretariat for Religious Denominations for a failure to register new religions was that recognition requires a decree issued by the Presidium of the Grand National Assembly, a Communist era institution that no longer exists. Since no new legislation has been passed in this regard, the State Secretariat stated that the registration of any new religion is not possible. While this appears to have been overtaken by the Supreme Court's demand that Jehovah's Witnesses be recognized, the confusing set of laws governing recognition appears to have impeded the process.

Unrecognized religions receive no financial support from the State, other than limited tax and import duty exemptions, and are not permitted to engage in profit-making activities. As of May 2001, religious groups registered as foundations or charitable organizations are allowed to rent or build office space only; they were not permitted to build churches or other buildings designated as houses of worship.

Representatives of minority religious groups dispute the 1992 census results and claimed that census takers in some cases simply assigned an affiliation without inquiring about religious affiliation. Religious minorities also made credible complaints about irregularities during the 2002 census, including failures by census-takers to ask for religious affiliation; census-takers who did not know or refused to write down the appropriate code for a minority religion, who suggested the answer to the question on religious affiliation, and who tried to influence the answers. The Greek Catholic Church, the Catholic Church, and the Baha'i Faith complained about such irregularities.

In addition, representatives of several minority religious groups complain that allocation of off-budget funds (special funds maintained by the Government for use in cases of emergency) is biased towards the Romanian Orthodox Church. For example, minority religious groups complained that Orthodox churches were built in areas without Orthodox believers. In 2001 off-budget funds amounting to approximately \$3,380 million (98,284 million lei) were granted to the Orthodox Church by government decisions. Except for the Roman-Catholic Church, which received some \$69,000 (2,000 million lei), none of the other religious denominations received any off-budget funds in 2001. According to the State Secretariat for Religious Denominations, off-budget funds are distributed depending on the needs of the various religious denominations.

In May 2001, the Government instituted new regulations for the commission. While these new regulations no longer differentiate between recognized religions and unrecognized religions in terms of the types of places of worship that can be built, they include provisions that could make approvals more difficult to obtain. For example, the commission is entitled to decide on the "opportuneness" of building the place of worship. While most minority religions reported that they had received permits to build places of worship without any difficulty, some of them made credible complaints that these regulations generated delays in the process. According to Baptist reports, although this Church's requests for permits were approved at central level, its intention to build places of prayer have been obstructed at the local level in Slobozia-Arges County, Bucharest, and Sighetu Marmatiei-Maramures County.

In 2001 the Commission approved 259 applications for the construction of places of worship, rejected 62 such applications, and asked 20 other applicants for additional data to document their cases. Of the 259 permits, 157 were granted to the Orthodox Church, 7 to the Catholic Church, 28 to the Greek Catholic Church, 1 to the Reformed Church, 22 to the Baptist Church, 15 to the Pentecostal Church, 8 to the Seventh-Day Adventist Church, 5 to Jehovah's Witnesses, and the rest to other religions.

The law does not prohibit or punish assembly for peaceful religious activities. However, several different minority religious groups complained that on various occasions, local authorities and Orthodox priests prevented religious activities from taking place, even when the groups had been issued permits. The Evangelical Alliance reported difficulties in getting approvals to use public halls for religious activities following negative press campaigns terming them "neo-Protestant religious

sects.” Even when the Church could obtain permission, Orthodox priests incited the local population against activities sponsored by the Adventist Church (in Probata-Iasi County) and by the Evangelical Alliance (in Niculitel-Tulcea County). In Probata the intervention of local authorities resolved the issue. After the incident in Niculitel, the local press accused the Evangelical Alliance of involvement in the desecration of the local Orthodox cemetery. There was no report of the Alliance’s call for a police investigation to identify the actual perpetrators. The Evangelical Alliance also believes that, after the incident in Niculitel, local authorities were ordered not to rent public halls to this religious group.

The Government permits, but does not require, religious instruction in public schools. Attendance at the classes is optional. Only the 15 recognized religions are entitled to hold religion classes in public schools. While the law permits instruction according to the faith of students’ parents, minority recognized religious groups complain that they have been unable to have classes offered in their faith in public schools. According to minority religious groups, this happens mostly because the local inspectors for religion classes are Orthodox priests who deny accreditation to teachers of other religions. The Baptist Church reported that it has been denied access to teach religion in some schools, including in Grozesti-Mehedinti County. Religious teachers are permitted to instruct only students of the same religious faith. However, minority religious groups credibly asserted that there were cases of children pressured to attend classes of Orthodox religion. The Jehovah’s Witnesses Association reported one case in Hunedoara (Hunedoara County) where a child member was subject to the threat of not graduating unless she attended the Orthodox religion classes.

Only the 15 recognized religions are entitled to give religious assistance to prisoners. Minority recognized religious groups complained that Orthodox priests denied them access to some penitentiaries. Since the State Secretariat for Religious Denominations has failed to issue an administrative decree to grant the Jehovah’s Witnesses recognized status, they also have been denied access to prisons.

Law 195 of November 2000 entitles the 15 recognized religions to have military clergy trained to render religious assistance to conscripts. However, according to minority religions, with the exception of two representatives of the Catholic Church and the Evangelical Alliance, the military clergy is comprised only of Orthodox priests. As a non-recognized religion, ordained ministers of Jehovah’s Witnesses are not exempted from alternate military service, as ordained ministers from recognized religions are. Furthermore, according to the group’s doctrine, all members are considered to be ordained ministers. Fourteen such ministers have received suspended court sentences in the past. Despite a Supreme Court ruling of October 2001 that in essence decreed that not serving alternate military service is not a crime, the fourteen ministers still have criminal records. They have asked the Prosecutor General to recognize the Supreme Court ruling, a normal legal procedure, and clear their records. This had not happened by the end of the period covered by this report. Members of Jehovah’s Witnesses also have difficulty burying their dead in some areas where there are only denominational cemeteries, in Homorod and Horghiz (Brasov County).

In June 2002, the Parliament passed a law restituting large numbers of religious properties confiscated by the Communist regime. Some religious or communal property had already been returned to former owners as a result of government decrees, or with the agreement of local religious leaders. The center-right government in office between 1996 and 2000 issued 4 decrees and a government decision, which resulted in the restitution of 100 buildings to religious and national minorities. An October 2000 government decree created a commission to consider a list of properties submitted by churches under Decree 94 of 2000. According to this decree, both the Hungarian churches and the Greek Catholic Church would have received buildings. However, following the election of a new Government in 2000, implementation of this decree was halted, and no properties actually have been restituted under the provisions of Decree 94 of 2000. Decree 94/2000 subsequently became the basis of legislation that did return church property.

In many cases religious minorities have not succeeded in regaining actual possession of the properties despite restitution by these decrees. Many properties returned by decree house state offices, schools, hospitals, or cultural institutions that would require relocation, and lawsuits and protests by current possessors have delayed restitution of the property to the rightful owners.

Law 10 of 2001 on nationalized buildings, passed in January 2001, specified that a different law was to address the restitution of communal property. According to a protocol of cooperation signed by the Social Democratic Party with unofficial coalition partner the Hungarian based Democratic Union of Romanian Magyars, a law on the restitution of religious property was to be drafted by April 30, 2002. After

some discussion, the two parties agreed that instead of drafting a new bill, they would expedite the process by amending Decree 94/2000, which was being debated in Parliament. Decrees are law until ratified, amended, or nullified by Parliament. Decree 94/2000 has passed the lower house of the legislature, the Chamber of Deputies. The Senate amended 94/2000, and a conference committee accepted the Senate's amendments. Both houses adopted the conference report at the end of June. The final version is expected to reconstitute all church properties. The buildings used by public institutions (such as museums, schools, and hospitals) are to remain in their hands for a period of 5 years, during which time they are to pay rent to the churches. The majority of church properties belong to this category. However, this law does not address the distinctive and sensitive issue of the Greek Catholic churches.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of returning Greek Catholic Churches now in the hands of the Orthodox Church as "illegal and abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal asking for their careful consideration.

In early June, 2002, the Pope called for the restitution of the Catholic Church properties during a meeting with the Romanian Ambassador to the Vatican. The authorities interpreted the appeal as not referring to the Greek Catholic Church. In order to clarify this issue, on June 14, 2003 the Greek Catholic Archbishop addressed an open letter to the Romanian President, emphasizing that the Pope, by mentioning the "joint committee of dialogue," obviously had meant the Greek Catholic Church. The letter called for a law to reconstitute the churches of this denomination.

The Greek Catholic Church was the second largest denomination (approximately 1.5 million adherents out of a population of approximately 15 million) in 1948 when Communist authorities outlawed it and dictated its forced merger with the Romanian Orthodox Church. At the time of its banning, the Greek Catholic Church owned over 2,600 churches, which were confiscated by the State and then given to the Orthodox Church, along with other facilities. Other properties of the Greek Catholic Church, such as buildings and agricultural land, became state property.

According to the State Secretariat for Religious Denominations, the Greek Catholic Church has received 150 of the churches transferred by the Communists to the Orthodox Church; the Greek Catholics claim that they have received only 143 such properties. The Greek Catholic Church has very few places of worship. Many followers still are compelled to hold services in public places (approximately 285 cases, according to Greek Catholic reports) or in parks (4 cases, in Baia Mare, Satu Mare, Sangeorzul Nou, and Rosia Montana, according to the same reports.) In 1992 the Government adopted a decree that listed 80 properties owned by the Greek Catholic Church to be returned. Between 60 and 65 of them had been returned by the end of the period covered by this report. In some cases, Orthodox priests whose families had been Greek Catholics converted back to Greek Catholicism and brought their parishes and churches back with them to the Greek Catholic Church. In several counties, in particular in Transylvania, local Orthodox leaders have given up smaller country churches voluntarily. For example, in the Diocese of Lugoj in the southwestern part of the country, local Orthodox Church representatives have reached agreement on the return of an estimated 160 churches; however, for the most part Orthodox leaders have refused to return to the Greek Catholics those churches that they acquired during the Communist era. Since July 2001, the Greek Catholic Church has recovered only two or three churches. Since 1990 the Greek Catholic Church has received back an estimated 8.5 percent of its churches, 2.4 percent of the parish houses, 3.9 percent of other confiscated buildings, 2.4 percent of the agricultural land, and 12.3 percent of the forest land. Orthodox Archbishop of Timisoara, Nicolae Corneanu, was responsible for returning approximately 50 churches, including the cathedral in Lugoj, to the Greek Catholic Church. However, due to his actions, the Orthodox Holy Synod marginalized Archbishop Corneanu, and his fellow clergymen criticized him.

A 1990 government decree called for the creation of a joint Orthodox and Greek Catholic committee at the national level to decide the fate of churches that had belonged to the Greek Catholic Church before 1948. However, the Government has not enforced this decree, and the Orthodox Church consistently has resisted efforts to resolve the issue in that forum. The committee did not meet until 1998, had three meetings in 1999, met once in 2000, and one more time in 2001. The courts generally refuse to consider Greek Catholic lawsuits seeking restitution, citing the 1990 decree establishing the joint committee to resolve the issue. From the initial property list of 2,600 seized properties, the Greek Catholic Church has reduced the number of churches that it is asking to be returned to fewer than 300. Only six churches

have been restituted as the result of the joint committee's meetings. Restitution of the existing churches is important to both sides because local residents are likely to attend the church whether it is Greek Catholic or Orthodox. Thus the number of members and share of the state budget allocation for religions is at stake. At the most recent meeting of the joint committee on September 27, 2001, the Orthodox Church called on the Greek Catholic Church to give up all lawsuits on restitution claims in order to resolve them by dialog. The Greek Catholic Church in turn has reiterated its core claim: The restitution of its former cathedrals and district churches, and the return of one church in localities where there are two churches and one of them had belonged to the Greek Catholics (or at least to hold the religious service in turns). The next meeting of the national joint committee is scheduled for September 2002. Despite the stated desire for dialog, the Orthodox Church has demolished Greek Catholic churches under various pretexts. For example, Greek Catholic churches (some of them being historical monuments) were demolished in Vadu Izei (Maramures County), Baisoara (Cluj County), Smig (Sibiu County), Trittenii de Jos (Cluj County), and Craiova (Dolj County). Other churches are threatened with demolition in Ungheni (Mures County) and Urca (Cluj County). The church of a famous Greek Catholic Monastery of Nicula (Cluj County) is in a similar situation. Following increasing tensions in some localities, the Ministry of Culture and Religious Denominations called and mediated a meeting of the two churches on April 5, 2002. The Minister of Culture announced at the meeting the Government's intention to help the Greek Catholic Church build 50 wooden churches, a solution that does not fully satisfy Greek Catholic Church claims.

In February 2002, the Orthodox Patriarch in a letter to the Minister of Justice described court rulings in favor of the Greek Catholic Church as "illegal" and "abusive" and stated that decisions on such cases should be made only by the joint Orthodox-Greek Catholic committee. The Minister of Justice distributed the letter to all Courts of Appeal and asked for its careful consideration.

The historical Hungarian churches, including the Roman Catholic as well as the Protestant churches (Reformed, Evangelical, and Unitarian), have received a small number of their properties back from the Government. Churches from these denominations were closed but not seized by the Communist regimes. However, the Communist regimes confiscated many of these groups' secular properties, which still are used for public schools, museums, libraries, post offices, and student dormitories.

Approximately 80 percent of the buildings confiscated from the Hungarian churches are used "in public interest." Of the 1,791 buildings reclaimed by the Hungarian churches, 113 buildings were restituted by government decrees. Of these 113, 80 should have been restituted according to government Decree 94 of 2000. Of the remaining 33, the Hungarian churches could take full or at least partial possession of only 18 buildings. Restitution of the remainder has been delayed due to lawsuits or opposition from current possessors. For example, restitution under Decree 13 of 1998 of the Roman-Catholic Bishop's Palace in Oradea and the Bathyanæum Library (which had also belonged to the Roman Catholic Church) has been delayed by lawsuits. In addition, the Minister of Culture and Religious Denominations has stated that he is opposed to their restitution, irrespective of the court rulings on these lawsuits. Following Party of Social Democracy-Hungarian Democratic Federation of Romania (PSD-UĐMR) discussions, at the beginning of May, steps were made toward speeding up the actual restitution of 13 buildings (9 of them belonging to the Hungarian churches) returned by previous decrees.

The Jewish community has received 42 buildings by government decree. Of these, the community has completed the paperwork for the restitution of only 15, and lawsuits are in progress for 7 of these 15 properties. The Jewish community has been able to reclaim land only in Iasi, where it received 15 pieces of land (of former synagogues and schools) between 1999 and 2000.

Another problem with restitution is often a simple refusal by the possessor to return a property or pay rent for occupancy. The nominal owner still can be held liable for payment of property taxes in such cases. For example, the former Reformed College was restituted to the Reformed Church in Cluj by government decree in 1999. The building currently is used as a high school, which does not pay any rent, and the Reformed Church has had to pay property taxes but has not been able to occupy the property.

According to Law 1 of 2000, religious denominations are entitled to claim between 25 to 250 acres of farmland (depending on the type of religious unit—parish, eparchy, bishopric, etc.)—and up to 75 acres of forest land from properties seized by the Communists. This is the first law that establishes a systematic procedure for churches to claim land. The enforcement of this law has been slow, largely due to Government desires to further amend the law. This process was almost completed

at the end of the period covered by this report. The amendments do not affect restitution to religious denominations.

The Hungarian churches repeatedly have expressed dissatisfaction with the Government's failure to allow by law the establishment of confessional schools subsidized by the State.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

There are generally amicable relations among the different religious groups. However, the Romanian Orthodox Church repeatedly has criticized strongly the "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church has repeatedly described as "sects." There is no law against proselytizing, or clear understanding of what activities constitute proselytizing. Proselytizing that involves denigrating established churches is perceived as provocative. This has led to conflicts in some cases. The press reported several cases in which adherents of minority religions were prevented by others from practicing their faith, and local law enforcement authorities did not protect them. For example, in August 2001, members of the "New Right" (Noua Dreapta) organization (a small, right-extreme group with nationalistic, xenophobic views) harassed Mormon missionaries in Sibiu on the street and allegedly attacked two of them. A couple of windows of the Mormon headquarters in Sibiu were broken with bricks, allegedly by the same harassers. In 2001 Jehovah's Witnesses filed a complaint with the European Court of Human Rights (ECHR) regarding the sentencing of six of its members from Mizil to pay fines on charges of insult and assault in a trial initiated by persons linked with the Orthodox Church in 2000. The ECHR's decision was pending at the end of the period covered by this report.

The centuries-long domination of the Orthodox Church, and its status as the majority religion, has resulted in the Orthodox Church's reluctance (in particular at the local level and with the support of low-level officials) to accept the existence of other religions. Consequently, actions by other religious groups to attract members are perceived by the Orthodox Church as attempts to diminish the number of its members. Due to its substantial influence, few politicians dare to sponsor bills and measures that would oppose the Orthodox Church. According to minority religious groups, the population is receptive to minority Christian confessions, and local officials in many cases tend to be tolerant but often are pressured and intimidated by the Orthodox clergy. Minority religious groups allege that the Orthodox clergy have provoked isolated mob incidents. The Adventist Church reported such incidents in Botosani, Buzau, and Galati counties.

Members of Jehovah's Witnesses complain that the number of cases in which their ministers have been abused verbally and physically by persons incited by Orthodox priests (who often took an active part in these actions) increased in 2002. Such cases were reported in Sutesti and Dragasani (Valcea County) and Budesti (Bistrita Nasaud County).

Representatives of minority religions credibly complain that only Orthodox priests grant religious assistance in hospitals, children's homes, and shelters for the elderly. Charitable activities carried out by other churches in children's homes and shelters often have been interpreted as proselytizing.

The Baptist Church reported that, in May 2002, an Orthodox priest disrupted a Baptist burial ceremony in Cruset (Dolj County). The Church also reported a series of peaceful assemblies that were disrupted by noisy groups, allegedly incited by Orthodox clergy, including incidents in Ivrinezu Mare, Oltina, Harsova (Constanta County) and in Braila and Galati Counties (Balabanesti, Balasesti, Bordei Verde, Gropeni, Traian, Unirea, Tudor Vladimirescu, and others).

In addition, the dialog between the Orthodox and the Greek Catholic churches has not eliminated disputes at the local level and has led to little real progress in solving the problem of the restitution of the Greek Catholic assets (see Section II).

The disputes between Greek Catholics and Orthodox believers over church possession have increased in number during the period covered by this report. In many cases the Greek Catholics decided to build new churches, following lack of progress in obtaining their properties either by dialog with the Orthodox Church or in court. However, tensions continue to exist in localities where the Orthodox Church refused to enforce court rulings ordering alternate service in former Greek Catholic churches

(for example, Chiuesti in Cluj County) or restitution of churches to the Greek Catholic Church. In mid-March 2002, in Ocna Mures (Alba County), the Orthodox priest along with a group of believers occupied by force, at night, with the help of the police, a church restituted by court ruling to the Greek Catholic Church. In Prunis (Cluj County), where most of the residents belong to the Greek Catholic Church, tensions continue due to a longstanding lawsuit. The Greek Catholic priest and the believers from Mihalt (Alba County) sponsored a series of protests in Alba Iulia and Bucharest following the Orthodox Church's refusal to return their church and the priest's house. At the Orthodox Church's request, the Greek Catholic Church previously had dropped the lawsuits in this locality.

In Decea (Alba County), tensions increased in 2001 when the Orthodox priest locked the church so that the Greek Catholics could not use it. In April 2002, the Orthodox Church agreed to give its old church to the Greek Catholics and to use the Greek Catholic one itself. Churches also are kept locked in Chinteni (Cluj County), Rodna (Bistrita Nasaud County) and Singeorzul Nou (Bistrita Nasaud County).

Between February and April, 2002, in Racovita, the local Orthodox priest's refusal to implement Orthodox Archbishop Corneanu's decision to restore a church to the Greek Catholics led to tension.

In Bicsad (Satu Mare County), where the Greek Catholics obtained a government decision restituting a former Greek Catholic monastery, the Greek Catholic Church still could not take possession of the monastery because of the opposition of the local Orthodox clergy. Local authorities have not supported the enforcement of the Government's decision.

In Dumbraveni the Orthodox Church continues to refuse to enforce a previous court ruling to share a local church with the Greek Catholic Church. Short-term prospects for the return of the Greek Catholic church are dim, since restitution is contingent on construction of a new Orthodox church, which is scheduled to take many years.

The fringe press continued to publish anti-Semitic articles. The Legionnaires (also called the Iron Guard, an extreme nationalist, anti-Semitic, pro-Nazi group that existed in Romania in the inter-war period) continued to publish books from the inter-war period. Religious services to commemorate legionnaire leaders continue to be held in Orthodox churches. A legionnaire commemorative meeting took place in Bucharest at the end of June 2002. Also at the end of June, the local police confiscated 2,000 copies of an anti-Semitic book, "The History of Moldova," published in Arad by a U.S.-based Iron Guard member.

Three textbooks on religious groups and ecumenism, authored by an Orthodox deacon for use in state-funded theological institutions, art high schools, teacher, and vocational schools, contained anti-Semitic, pro-Facist, and anti-ecumenical ideas. In August 2001, a member of the extreme-right "Greater Romania" Party (PRM) published a book called the "Nationalist," which included xenophobic and chauvinistic ideas. The book was criticized widely by the national media and leadership, and the PRM leadership disowned the book.

During the period covered by the report, Jewish cemeteries were desecrated in six localities: Timisoara, Bucharest, Deva, Barlad, Radauti, and Carei. The perpetrators could not be identified, but are believed to have been local youths, rather than members of an organized anti-Semitic movement. Three synagogues (in Buhusi, Focsani, and Dej) were desecrated during the same period. On May 18, 2002, a synagogue was desecrated in Falticeni. A torah roll was stolen and anti-Semitic graffiti were written on the walls. Police started an investigation but simultaneously criticized obliquely the Jewish community for not having protected the synagogue with an alarm system.

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. The Embassy also maintains close contact with a broad range of religious groups in the country. Embassy staff, including the human rights officer, political counselor, and the Ambassador, met with religious leaders and government officials who work on religious affairs in Bucharest and in other cities.

In addition, embassy staff members are in frequent contact with numerous NGO's that monitor developments in the country's religious life. U.S. officials have lobbied consistently in government circles for fair treatment on property restitution issues, including religious and communal properties. The Embassy has a core group of offi-

cialists who focus on fostering good ethnic relations, including relations between religious groups.

RUSSIA

The Constitution provides for freedom of religion and the Government generally respects this right in practice. Although the Constitution also provides for the equality of all religions before the law and for the separation of church and state, in practice the Government does not always respect the provision for equality of religions, and in some instances the authorities, primarily at the local level, imposed restrictions on some religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion; however, some federal agencies and many local authorities continued to restrict the rights of some religious minorities in some regions.

Despite court decisions that have liberalized its interpretation, a complex 1997 law "On Freedom of Conscience and Associations" seriously disadvantages religious groups that are new to the country by making it difficult for them to register as religious organizations. Unregistered groups lack the juridical status necessary to establish bank accounts, own property, invite foreign guests, publish literature, or conduct worship services in prisons, state owned hospitals, and among the armed forces. However, persons affiliated with unregistered faiths generally may rent facilities for holding religious services as individuals.

Religious matters are not a source of societal hostility for most citizens, although popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Semitism as well as societal hostility toward newer, non orthodox, religions. There appear to be continued instances of religiously motivated violence, although it is often difficult to determine whether religious or ethnic differences were the primary cause of individual cases of violence. Relations between different religious organizations frequently are tense, particularly at the leadership level. Conservative groups encouraged by, or claiming ties to, the Russian Orthodox Church staged a number of anti-Catholic demonstrations throughout the country.

The U.S. Government has continued to engage the Government, a number of religious denominations and groups, nongovernmental organizations (NGO's), and others in a steady dialog on religious freedom.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 6.5 million square miles and its population is approximately 144 million.

There are no reliable statistics that break down the country's population by denomination. Available information suggests that slightly more than half of all inhabitants consider themselves Russian Orthodox Christians, although the vast majority of those are not regular churchgoers. By all estimates, Muslims form the largest religious minority; the highest counts are based on the aggregate population of traditionally Muslim ethnic groups. By some estimates, Protestants constitute the third largest group of believers. An estimated 600,000 to 1 million Jews remain in the country (0.5 percent of the total population) following largescale emigration over the last 2 decades. Approximately 80 percent of Jews live in Moscow or St. Petersburg.

According to the most recent statistics released by the Ministry of Justice, as of January 1, 2001, 20,215 religious organizations were registered or reregistered, compared with approximately 16,000 in 1997. Religious freedom advocates accept the January 2001 figures as essentially accurate. According to those figures, the number of groups recorded as registered by the Ministry of Justice in January 2001 was as follows: Russian Orthodox Church—10,912 groups, Autonomous Russian Orthodox Church—165, Russian Orthodox Church Abroad—40, True Orthodox Church—65, Russian Orthodox Free Church—29, Ukrainian Orthodox Church (Kiev Patriarchate)—10, Old Believer—278 (divided into 4 separate groups), Roman Catholic—258, Greek Catholic—5, Armenian Apostolic—42, Muslim—3,048, Buddhist—193, Jewish—197 (including 176 Orthodox and 21 Reform groups), Baptist—975, Pentecostal—1,323, Seventh-Day Adventist—563, other evangelical and charismatic groups—784, Lutheran—213 (divided into 4 separate groups), Apostolic—86, Methodist—85, Reformist—3, Presbyterian—192, Anglican—1, Jehovah's Witnesses—330, Mennonite—9, Salvation Army—7, Church of Jesus Christ of the Latter-Day Saints

(Mormons)33, Unification Church—17, Church of the “Sovereign” Icon of the Mother of God—28, Molokane—19, Dukhobor—1, Church of the Last Covenant—15, Quaker—1, Church of Christ—19, Judaizing Christian—5, nondenominational Christian—156, Scientologist—1, Hindu—4, Krishna—106, Christian Scientist—2, Baha’i—19, Tantric—3, Taoist—9, Assyrian—1, Sikh—1, Coptic—1, Shamanist—6, Karaites—2, Zoroastrian—2, Spiritual Unity (Tolstoyan)2, Living Ethic (Rerikhian)2, pagan—41, other confessions—7. Buddhism is traditional to three of the country’s regions: Buryatiya, Tuva, and Kalmykiya.

The number of registered religious organizations does not reflect the entire demography of religious believers. For example, due to legal restrictions, poor administrative procedures on the part of some local authorities, or intra-confessional disputes, an unknown number of groups has been unable to register or reregister. An estimated 500 to several thousand Muslim organizations remain unregistered; some reportedly are defunct, and many reportedly have concluded that they did not require legal status. The registration figures probably also underestimate the number of Pentecostal believers. New Pentecostal organizations are being formed rapidly, and unofficial estimates suggest that there are between 1,500 and 2,000 Pentecostal congregations nationwide, many of which are unregistered despite their efforts. The Unification Church has several organizations which it is unable to register. The Scientologists also have several groups that are registered as social organizations because they are unable to register as religious organizations.

In practice few citizens identify strongly with any religion. Many who identify themselves as members of a faith participate in religious life only rarely, if at all. For example, while an estimated 64 percent of respondents to a 2000 Public Opinion Foundation poll identified themselves as members of a particular faith, only 19 percent said that they visited a place of worship more than once or twice a year (many Orthodox believers attend church at Christmas and/or Easter). An estimated 11 percent of respondents said that they observed Lent or other fasts. Only 4 percent of respondents stated that they took communion more than once or twice a year (in the Orthodox tradition, taking communion requires personal preparation by fasting, confession, and prayer).

A large number of foreign missionaries operate in the country.

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. Although the Constitution also provides for the equality of all religions before the law and for the separation of church and state, in practice the Government does not always respect the provision for equality of religions, and in some instances the authorities, primarily at the local level, imposed restrictions on some religious groups.

There is no officially recognized state religion, although the preamble to the 1997 Law on Freedom of Conscience identifies Russian Orthodoxy, Judaism, Islam, and Buddhism as “traditional religions” and recognizes the “special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia’s spirituality and culture.” The law accords no privileges or advantages to these confessions; however, many politicians and public figures argue for closer cooperation with traditional religions, above all with the Russian Orthodox Church’s Moscow Patriarchate. Some officials also speak of the need to protect the “spiritual security” of the country by discouraging the growth of “sects” and “cults,” usually understood to include many Protestant and newer religious movements. The Russian Orthodox Church has entered into a number of agreements, some formal, others informal, with government ministries on such matters as guidelines for public education, religious training for government employees and military personnel, and, in certain cases, law enforcement and customs decisions, that appear to give it a preferred position. Since 1999 there have been indications of a closer relationship between the Russian Orthodox Church and the State. Nonetheless, policymakers remain divided on the State’s proper relationship with the Russian Orthodox Church and other churches.

A 1990 Soviet law, which became part of the Russian Federation’s legal code, declared all religions equal before the law, forbade government interference in religion, and established simple registration procedures for religious groups. Registration of religious groups was not required, but groups could obtain a number of advantages by registering, such as the ability to establish official places of worship or benefit from tax exemptions. The 1990 law helped facilitate a revival of religious activity.

The 1997 religion law ostensibly targeted so called “totalitarian sects” or dangerous religious “cults.” However, the intent of some of the law’s sponsors appears to have been to discriminate against members of foreign and less established religions by making it difficult for them to manifest their beliefs through organized religious institutions. Among the law’s most controversial provisions are those that limit the rights, activities, and status of religious “groups” existing in the country for less than 15 years and require that religious groups exist for 15 years before they can qualify for “organization” status. Religious organizations that register with the state acquire the status of juridical persons and thus receive certain advantages over unregistered organizations.

The 1997 law is very complex, with many ambiguous and contradictory provisions. It creates various categories of religious communities with differing levels of legal status and privileges. The law distinguishes between religious “groups” and “organizations,” and creates two categories of organizations: “regional” and “centralized.” A religious “group” is a congregation of worshipers that is not registered and consequently does not have the legal status of a juridical person: it may not open a bank account, own property, issue invitations to foreign guests, publish literature, or conduct worship services in prisons and state owned hospitals. A “group” does not enjoy tax benefits and other rights extended to religious organizations, such as the right of its members to proselytize. The law does not address directly the rights of individual members of groups in other respects. For example, a member of a religious group may buy property for the group’s use, invite personal guests to engage in religious instruction, and import religious material. In this way, groups theoretically are permitted to rent public spaces and hold services. Nonetheless, in practice, some unregistered groups encounter significant difficulty in exercising these rights. The 1997 law provides that local congregations that have existed for 15 years and have at least 10 members who are citizens may register as local “organizations.” A confession that has three functioning local “organizations” in different regions may found a “centralized religious organization.” A centralized organization has the right to establish affiliated local organizations without adhering to the 15-year rule, although it must assume fiscal responsibility for them. In implementing that provision, the Government has extended the definition of a centralized organization to include a “registered centralized managing center.”

There is evidence that the Procurator General has encouraged local prosecutors to challenge the registration and reregistration of some nontraditional religious groups. In a number of such cases, local courts have upheld the right of nontraditional groups to register or reregister.

In practice the registration process, which involves simultaneous registration at both the federal and local levels, has proven to be onerous for a number of confessions, because it requires considerable time, effort, and legal expense. International and well funded domestic religious organizations, in particular, began the reregistration process soon after publication of the regulations governing reregistration. However, other religious groups faced significant problems in registration and reregistration, and local officials refused to register some groups.

The 1997 law, as amended, required all religious organizations previously registered under the more liberal 1990 law to reregister by December 31, 2000, or be subject to the legal process of “liquidation,” i.e. deprivation of juridical status. By the deadline, an estimated 2,095 religious groups were subject to liquidation and the Ministry of Justice reported that by May 2002, approximately 980 of them had been liquidated. The Ministry asserted that most liquidated organizations were defunct; however, religious minority denominations and NGO’s contended that a significant number were active.

On March 7, 2002, the Constitutional Court ruled that the Moscow Department of the Justice Ministry was not justified in liquidating the Salvation Army on the basis of its non reregistration when the group had made an active attempt to comply with the 1997 law’s requirements. In April 2002, the Church of Scientology cited this ruling to challenge successfully its liquidation by a Moscow court. The extent to which the Salvation Army ruling may affect the reregistration cases of yet other religious organizations remains unclear. Despite the Court’s ruling the Salvation Army still was not registered by the end of the period covered by this report.

Contradictions between federal and local law in some regions, and varying interpretations of the law, provide regional officials with pretexts to restrict the activities of religious minorities. Discriminatory practices at the local level also are attributed to the relatively greater susceptibility of local governments to lobbying by local majority religions, as well as to discriminatory attitudes that are held widely in society (see Section III). There were isolated instances in which local officials detained individuals engaged in the public discussion of their religious views. Such instances often were resolved quickly. President Vladimir Putin’s articulated desire for greater

centralization of power and strengthened rule of law has led to some improvements in the area of religious freedom in the regions.

The State does not require religious instruction in schools, although in some regions the Russian Orthodox Church uses public buildings after hours to provide religious instruction to pupils on a voluntary basis. In January 2002, at the Tenth International Christmas Readings held in the Kremlin, Education Minister Vladimir Filippov cited a 2000 policy document binding the Government to “ensure the spirituality and morality of the coming generation.” In the spring of 2002, the Pokrov publishing house issued the pro orthodox “Bases of Orthodox Culture” textbook and accompanying materials for use in state schools. According to an April 26 press report, the Coordinating Council for the Cooperation of the Ministry of Education of the Russian Federation and the Russian Orthodox Church recommended the materials for use in state schools. At the end of the period covered by this report, distribution plans were uncertain.

Discussion continued during the period covered by this report on the efficacy of creating a government ministry or organ for religious affairs. Many religious organizations emphasized that such an institution would be unwelcome if it emulated its Soviet predecessor’s repressive activities; many—including some minority religious groups and their advocates—noted that such a body could ensure equal treatment for all faiths under the law. In May 2002, Minister without Portfolio Vladimir Zorin stated that it might be “expedient” to have a “compact, analytical government committee of approximately 60 persons.” He also said that the creation of such a committee would require “coordinated action” by the Government and religious organizations.

Officials of the Presidential Administration, regions, and localities have established consultative mechanisms to facilitate government interaction with religious communities and to monitor application of the 1997 law. At the national level, groups interact with a special governmental inter ministerial commission on religion, which includes representatives from law enforcement bodies, on matters involving implementation of the laws and similar questions. On broader policy questions, religious groups interact with a special department within the Presidential Administration’s Directorate for Domestic Policy. The Presidential Council on Cooperation with Religious Organizations is composed of members of the Presidential Administration, secular academics who are specialists on religious affairs, and representatives of faiths comprising the majority of believers in the country.

The office of federal Human Rights Ombudsman Oleg Mironov contains a department dedicated to religious freedom issues, which receives and responds to complaints from individuals and groups about infringements of religious freedom. Mironov has criticized the 1997 law publicly on many occasions and recommended changes to bring it into accordance with international standards and with the Constitution. In some regions, there also are local human rights ombudsmen with a mandate to address religious freedom issues.

Avenues for interaction with the authorities also exist at the regional and local levels. The administrative structures of at least some of the offices of the Plenipotentiary Presidential District Representatives (polpreds) of the seven districts of the Russian Federation include offices that address social and religious issues. Regional administrations and many municipal administrations also have designated officials responsible for liaison with religious organizations. However, it is at the regional and municipal level that religious minorities often encounter the greatest problems.

The Government has implemented partially an interagency program to combat extremism and promote religious and ethnic tolerance. The original plan called for a large number of interagency measures, such as the review of federal and regional legislation on extremism, mandatory training for public officials on how to promote ethnic and religious tolerance, and new educational materials for use in public educational institutions. Implementation of the plan, which is guided by an interagency commission on combating extremism headed by the Ministry of Education, was sporadic. Nevertheless, at least one NGO was able to work in parallel with the program, participating in training law enforcement and other government officials (both local and federal) in promoting tolerance. The Saint Petersburg NGO Harold and Selma Light Center, in conjunction with a foreign based NGO, conducted successful programs in Petrozavodsk, Ryazan, and Kazan.

On June 27, an anti extremism bill supported by the President passed a final vote in the Duma. It was prompted by instances of religious and ethnic intolerance and the activities of ultra rightwing parties and organizations. It included provisions prohibiting public speech that advocates the superiority of any group based on religion, race, nationality, language, or other attributes. However, some critics charged that the legislation would sanction a dangerous expansion of police power and that

the Government appeared to lack the political will to use existing legislation to its full potential. The legislation was awaiting approval by the upper chamber and signature of the President at the end of the period covered by this report.

The President acknowledged Orthodox Easter, Rosh Hashanah, Ramadan, and the Buddhist New Year with greetings to representatives of the Russian Orthodox Church and the Jewish, Muslim, and Buddhist communities, respectively.

Restrictions on Religious Freedom

Critics continue to identify several aspects of the 1997 law on religion as problematic for religious freedom. They criticized in particular the provision allowing the State to ban religious organizations, the reregistration requirement, and the liquidation procedure. They also are critical of the provisions that not only limit the rights, activities, and status of religious "groups" existing in the country for less than 15 years, but also require that religious groups exist for 15 years before they can qualify for "organization" status. Implementation of the 1997 law has been a source of concern to many religious minorities, especially those headquartered outside the country. Although the situation is somewhat better for groups that were registered prior to 1997, groups that did not manage to register under the old law or groups that are new to the country are hindered severely in their ability to practice their faith. The federal Government generally has attempted to apply the 1997 law liberally and most allegations of restrictive practices are directed at local officials; however, there is evidence that the Procurator General has encouraged local state prosecutors to challenge the registration and reregistration of some nontraditional religious groups. Implementation of the 1997 legislation has varied widely in the regions, depending on the attitude of local offices of the Ministry of Justice which are responsible for registering new organizations, reregistering existing organizations, liquidating those that do not manage to register, and banning groups deemed a threat to society.

Under the 1997 Law on Freedom of Conscience, the Government may seek to ban a religious organization deemed a threat to society. Unlike liquidation, which involves only the loss of an organization's juridical status, a ban prohibits the activities of an entire religious community. Banning proceedings require judicial review. Since 1998 Moscow's Northern Circuit's procuracy has been seeking to ban the Jehovah's Witnesses as a threat to society. Although that office's 1998 suit to ban the organization at the local level was dismissed in February 2001, a retrial opened at Moscow's Golovinskiy inter municipal court in October 2001. As of June 30, 2002, the retrial still was ongoing. In December 2001, Jehovah's Witnesses filed an application with the European Court of Human Rights (ECHR) in Strasbourg to protest, among other issues, the banning related litigation as state interference in the freedoms of religion and expression, and the resultant prevention of reregistration as state interference in the freedom of association. Moscow Helsinki Group Chair Lyudmila Alekseyeva and the Keston Institute have criticized the litigation as a campaign of oppression. In March 2002, the Council of Europe's Monitoring Committee issued a report stating that "[t]he co-rapporteurs regard the length of the judicial examination in this case as an example of harassment against a religious minority and believe that after 6 years of criminal and legal proceedings the trial should finally be halted."

The 1997 law also required all previously registered organizations to reregister by December 31, 2000. A large majority of groups previously registered under a more liberal 1990 religion law managed to reregister successfully under the 1997 law; however, the process was often problematic, and some groups failed to reregister by the deadline. The registration process, which involves simultaneous registration at both the federal and local levels, requires considerable time, effort, and legal expense. Many international and well funded domestic religious organizations began the reregistration process soon after publication of the applicable regulations, concluding the process relatively quickly. Other religious groups chose not to pursue reregistration. Some Pentecostal congregations refused to register out of philosophical conviction; local officials refused to register others. According to spokespersons for the country's two most prominent muftis, some Muslim groups decided that they would not benefit from reregistering. Other religious groups faced significant problems in registration and reregistration. Local officials, reportedly sometimes influenced by close relations with local Russian Orthodox Church authorities, either refused outright to register groups or created prohibitive obstacles to registration. A lack of specific guidelines to accompany the 1997 law and the shortage of knowledgeable local officials contributed to the problem.

A 1999 amendment to the 1997 law required the Justice Ministry to seek the liquidation of groups that failed to register; under the law's original wording, groups were merely "subject to" liquidation. Liquidation is initiated by the Justice Ministry

and reviewed by a court of law. According to the Justice Ministry, approximately 980 organizations had been liquidated through court proceedings as of May 2002. The Ministry asserted that most liquidated organizations were defunct; however, religious minority denominations and NGO's contended that a number were active. Some organizations appear to have been liquidated after local departments of the Justice Ministry had refused to approve their reregistration applications.

On March 7, 2002, the Constitutional Court ruled that the Moscow City Court had acted improperly in liquidating the local branch of the Salvation Army, since that group had made repeated and timely attempts to reregister under the 1997 law. The liquidation process was initiated by the Moscow branch of the Department of Justice (MDJ), a local branch of the federal Justice Ministry. According to the Salvation Army's lawyers, the Moscow City Court still had not rescinded its liquidation order, and the MDJ still had not registered the organization by the end of the period covered by this report. Moscow officials had obstructed actively the Salvation Army's attempts to register, claiming deficiencies in the documentation accompanying its applications and alleging that the Salvation Army was a paramilitary organization. Shortly before the Constitutional Court decision, the Keston news service published allegations from several religious groups that the MDJ's Vladimir Zbankov had encouraged each of them individually to engage the services of a law firm with which he was affiliated for "expert advice" on their registration difficulties. Zbankov reportedly continues to work at the MDJ, although he has been reassigned to a different office.

On April 30, 2002, the Moscow organization of the Church of Scientology successfully challenged a liquidation order by Moscow's Nikulinskiy inter municipal court. The MDJ argued that the Church had failed to reregister by the deadline and therefore must be liquidated. Invoking the March 7 Constitutional Court ruling, the Scientologists' legal team argued that it had attempted to reregister under the 1997 law but that the MDJ had prevented it from doing so. The authorities continued to impede the operation of its centers in Dmitrograd, Khabarovsk, Izhevsk, and other localities.

In September 2001, a court in Kirov ordered the local department of the Ministry of Justice to register the Volga-Vyatsk church, a Pentecostal congregation.

Jehovah's Witnesses have managed to reregister the vast majority of their previously existing religious organizations and a religious center, however they have experienced problems registering in a few locations. When newly registered organizations are added to those that successfully reregistered, the Witnesses organization recorded a total of almost 400 registered local organizations and 1 central organization as of the end of the period covered by this report. In Moscow, the MDJ continues to refuse to register or reregister any community of Jehovah's Witnesses under the 1997 religion law. The Moscow City Court has twice denied the applications on appeal, most recently on February 20, 2002, relying on the ongoing banning trial in the Golovinskiy Court. In addition to Moscow, Jehovah's Witnesses indicate that they have experienced problems with registering in such locations as Tula, Tver, Novgorod, Kabardino-Balkariya, Chuvashiya, and Chelyabinsk. Local officials in Chelyabinsk, Chuvashiya, Tver, and Novgorod denied registration to Jehovah's Witnesses. The Tula community eventually managed to register without going to court. The authorities registered the three local organizations of Jehovah's Witnesses in Kabardino-Balkariya following court decisions in favor of the communities. Litigation was under way in Chuvashiya and Chelyabinsk at the end of the period covered by this report. In Chuvashia a judge sent the application for registration to a group of experts to verify the authenticity of the founders' signatures. In Chelyabinsk a court ruled that the authorities' refusal to register the group was illegal but declined to order registration on technical grounds. The Church of Jesus Christ of the Latter-Day Saints (Mormons) has succeeded in registering 38 local religious organizations; however, in several regions local officials impeded registration. For example, since 1998 the Mormons have attempted unsuccessfully to register a local religious organization in Kazan, Tatarstan. The local Department of Justice in Chelyabinsk continues to reject the local Mormons' registration application, alleging that Mormon activities are incompatible with federal law.

On May 15, 2002, the Magadan city court ordered the local department of justice to rescind its warnings to the local Catholic parish threatening to revoke the parish's registration. Local justice authorities claimed that Father Michael Shields could not serve as the chief administrator of a Russian parish because he is a foreigner. Shields' lawyers argued that, while the law requires a minimum of 10 citizens to register a local religious organization, it says nothing about the nationality of that organization's chief cleric. Furthermore, the lawyers charge that local authorities have denied Shields' request for permanent residency, inappropriately suggesting that the celibate priest marry a Russian woman to gain citizenship, a sug-

gestion that senior Roman Catholic officials deny was made. According to the Slavic Law Center, which represented the parish, several other clerics of the Catholic and other faiths have received similar warnings from local departments of justice. An estimated 85 percent of Catholic clergy in Russia are foreigners. Since the Catholic seminary in St. Petersburg graduated its first class only in 2000, it is expected to be over a decade before substantial numbers of native Russian priests will be available to service the Catholic community.

According to spokespersons for the country's two most prominent muftis, most of the Muslim religious organizations that wanted to register have been able to do so. In the remaining cases, procedural irregularities and mutual accusations of "Wahhabism" by the two principal Muslim groups, the Spiritual Directorate of Muslims in European Russia and Siberia, based in Ufa and led by Mufti Talgat Tadzhuddin, and the Moscow-based Russian Council of Muftis, led by Chief Mufti Ravil Gainutdin, appears to have hindered reregistration efforts by Muslim organizations and complicated the process, since this label may have made local officials and ethnic Russians more wary of Muslim religious organizations in some regions (the word "Wahhabi" refers to a branch of Sunni Islam that has become a pejorative term in Russia because of persistent allegations that "Wahhabi extremism" was to blame for terrorist attacks linked to the war in Chechnya). The regions of Kabardino-Balkariya and Dagestan have laws banning extremist religious activities, described as "Wahhabism," but there were no reports that these laws were invoked to deny Muslim groups registration during the period covered by this report.

Under the 1997 law, representative offices of foreign religious organizations are required to register with state authorities. They are barred from conducting liturgical services and other religious activity unless they have acquired the status of a group or organization. Although the law officially requires all foreign religious organizations to register, in practice foreign religious representative offices (those not registered under law) have opened without registering or have been accredited to a registered religious organization. However, those offices may not carry out religious activities and do not have the status of a religious "organization."

The Moscow Jewish Community, which is involved in an ongoing dispute with another Russian Jewish organization, is registered as a local religious organization. It tried to change its status to that of a centrally registered organization; however, the MDJ refused to allow such a change. The community is attempting to deposit a modified version of its bylaws with the MDJ; however, at the end of the period covered by this report, the MDJ still had not responded to the community's most recent application.

In a number of cases the Procurator General in Moscow appeared to have encouraged local state prosecutors to challenge the registration and reregistration of some nontraditional religious groups. The Procurator distributed a 1999 manual entitled "Activities of Religious Groups: Psychological and Juridical Aspects: Informational Resource Work for Procurator Personnel" to all regional branches of the procuracy. The manual contains biased descriptions of groups such as Jehovah's Witnesses, Mormons, Unification Church, and Scientology. In addition, the manual appears to provide instructions on how to generate criminal cases against these groups, including sample letters from distraught parents of members of these denominations. Despite this guidance, in a number of instances local courts have upheld the right of nontraditional groups to register or reregister.

In addition to its provisions for banning and refusing registration to some religious groups, some other aspects of the 1997 law and its application also restricted religious activity. Critics charge that the law's 15-year rule—which requires that religious groups exist for 15 years before they can qualify for "organization" status—limits the rights, activities, and status of new religious "groups." In 1999 the Constitutional Court upheld the 15-year provision, however, it declared that the rule did not apply to organizations that had been registered at the time of the 1997 law's passage. The ruling effectively "grandfathered in" a number of previously registered religious organizations that had not been able to prove 15 years of operation in Russia. For example, in the case of Jehovah's Witnesses, the 15-year rule no longer prevented the registration of newly created local Jehovah's Witnesses religious organizations, nor reregistration of organizations that were registered at the time of implementation of the 1997 law but less than 15 years old.

Nonetheless, the 1999 ruling does not enable independent churches with less than 15 years in the country to register as religious organizations unless they were registered before the passage of the law or affiliate themselves with existing centralized organizations. The Institute for Religion and Law and other NGO's note that this is a significant restriction for small, independent religious communities and foreign based "new religions."

According to lawyers for the Church of Scientology, the organization has filed an application with the ECHR to protest the denial of registration to a chapter in Surgut, Tyumen Oblast. In an effort to avoid the 15-year rule, that chapter first attempted to register as a social organization and then as a nonprofit organization, yet was told each time that it needed to apply for registration as a religious organization. However, that application was denied on the basis of the 15-year rule.

Some domestic human rights activists are concerned by language in the 1999 ruling that upholds the right of the Government to place certain limits on the activity of religious groups in the interests of national security, citing 1993 and 1996 ECHR decisions regarding religious sects. In 2000 the Security Council adopted a National Security Concept including a specific warning on the allegedly negative impact of foreign missionary activity. Supporters of the 1997 law claim that individual members of unregistered "groups" may still establish bank accounts, invite foreign guests, and rent or purchase property on behalf of their congregations; however, in practice, it has been difficult for many groups to function effectively on such a basis.

Despite the efforts of most agencies of the federal Government to implement the 1997 law liberally and to provide assurances that religious freedom would be observed, some local officials continued to apply the law restrictively. The vagueness of the law and regulations, the contradictions between federal and local law, and varying interpretations provide regional officials with a pretext for restricting the activities of religious minorities. Discriminatory practices at the local level were made possible by the decentralization of power that occurred during the Yeltsin era. They also are encouraged by majority religions' lobbying efforts and by negative attitudes toward "nontraditional" religions. The Putin Administration has attempted to rectify the situation to some degree by strengthening ties between the regions and the center. As part of this effort, President Putin divided the country into seven districts overseen by the polpreds and introduced a federal register of laws to ensure that local legislation conformed to the Constitution and federal laws.

Many of the restrictions on religious freedom are associated with the 1997 law; however, there were others, particularly at the local level, involving such matters as access to venues for religious observances, visas for foreign religious workers, questionable "deprogramming" practices, and issues of property restitution, that were not always related directly to the 1997 law. Since 1994 many of the country's regional governments have passed laws and decrees intended to restrict the activities of religious groups. The federal Government sometimes challenges the legality of local legislation. As a result, some laws have been rescinded, and others have been brought into conformance with federal law. The federal Government works through the Procuracy, Ministry of Justice, Presidential Administration, and the courts to force regions to comply with federal law. The Government often is active in preventing or reversing discrimination at the local level, by disseminating information to the regions and, when necessary, by reprimanding the officials at fault. For example, the Presidential Academy of State Service has worked actively with religious freedom advocates such as the Slavic Center for Law and Justice to train regional and municipal officials in properly implementing the law.

In April 2001, according to the Keston News Service, the authorities evicted three registered and one unregistered Protestant congregations in Kazan, in the Republic of Tatarstan, from state owned premises which they had been renting for worship services.

In May 2001, local legislators in the Belgorod region passed a law restricting missionary activity, including the use of venues in which religious meetings may be held. Foreigners visiting the region are forbidden to engage in missionary activity or to preach unless specifically allowed to do so according to their visas (some groups reportedly sent religious workers on business or tourist visas in order not to alert the authorities to their activities). In December 2001, the Supreme Court rejected the Belgorod local procurator's challenge to the law. In August 2001, the Belgorod regional court ruled to strike one article of the law which stated that groups receiving repeated violations would be banned. No information was available concerning any attempts to enforce this law by the end of the period covered by this report.

There were reports that some local and municipal governments prevented religious groups from using such venues as cinemas that are suitable for large gatherings. In many areas of the country, government owned facilities are the only available venues. As a result, some congregations that do not have property effectively have been denied the opportunity to practice their faith in large gatherings. Hare Krishna leaders in Moscow have sought unsuccessfully for several years to acquire property to build a new temple and center. Jehovah's Witnesses and Baptists in Moscow and other regions continue to encounter difficulty leasing assembly space and obtaining the necessary permits to renovate buildings.

The Mormons also encountered difficulty obtaining permission to build and then occupy an assembly hall in Volgograd. The building eventually was completed, but municipal officials have delayed issuing permission to use the completed building.

Following objections by the archbishop of the local Russian Orthodox Church to the building of a Catholic church in Pskov, city authorities placed a "temporary ban" on construction. Opponents of the church's construction argue that the church is too large, that the belfry is too prominent, and that the church infringes on the city's historic center. According to proponents of construction, the local parish had submitted blueprints for the church and received all the permits required by law before beginning construction. In April 2002, the governor of the province met with parish officials and assured them that the authorities did not intend to prohibit the completion of the church. As of May 2002, the dispute still had not been resolved. Following the April 19, 2002 cancellation of his visa, Catholic bishop Jerzy Mazur was unable to attend a ceremony to consecrate the ground for Buryatiya capital UlanUde's first Catholic church. According to an April 24 Interfax-Yevraziya press agency report, representatives of the city's small Catholic community claimed that they were unable to proceed with construction plans unless the ground was consecrated.

Since 1998 the Buddhist Kuntsechoyney Datsan (monastery) in St. Petersburg has been the subject of a property dispute between its former and present occupants. According to a spokesperson for the former abbot and monks, who are affiliated with the Traditional Buddhist Sangha of Russia, the country's largest Buddhist organization, the St. Petersburg Datsan's current administrators represent none of the country's traditionally Buddhist groups and took the Datsan by force. The same spokesperson alleges that the Datsan's current leader acquired the deed by fraudulent means. The Traditional Buddhist Sangha of Russia is based in the Ivolginskiy Datsan in Buryatiya and is headed by Pandido Hambo Lama Damba Ausheyev.

The Russian Orthodox Church Outside Russia, which does not recognize the Moscow Patriarchate's authority, also has had numerous problems obtaining access to places for gathering.

The 1997 law's preamble, which some government officials insist carries no legal weight, recognizes the "special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia's spirituality and culture." It accords "respect" to Christianity, Islam, Buddhism, and Judaism as inseparable parts of the country's historical heritage. Many citizens firmly believe that at least nominal adherence to the Russian Orthodox Church is at the heart of what it means to be Russian. This belief appears to have manifested itself in a church state relationship that is detrimental to non-Orthodox denominations.

The Russian Orthodox Church has made special arrangements with government agencies to conduct religious education and to provide spiritual counseling. Although other denominations, such as Protestant groups, have been granted access to military personnel, it is much more limited than that accorded to the Russian Orthodox Church. The Russian Orthodox Church has signed agreements with the Ministries of Education, Defense, Health, Interior, Emergency Situations, and Tax, with the Federal Border Service, the Main Department of Cossack Forces under the President, and other bodies. The details of these agreements are far from transparent, but available information indicates that the Russian Orthodox Church appears to receive more favorable treatment than other denominations.

Government protocol and other anecdotal evidence from religious minority groups suggest that the Russian Orthodox Church in some cases enjoys very close cooperation with state bodies and officials. For example, in early 2002, the director of the Federal Security Service (FSB) received Patriarch Aleksiy at the service's Lubyanka headquarters, where the prelate blessed a church that had been restored. In public statements on that occasion, both figures spoke of the need to defend Russia's "spiritual security" against "sects" and "cults." On February 11, 2002, the Vatican announced that it was upgrading its four existing apostolic administrations to dioceses; the Russian Orthodox Church vehemently protested the decision (see Section III). The Foreign Ministry issued a statement calling upon the Vatican to refrain from such a move and "to settle the matter with the Russian Orthodox Church." In April 2002, the Russian Orthodox Church denied responsibility for the cancellation of the visas of Catholic Bishop Jerzy Mazur and Catholic priest Stefano Caprio, but heatedly defended the cancellations as a state prerogative and an appropriate response to Catholic "encroachment." Press reports on the cancellations cited vague allegations by unnamed sources in the security services that the two ecclesiastics had been spying. On December 13, 2001, the Russian Orthodox Church and other organizers of the World Russian People's Congress symbolically combined church and state. For example, the President attended for the first time and entered together with the Patriarch. The Congress, an occasional forum of prominent public

figures, took place in Moscow's Christ the Savior Cathedral. In May 2002, numerous prominent federal officials—including the President, the Speaker of the upper house of Parliament, the Chair of the Constitutional Court, and the Minister of Defense attended an Orthodox Easter service presided over by the Patriarch in Moscow's Christ the Savior Cathedral. Nonetheless, policymakers appear divided on the question of the proper relationship between the State and the Russian Orthodox Church.

Human rights groups and religious minority groups have criticized the Procurator General for encouraging legal action against some minority religions and recommending as authoritative materials that are biased against Jehovah's Witnesses, Mormons, and others. Some Protestant groups and newer religious movements have accused the FSB, Procurator, and other official agencies, of harassment. Churches have faced investigations for purported criminal activity, landlords have been pressured to renege on contracts, in some cases the security services are thought to have influenced the Ministry of Justice in registration applications, and some religious personnel have experienced visa and customs difficulties while entering or leaving the country. For example, in March 2002, Riga-based Pentecostal pastor Aleksey Ledyayev flew to Moscow to address a conference of religious ministers; however, the authorities detained him at the airport for an estimated 9 to 11 hours before returning him to Riga. Authorities reportedly left Ledyayev's Russian visa in his Latvian passport without canceling it. According to Ledyayev, he received no explanation of the decision to deny him entry. Also in March 2002, according to Pastor Martinez of the Kingdom of God church in Moscow, 2 persons dressed as police officers and 10 in civilian clothing broke down the doors of the church, disrupting a worship service. One individual in the group identified himself as an FSB officer and gave his name and rank; the others refused to do so, saying that their names were state secrets. They conducted a documents check and seized a medicine cabinet in order to look for narcotics.

Church officials and religious freedom advocates reported that the head of the Khabarovsk administration's Department of Religion continued to engage in a campaign against the region's Pentecostals, hindering the church's registration efforts and harassing visiting foreign missionaries with bureaucratic requirements, such as repeated document checks and challenges to valid visas, in an attempt to discourage missionaries from staying in the region.

In April 2002, two Roman Catholic religious workers—Bishop Jerzy Mazur of the diocese in Irkutsk and Father Stefano Caprio, a priest in Vladimir—discovered while traveling abroad that the authorities had declared them *personae non gratae* and canceled their visas. Caprio claimed that his visa was removed physically from his passport during exit formalities on April 5, when he was traveling from Moscow to Milan. Federal Border Service workers canceled Mazur's visa on April 19, during his stopover in Moscow on the way from Warsaw to Irkutsk. According to the office of Archbishop Tadeusz Kondrusiewicz, many foreign Catholic clergy working in Russia subsequently were afraid to leave the country, concerned that they would not be allowed to return. Foreign religious workers without residency permits typically must go abroad once a year to renew their visas; some receive multiple entry visas or are able to extend their stays.

Like other religious workers, Catholics have experienced problems in obtaining residency permits and visas. Celibate Catholic clergy do not have the option to gain permanent residency or citizenship on the basis of marriage to Russian citizens, unlike other religious workers who have done so.

The Mormons also have had difficulty in securing visas for some of their foreign missionaries coming to Russia, particularly with the Vladivostok branch of the Ministry of Foreign Affairs. They also have had problems in procuring residency permits for missionaries in regions such as Chelyabinsk and Kazan. Church lawyers presume that officials in some areas, such as Chelyabinsk, have impeded foreign religious workers from registering in order to restrict foreign proselytizing. In a number of other cases, the authorities continued to refuse visas to missionaries, apparently as a result of earlier conflicts with the authorities. Individuals denied visas include Dan Pollard, formerly of the Vanino Baptist Church in Khabarovsk region, and David Binkley of the Church of Christ in Magadan, whose applications were rejected despite their acquittal on tax and customs charges, and Charles Landreth of the Church of Christ in Volgograd, who had been accused in the local press of being a spy. A fourth missionary, Monty Race of the Evangelical Free Church of America, who entered the country legally with a visa sponsored by a Moscow congregation, was refused registration to reside in Naberezhnyy Chelnyy, Tartarstan. Race, who is married to a Russian citizen and has two children, also has been refused permission to register as a resident foreign spouse of a citizen. The letter of refusal he received from the Interior Ministry's local passport control office cites "national security" concerns. In January and May 2002, according to Dan Pollard, courts in

Khabarovsk acquitted him of all remaining charges and upheld his right to return to the country.

In late March 2002, four foreign missionaries for Jehovah's Witnesses arrived in Moscow with valid religious worker visas and attempted to register with the local police, as required by law. The officials who received them initially refused to register their visas, citing the banning trial that was under way at the time. The four missionaries eventually were relocated to other cities within the country. According to a spokesperson for Jehovah's Witnesses, such incidents are not a frequent problem, and the community is working with the local Office of Visas and Registration to resolve the matter.

The Buddhist community has had difficulty in realizing a planned visit by the Dalai Lama. In September 2001, according to an Interfax news agency report, President Putin promised the Kalmyk President that he would order the Foreign Ministry to review its denial of a visa to the Tibetan holy man. In February 2002, a Buryat cultural organization announced that such a visit might take place as early as the summer of 2002. The Lama's last visit to the country was in 1991.

Some religious groups cite disputes concerning the return of religious property confiscated during the Soviet era as a source of concern. According to the Presidential Administration, since the 1993 decree went into effect, 4,000 buildings have been returned to religious groups. Approximately 3,500 of these were returned to the Russian Orthodox Church. Approximately 15,000 religious articles, including icons, torahs, and other items, have been returned to religious groups. For the most part, properties of other faiths used for religious services, including synagogues, churches, and mosques, have been returned as well, although some in the Jewish community assert that only a small portion of the total properties confiscated under Soviet rule have been returned. The Jewish community is seeking the return of a number of synagogues around the country, of religious scrolls, and of cultural and religious artifacts, such as the Schneerson book collection (a revered collection of the Chabad Lubavitch).

During the summer of 2001, city authorities in Kazan, Tatarstan sought to prevent the immediate repair and continued use of a Jewish school building that had been damaged by fire. The fire, which some Jewish leaders suspected to be the result of arson, damaged the roof and upper floor of the school. On July 18, municipal authorities issued a decree closing the school for the upcoming academic year and transferred the students to another school. Offers by parents and others in the Jewish community to repair the school at their own expense initially were rejected by the city authorities, who ostensibly were concerned that the building had suffered structural damage; however, the officials also openly voiced their discomfort with the location of a Jewish school in an historically Tatar neighborhood. On August 21, 2001, the Vakhitovskiy regional court found that the authorities had acted improperly in decreeing the transfer of the Jewish students. The city authorities did not prevent parents from completing essential repairs before the school year opened on September 1, 2001. In May 2002, the school was formally returned to the Jewish Community in Kazan.

According to human rights activists and NGO's, anti-Semitism is still a significant part of the mindset of some politicians. For example, Communist Duma deputy Vasily Shandybin often has made derogatory references to Jews in public. Krasnodar Governor Aleksandr Tkachev claimed in public that there was a Zionist plot in his province, although very few Jews live there. As in previous years, nationalists distributed anti-Semitic literature in Moscow and elsewhere during the Victory Day holiday in May 2002.

A spokesperson for the Independent Psychiatric Association criticized Golovinskiy inter municipal court's commissioning of "expert studies" to determine whether the religious literature of Jehovah's Witnesses was harmful to members or nonmembers. The court commissioned the studies in connection with a trial to determine whether the Jehovah's Witnesses should be banned in Moscow. As parties to the case, Jehovah's Witnesses must share the cost of such studies.

In April 2002, following a meeting with Catholic archbishop Tadeusz Kondrusiewicz, Sergey Abramov, the deputy head of the Presidential Administration responsible for domestic policy, stated that "The Presidential Administration is disturbed by violations of legislation with respect to Catholics," and that it would "always come to the defense of Russian laws." Kondrusiewicz visited Abramov in his Kremlin office to protest anti-Catholic statements by Orthodox representatives and Duma deputies, as well as the Pskov city administration's prevention of the completion of a Catholic church in that city. In April 2002, Duma deputy Viktor Alksnis submitted a draft resolution calling upon the President to direct the Justice Ministry and its local departments to pursue the legal ban of the Catholic Church's four apostolic administrations (dioceses) in the country. The following month, the 450-

member Duma failed to pass the resolution with the necessary 226 votes, with 169 lawmakers voting in favor, 37 against, and 4 abstaining.

Although the Constitution mandates the availability of alternative military service to those who refuse to bear arms for religious or other reasons of conscience, in practice no such alternative exists. In October 2001, according to press reports, authorities in Nizhniy Novgorod established an alternative service program for conscripts. There were no reports that such programs existed in other regions. President Putin criticized the Nizhniy Novgorod program as extralegal, and on June 28, 2002, national legislation on alternative service was approved by the Duma and forwarded to the upper chamber for action. It would establish alternative civilian service and alternative military service in unarmed units.

While most conscripts looking for exemptions from military service sought medical or student exemptions, the courts provided relief to others on the grounds of their religious convictions. The Slavic Law Center represented several of the conscripts. On April 19, 2002, the Surazhskiy regional court in Bryansk Oblast upheld the complaint of evangelical Sergey Dorokhovyy against the local draft board. Dorokhovyy, who asserts that he is unwilling to perform his military service on the grounds of his religious convictions, had protested against the local draft board's decision to deny his request for alternative service, arguing that no law provided for such an exemption. Prior to the April 19 ruling, lower courts had twice upheld the draft board's decision. On December 25, 2001, the deputy chair of the Supreme Court lodged protest with the presidium of the Bryansk Oblast court, which then ordered a retrial of Dorokhovyy's case in a lower court.

In March 2002, a city procurator in Mednogorsk, Orenburg Oblast, charged Muslim Arslan Khasanov with evasion of military service. Khasanov, the son of a Mednogorsk mullah, refuses to perform his military service on the grounds of his personal moral and ethical convictions, which stem from his opposition to the use of force against Muslims in Chechnya. On February 8, 2002, the presidium of the Supreme Court of Chuvashiya dismissed charges against Pentecostal Aleksandr Volkov for evasion of military service, allowing an August 8, 2001 acquittal by the Novocheboksaryy city court to stand. On January 22, 2002, the deputy chair of the Supreme Court lodged protest with the high court in Chuvashiya against continuing, hostile litigation against Volkov. Volkov refuses to perform his military service on the grounds of his religious convictions.

According to the Slavic Law Center, on November 12, 2001, officials from the local military commissariat ("voyenkomat") in Lipetsk forcibly detained Baptist Sergey Kovyazin. In December 1999, the local procurator had denied the town military garrison's request to open a criminal case against Kovyazin for evasion of military service. On November 12, Kovyazin appeared at the recruitment office in response to the latest series of summons and stated his objections to military service on the grounds of his religious convictions. On November 14, Kovyazin was released.

Abuses of Religious Freedom

There were isolated instances in which local officials detained individuals engaged in the public discussion of their religious views. Such instances often were resolved quickly.

There were no official reports of religious prisoners; however, Mormon missionaries throughout the country frequently were detained for brief periods or asked by local police to cease their activities, regardless of whether they were actually in violation of local statutes on picketing. For example, in Vladivostok on January 21, 2002, three men, two of them in police uniform, stopped and physically assaulted two Mormon missionaries who were proselytizing in accordance with their religious worker visas. Neither victim reported serious physical injuries. Officials at the district police station refused to accept their complaint. Later intervention by the city police chief led to the case's resolution.

The Independent Psychiatric Association of Russia could confirm no instances of the forcible use of psychiatry in "deprogramming" victims of "totalitarian sects" during the period covered by this report.

Forced Religious Conversion

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

Improvements and Positive Developments in Respect for Religious Freedom

The Russian Academy for State Service held multiple conferences during the period covered by this report to examine the issue of religious tolerance, including one in December 2001 entitled "Religion and Problems of National Security in Russia." A broad range of participants with differing views attended the conferences.

Some religious communities continued to reclaim ground lost during the Soviet period. For example, in May 2002, St. Petersburg Governor Vladimir Yakovlev, Finnish President Tarja Halonen, a Russian Orthodox Church representative, and others gathered to mark the restoration of the Church of St. Mary, belonging to the Evangelical Lutheran Church of Ingriya, one of four Lutheran groups registered in the country. The restored building, dating from 1805, replaced a previous structure from 1733, and was built on land given to the Finnish community by Empress Anna. The Soviet regime forced the Evangelical Lutheran Church of Ingriya to end its operations in 1938. The Catholic St. Andrew Kim parish, which is made up of Russian citizens of Korean descent, successfully registered with Moscow authorities.

SECTION III. SOCIETAL ATTITUDES

Religious matters are not a source of societal hostility for most citizens, although popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Semitism as well as societal hostility toward newer, non orthodox, religions. There continue to be instances of religiously motivated violence, although it is often difficult to determine whether religious or ethnic differences were the primary motivation for individual instances of violence. Relations between different religious organizations are frequently tense, particularly at the leadership level. Conservative groups encouraged by, or claiming ties to, the Russian Orthodox Church staged a number of anti-Catholic demonstrations throughout the country. Many citizens firmly believe that at least nominal adherence to the Russian Orthodox Church is at the heart of what it means to be Russian, and in conservative nationalist circles, Russian Orthodoxy is considered the de facto official religion of the country.

According to the Procuracy General, as of November 1, 2001, 37 criminal cases of incitement to national, racial, or religious hatred had been opened pursuant to the Criminal Code. As of July 1, 2002, according to the statistical department of the Supreme Court, the Procuracy had brought five such cases to court, but none of the accused was convicted.

Popular attitudes toward traditionally Muslim ethnic groups are negative in many regions, and there are manifestations of anti-Catholic, anti-Muslim, and anti-Semitic sentiments, as well as societal hostility toward newer, non orthodox, religions. Federation of Jewish Communities head Rabbi Berel Lazar has taken a strong public stance against groups such as "Jews for Jesus," and has collaborated with the Russian Orthodox Church hierarchy, Mufti Talgat Tadzhuiddin, and other religious leaders to fight the spread of so called "cults" and "foreign missionaries."

There is no largescale movement in the country to promote interfaith dialog, although on the local level, religious groups successfully collaborate on charity projects and participate in interfaith dialog. Russian Pentecostal and Baptist organizations, as well as the Russian Orthodox Church, have been reluctant to support ecumenism. Traditionally the Russian Orthodox Church has pursued interfaith dialog with other Christians on the international level. However, the Patriarch and other Russian Orthodox Church representatives expressed grave displeasure at the Vatican's February 2002 decision to upgrade its four apostolic administrations to dioceses (see Section II). Clerics, parliamentarians, and members of conservative "front groups" identifying themselves as Russian Orthodox and Muslim made numerous hostile statements opposing the decision. Prior to the Vatican's decision, the Patriarch had conditioned any future visit to the country by the Pope on the settlement of outstanding issues, which include each church's relationship to Ukraine's eastern-rite Greek Catholic (Uniate) Church, which recognizes Rome's authority, and allegedly "aggressive" Catholic proselytizing in the country. The Russian Orthodox Church objected strongly to the papal visit to Ukraine in June 2001.

In May 2002, 10 faiths came together to stage the Second Interconfessional Exhibition in Moscow's All-Russian Exhibition Center, where they displayed and distributed literature, videocassettes, devotional articles, and goods produced by religious business enterprises. The participants included the Russian Orthodox Church, the Spiritual Directorate for Muslims in the European Region of Russia (DUMER), the Coordination Center for Muslims of the Northern Caucasus, the Armenian Apostolic Church, the Buddhist Traditional Sangha of Russia, the Congress of Jewish Religious Organizations and Associations of Russia (KEROOR), the Russian Union of Evangelical Christian-Baptists (RSEKhB), the Union of Christians of the Evangelical Faith (Pentecostals) in Russia (SKhVER), the Western Russian Union of Churches of Seventh-Day Adventists, and the Evangelical Lutheran Church of Russia.

Muslims, the largest religious minority, continue to encounter societal discrimination and antagonism in some areas. Discriminatory attitudes have become stronger

since the onset of the conflict in the predominantly Muslim region of Chechnya and since the 1999 Moscow apartment bombings, for which the mayor and others quickly blamed Chechen separatists. Muslims have claimed that citizens in certain regions have an irrational fear of Muslims, citing cases such as a dispute in Kolomna over the proposed construction of a mosque. The authorities, journalists, and the public have been quick to label Muslims or Muslim organizations "Wahhabi," a term that has become equivalent with "extremist." Such sentiment has led to a formal ban on "Wahhabism" in Dagestan and Kabardino-Balkariya (see Section II). On September 12, 2001, law enforcement officials in Sverdlovsk Oblast called for a stricter national immigration policy to control the inflow of illegal immigrants from Central Asian countries, a move apparently aimed against a perceived Muslim terrorist threat. In the fall of 2001, several prominent human rights activists expressed concern about the rise of anti-Islamic attitudes.

A continuing pattern of violence, with either religious or political motivations, against religious workers in the North Caucasus was evident during the period covered by this report.

Although Jewish leaders have stated publicly that the state-sponsored anti-Semitism of the Soviet era no longer exists, there continued to be instances of prejudice and social discrimination against Jews, as well as vandalism and occasional violence. On May 28, 2002, 28-year-old Tatyana Sapunova stopped her minibus by the side of the Kiev highway, approximately 15 miles south of Moscow, to remove a sign with an anti-Semitic slogan. As she pulled on the sign, she triggered an explosive device that detonated and injured her severely. Spokespersons for the country's major Jewish organizations strongly criticized the attack and called upon the authorities to take more forceful action against anti-Semitism. As of the end of the period covered by this report, no group had claimed responsibility for rigging the sign. Prosecutor General Vladimir Ustinov pledged to take the case under his personal control. On September 23, a dozen skinhead youths beat up four yeshiva students in Moscow, and in the city of Orenburg, unknown assailants attacked a group of Orthodox Jewish schoolboys.

On May 5, 2002, in Rostov, there was an arson attempt on a 130-year-old synagogue, and a window was broken. According to the rabbi, the synagogue's windows had been broken five times in the preceding weeks. According to the Moscow office of the Union of Councils of Soviet Jews, the synagogue is located in a sparsely populated and little-patrolled part of the city and is therefore vulnerable to such attacks. There were other incidents of synagogue vandalism in March and April 2002 in Ulyanovsk, Orenburg, Yashkar-Ola (Republic of Mari-El), and Kostroma. In each case, the perpetrators left anti-Semitic graffiti on the building. On August 16, 2001, in a widely publicized case, there was an arson attack on the synagogue in Ryazan. There were no casualties, but the fire caused approximately \$25,000 (788,500 rubles) worth of damage, according to Ryazan Jewish leaders. Jewish leaders noted the quick reaction of local authorities.

Cemetery desecration remained one of the most common types of anti-Semitic attacks. On August 19, 2001, in Krasnoyarsk, vandals desecrated 32 tombstones in a Jewish cemetery by painting them with swastikas and anti-Semitic graffiti. The Anti-Defamation League (ADL) sent letters to Krasnoyarsk leaders, including then-Governor Aleksandr Lebed, urging swift investigation and a clear stand against anti-Semitism. The authorities helped the Jewish community remove the graffiti, but no arrests were reported. Several other Jewish cemeteries, including those in Nizhniy Novgorod and Samara, also were vandalized during 2001. In another high-profile case, on September 23, 2001, vandals spray painted swastikas and other anti-Semitic graffiti on the front columns of the main entrance to Moscow's Choral Synagogue. This act was perpetrated just days after the Rosh Hashanah visit to the synagogue of Moscow Mayor Yuriy Luzhkov and other dignitaries. On September 24, 2001, vandals carved anti-Semitic insults on the front door of the office of the Congress of Jewish Religious Organizations and Communities of Russia.

Numerous other anti-Semitic incidents occurred in September 2001. On September 22, a group of youths assaulted an Israeli rabbi and three other visiting Israelis on a street in the Siberian city of Omsk; the youths pushed off the rabbi's hat and shouted Nazi slogans at the four Israelis, but no one was injured.

The ultranationalist and anti-Semitic Russian National Unity (RNE) paramilitary organization, formerly led by Aleksandr Barkashov, which propagates hostility toward Jews and non-Orthodox Christians, appears to have splintered and lost political influence in many regions since its peak in 1998. Although reliable figures on RNE membership were not available, the organization claimed tens of thousands of members in many regions in 2000. The RNE continued to be active in some regions, such as Voronezh, and RNE graffiti has appeared in a number of cities, including Krasnodar. Representatives of the Church of Scientology accuse RNE and other

ultranationalist organizations of violence or threats of violence against their activities in a number of Russian cities, including Nizhniy Novgorod, Barnaul, and Yekaterinburg. The cities of Tver and Nizhniy Novgorod registered "Russian Rebirth," a splinter group of the RNE, which in turn prompted protests from human rights groups, including the Union of Councils (UCSJ). However, in several regions such as Moscow and Kareliya, the authorities successfully have limited the activities of the RNE by not registering their local affiliates.

Some local publications around the country continued to carry anti-Semitic themes, unchallenged by local authorities. However, traditionally anti-Semitic publications with large distributions, such as the newspaper *Zavtra*, while still pursuing such anti-Semitic themes as the portrayal of Russian oligarchs as exclusively Jewish, appear to be more careful than in the past about using crude anti-Semitic language. On May 1, 2002, approximately 10,000 nationalists gathered on Moscow's *Teatralnaya Ploshchad* for a May-Day rally. According to the Moscow office of the UCSJ, vendors displayed dozens of anti-Semitic and pro-Fascist titles such as *The Protocols of the Elders of Zion* and *Mein Kampf*. anti-Semitic leaflets, graffiti, and articles continued to appear in some regions, such as St. Petersburg, Ryazan, and Krasnodar.

As so called "nontraditional" religions in the country continued to grow, many citizens, encouraged by conservative politicians, journalists, and clergy, continued to express hostility toward "foreign sects." Hostility toward "nontraditional" religious groups sparked occasional harassment and even physical attacks. On September 16, 2001, perpetrators hurled a Molotov cocktail into the Moscow headquarters of the Church of Scientology; the church had received bomb threats by telephone prior to the incident. By year's end, the police had arrested five suspects, and in January 2002, a court sentenced a member of the extremist National Bolshevik Party to a 2-year jail term for the crime. On September 22, 2001, a group of teenagers attacked two Mormon missionaries in Krasnodar; both victims required stitches and one required minor surgery. The local police registered the victims' charges against their assailants. According to the pastor of an evangelical church in the town of Chekhov, Moscow Oblast, the authorities arrested no suspects in an April 2001 arson case directed against the church and had abandoned the investigation. Most parishioners still were afraid to attend services with their families.

Members of some religions, including some Protestant groups, Jehovah's Witnesses, the Unification Church, Russian Orthodox Church Abroad, and the Mormons, continued to face discrimination in their efforts to rent premises and conduct group activities (see Section II).

There were press reports of several anti-Catholic demonstrations in the weeks following the Vatican's February 2002 decision to upgrade its apostolic administrations to dioceses (see Section II). On Sunday, April 21, 2002, members of the Russian All-National Council picketed a Catholic Mass in the Siberian city of Irkutsk and called for the closure of the Polish consulate. Many of Siberia's estimated 50,000 Catholics are ethnic Poles and Lithuanians. On April 28, 2002, a series of public protests were held in numerous cities and towns against Catholic "expansionism." A gathering on that date on Moscow's *Slavyanskaya Ploshchad* attracted approximately 1,500 participants, including nationalist Duma deputies and members of conservative Orthodox groups.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government continued to engage the Government, a number of religious groups, NGO's, and others in a steady dialogue on religious freedom. The U.S. Embassy in Moscow and the Consulates General in Yekaterinburg, St. Petersburg, and Vladivostok were active throughout the period covered by this report in investigating reports of violations of religious freedom, including anti-Semitic incidents. U.S. Government officials engaged a broad range of Russian officials, representatives of religious groups, and human rights activists on a daily basis. In the period covered by this report, such contacts included: government officials, representatives of over 20 religious confessions, the Institute for Religion and Law, the Slavic Law and Justice Center, the "Esther" Legal Information Center, the Anti-Defamation League, lawyers representing religious groups, journalists, academics, and human rights activists known for their commitment to religious freedom. In May 2002, President George Bush, First Lady Laura Bush, and Secretary of State Colin Powell met with religious leaders from numerous faiths in both Moscow and St. Petersburg. The U.S. Ambassador addressed the theme of religious freedom in talks with the Jewish community on a number of occasions, including Rosh Hashanah. He also did so in remarks to members of the Muslim community at the end of Ramadan, at an

event sponsored by the Council of Muftis. In addition the Ambassador spoke of the importance of religious freedom at a Sakharov Center conference in April 2002.

The Embassy has worked with NGO's to encourage the development of programs designed to sensitize law enforcement officials and municipal and regional administration officials to discrimination, prejudice, and crimes committed on the basis of ethnic or religious intolerance. Embassy officials met with numerous Russian and American groups affiliated with the many religious denominations present in the country, participating in exchanges of opinion and conducting briefings on the status of religious freedom. Senior embassy officials discuss religious freedom with high ranking officials in the Presidential Administration and the Government, including the Ministry of Foreign Affairs, raising specific cases of concern. Russian federal officials have responded by investigating those cases and keeping embassy staff informed on issues they have raised.

The Embassy and consulates have investigated problems such as the refusal of visas to foreign missionaries and impediments to registration. As part of its continuing efforts to monitor the implementation of the 1997 Law on Freedom of Conscience, the Embassy maintains frequent contact with working-level officials at the Ministry of Justice, Presidential Administration, and Ministry of Foreign Affairs.

In Washington as well as in Russia, the U.S. Government presses for the country's adherence to international standards of religious freedom. Officials in the State Department meet regularly with U.S.-based human rights groups and religious organizations concerned about religious freedom in Russia, as well as with visiting Russian representatives of religious organizations. Officials in Washington also met in early 2002 with officials, clerics, academic experts, and human rights NGO leaders from Muslim regions of Russia. The visitors were participants in the U.S.-sponsored International Visitors Exchange program. The 1997 law has been the subject of numerous highlevel communications between members of the executive branch of the U.S. Government and the Russian Government, involving various senior U.S. officials.

In April 2002, an official of the Office of International Religious Freedom visited numerous government officials, NGO advocates for religious freedom, and representatives of major and minority faiths, to whom she emphasized the importance of respecting the rights of minority religions.

SAN MARINO

The law provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 37.57 square miles, and its population is approximately 26,900. The Government does not provide statistics on the size of religious groups, and there is no recent census data providing information on religious membership; however, it is estimated that over 95 percent of the population is Catholic. There are also small groups of members of Jehovah's Witnesses and adherents to the Baha'i Faith (who organize small, active missionary groups), some Muslims, and members of the Waldesian Church.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

Although Roman Catholicism is dominant, it is not the state religion, and the law prohibits discrimination based on religion. The Catholic Church receives direct benefits from the State through income tax revenues; taxpayers may request that 0.3 percent of their income tax payments be allocated to the Catholic Church or to

“other” charities, including two religions (the Waldesian Church and members of Jehovah’s Witnesses).

In 1993 some parliamentarians objected to the traditional 1909 oath of loyalty sworn on the “Holy Gospels.” Although they eventually swore the oath as required, the parliamentarians contended that it violated the European Convention and brought suit in the European Court of Human Rights. Following this objection, Parliament changed the law in 1993 to permit a choice between the traditional oath and one in which the reference to the Gospels was replaced by “on my honor.” In 1999 the European Court found that the requirement that Members of Parliament swear their loyalty on the “Holy Gospels” violated religious freedom. However, its ruling also implicitly endorsed the revised 1993 legal formulation. The Court also noted that the traditional oath still is mandatory for other offices, such as the Captain Regent or a member of the Government; however, to date, no elected Captain Regent or government member has challenged the validity of the 1909 oath.

There are no private religious schools; the school system is public and is financed by the State. Public schools provide Catholic religious instruction; however, students may choose without penalty not to participate.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Amicable relations exist between the religious communities, and government and religious officials encourage mutual respect for differences.

Roman Catholicism is not a state religion but it is dominant in society, as most citizens were born and raised under Catholic principles that form part of their culture. These principles still permeate state institutions symbolically; for example, crucifixes sometimes hang on courtroom or government office walls. They also affect societal lifestyles independently of individual compliance with Catholic precepts (such as strictures on divorce).

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.

SLOVAK REPUBLIC

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. However, anti-Semitism persists among some elements of the population.

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 18,933 square miles, and its population is 5,396,193. According to the 2001 census, the number of persons who claimed a religious affiliation increased from 72.8 percent in 1991 to 84.1 percent. This increase may be in part due to greater willingness among persons to state their affiliation unlike in 1991 after the fall of communism. According to the census, there were 3,708,120 Roman Catholics (68.9 percent of the population), 372,858 Augsburg Lutherans (6.9 percent), 219,831 Byzantine Catholics (4.1 percent), 109,735 members of the Reformed Christian Church (2 percent), 50,363 Orthodox (1 percent), and

20,630 Jehovah's Witnesses. There also are approximately 3,562 Baptists, 3,217 Brethren Church members, 3,429 Seventh-Day Adventists, 3,905 Apostolic Church members, 7,347 Evangelical Methodist Church members, 2,310 Jewish members, 1,733 Old Catholic Church members, 6,519 Christian Corps in Slovakia members, and 1,696 Czechoslovak Husite Church members. According to the 2001 census, 12 percent of the population claimed no religious affiliation, and 2 percent were undecided.

There are 3 categories of nonregistered religions that comprise approximately 30 groups: nontraditional religions (Ananda Marga, Hare Krishna, Yoga in Daily Life, Osho, Sahadza Yoga, Shambaola Slovakia, Shri Chinmoy, Zazen International Slovakia, and Zen Centermyo Sahn Sah); the syncretic religious societies (Unification Church, the Church of Scientology, Movement of the Holy Grail, and The Baha'i Faith); and the Christian religious societies (The Church of Christ, Manna Church, International Association of Full Evangelium Traders, Christian Communities, Nazarens, New Revelation, New Apostolic Church, Word of International Life, Society of the Friends of Jesus Christ, Sword of Spirit, Disciples of Jesus Christ, Universal Life, The Church of Jesus Christ of Latter-day Saints (Mormons), and Free Peoples' Mission).

The number of immigrants is insignificant. There are some very small numbers of refugees who practice different faiths than the majority of native-born citizens. Missionaries do not register with the Government and no official statistics exist, although according to government information, there are missionaries from the Roman Catholic, Augsburg Lutheran, and Methodist faiths as well as a Jewish emissary active in the country. From among the nonregistered churches, there are Mormon missionaries.

There is very little correlation between religious differences and ethnic or political differences. The Christian Democratic Party (KDH), which has ties to the Catholic faith, is the only political party with a religious backing. Followers of the Orthodox Church live predominantly in the eastern part of the country near the Ukrainian border. Other religious groups tend to be spread quite evenly across the country.

According to a poll conducted by the Institute of Sociology of the Academy of Sciences in 1998, the number of practicing believers increased from 73 percent in 1991 to 83 percent in 1998. The number of those who do not practice religion increased from 9.9 to 16.3 percent. Approximately 54 percent of Catholics and 22 percent of Lutherans actively participate in formal religious services.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution provides for the right to practice the religion of one's choice and also provides for the right to change religion or faith, as well as the right to refrain from any religious affiliation. The Government observes and enforces these provisions in practice.

The law provides for freedom of religion and defines the status of churches and religious groups, including those groups not registered with the Government. It does not prohibit the existence of nontraditional religions. It allows the Government to enter agreements with churches and religious communities. The law is applied and enforced in a nondiscriminatory fashion.

Governmental entities at all levels, including the courts, interpret the law in a way that protects religious freedom.

No official state religion exists; however, because of the numbers of adherents, Catholicism is considered the dominant religion. The Catholic Church receives significantly larger government subsidies because it is the most populous Church. In November 2001, the Government signed an international treaty with the Vatican, which provides the legal framework for relations between the Catholic Church, the Government, and the Vatican. In April 2002, the Government signed an agreement with an additional 11 registered churches and religious groups in an attempt to counterbalance the Vatican agreement with the Catholic Church and provide equal status to the remaining registered churches; however, the agreement only possesses national force. The Ministry of Foreign Affairs previously negotiated a treaty with the Vatican to define the framework of church-state relations and mutual commitments.

Registration of churches is not required, but under existing law, only registered churches and religious organizations have the explicit right to conduct public wor-

ship services and other activities, although no specific religions or practices are banned or discouraged by the authorities in practice. Those that register receive government benefits including subsidies for clergymen and office expenses. Government funding also is provided to church schools and to teachers who lecture on religion in state schools. The Government occasionally subsidizes one-time projects and significant church activities, and religious societies are partly exempt from paying taxes and import custom fees. A religion may elect not to accept the subsidies. In 2001 the New Apostolic Church was registered, raising the number of registered churches from 15 to 16.

To register a new religion, it is necessary to submit a list of 20,000 permanent residents who adhere to that religion. There have been no cases in which a religious order was refused registration, and the religions already established before the law passed in 1991 were exempt from the minimum membership requirement.

There are no specific licensing or registration requirements for foreign missionaries or religious organizations. The law allows all churches and religious communities and enables them to send out their representatives as well as to receive foreign missionaries without limitation. Missionaries neither need special permission to stay in the country, nor are their activities regulated in any way. There were no reports that religions were denied registration or that any religious groups did not attempt to register because of the belief that their application would not be approved.

Public school curriculum allows students to choose to study religion or ethics from grade five to grade nine. These courses often are taught by religious leaders, and the churches themselves are responsible for providing instructors, although their salaries are covered from the government budget. There is a lack of appropriate teachers for certain religions. Some church representatives complain that the status of religious lecturers is not equal with that of regular teachers. Religious lecturers usually are hired on contract and are not paid during the 2 months summer vacation.

In February 2001, the Ministry of Education and the Institute of Judaism undertook a joint educational project on Jewish history and culture that is targeted to elementary and high school teachers of history, civic education, and ethics. This project is intended to assist in educating the public about Jewish themes and increase tolerance toward minorities. The Government, as an associate member, is seeking to obtain full membership in the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

There are several religious holidays that are celebrated as national holidays, including Epiphany, the Day of the Virgin Mary of the Seven Sorrows, All Saints Day, St. Stephens Day, Christmas, and Easter. A treaty with the Vatican prohibits the removal or alteration of existing religious holidays considered as state holidays. However, none of these holidays appear to impact negatively any religious groups.

The Church Department at the Ministry of Culture oversees relations between church and state. The Church Department manages the distribution of state subsidies to churches and religious associations. However, it cannot intervene in their internal affairs and does not direct their activities. The Ministry administers a cultural state fund—Pro Slovakia—which, among other things, allocates money to cover the repair of religious monuments. There is a government institute for relations between church and state.

Under the auspices of the government Office for National Minorities and Human Rights, an official agreement was signed between the Government and the Greek Catholic and Orthodox Churches to conclude property disputes stemming from the Communist and post-World War II eras. Since 1989 the Government has promoted interfaith dialog and understanding by supporting events organized by various churches. The state-supported Ecumenical Council of Churches in Slovakia promotes communication within the religious community. Most Christian churches have the status of members or observers in the Council. The Jewish community was invited, and sends observers, but chose not to participate.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. Although government support is provided in a non-discriminatory way to registered churches that seek it, the requirement that a registered organization have 20,000 members disadvantages some smaller faiths. The Government monitors, although it does not interfere with, religious “cults” and “sects.” Some property restitution cases remain unresolved.

The Institute of State-Church Relations monitors and researches religious cults and sects; however, it is difficult to identify these groups because they largely register as nongovernmental organizations rather than as religious groups. The Insti-

tute conducts seminars, issues publications, and provides information to the media regarding its findings.

During the period covered by this report, the Ministry of Interior actively monitored the Church of Scientology and its members. Some Scientologists complained of harassment by the Slovak Information Service (SIS). Several stories appeared in the media, which were critical of companies that have ties to Scientology, including reports that the SIS director was concerned that a company with close ties to the Church of Scientology had won a contract to provide the Government with a new computer system. At the beginning of 2002, that award was cancelled and a new one had not been announced by the end of the period covered by this report.

Law 282/93 on Restitution of Communal Property enabled all churches and religious societies to apply for the return of their property that was confiscated by the Communist government. The deadline for these claims was December 31, 1994. The property was returned in its condition at the time, and the Government did not provide any compensation for the damage done to it during the previous regime. The property was returned by the Government, by municipalities, by state legal entities, and under certain conditions by private persons. In some cases, the property was returned legally by the Government but was not vacated by the former tenant—often a school or hospital with nowhere else to go.

There also have been problems with the return of property that had been undeveloped at the time of seizure but upon which there since has been construction. Churches, synagogues, and cemeteries have been returned, albeit mostly in poor condition. The churches and religious groups often lack the funds to restore these properties to a usable condition. The main obstacles to the resolution of outstanding restitution claims are the Government's lack of financial resources, due to its austerity program, and bureaucratic resistance on the part of those entities required to vacate restitutable properties.

While the Orthodox Church reported that six of the seven properties on which it had filed claims already had been returned, the Catholic Church and the Federation of Jewish Communities reported lower rates of success. The Catholic Church reported that more than half of the property that it had claimed had been returned to it already. In another 12 percent of cases the property had been returned legally to the Church but typically was occupied by other tenants and would require court action to be returned to church hands. The Church had not received any compensation for the remaining 40 percent of claims since these properties were undeveloped at the time of nationalization but since have been developed. The Church also is not eligible to reacquire lands that originally were registered to church foundations that no longer exist or no longer operate in the country, like the Benedictines.

The Federation of Jewish Communities (FJC) has reported some successful cases of restitution and has only a few pending cases that require resolution. These include cases in which property had been restituted to the FJC but not in usable condition, cases in which the property still is occupied by previous tenants, and lands upon which buildings had been constructed after the seizure of the property.

Following 2 years of negotiations, the Deputy Prime Minister's office drafted a proposal of compensation for heirless property owned by families before the Holocaust. Negotiations continued at the end of the period covered by this report; a provisional agreement is expected to be reached prior to the 2002 elections and the Cabinet change.

In February 2002, Parliament passed an amendment to Law 206, which allows the compensation to Jewish holocaust victims, who lived in the country's territory when it was occupied by Hungary; Law 305 compensates the victims or direct heirs of Nazi persecution during World War II in the war-time Slovak State. The deadline for applications under the amendment is November 2002. The Union of Jewish Communities in Slovakia filed a lawsuit against Germany to reclaim compensation of \$425,000 (200 million sk) that the war-time Slovak government paid to Germany to cover the cost to deport 57,000 Slovak Jews. The lawsuit was postponed until 2003.

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 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. However, anti-Semitism persists among some elements of the population.

Despite protests by the Federation of Jewish Communities and Slovak National Party members, the official Slovak cultural organization Matica Slovenska continued their efforts to rehabilitate the historical reputation of Jozef Tiso, the leader of the Nazi-collaborationist wartime Slovak state. The chairman of the SNU, Stanislav Panis, in his tribute to Tiso appealed to the Government to make March 14 an official national holiday.

A musical skinhead group called Judenmord (Murder of Jews) has established a Webpage and participated in several concerts in the country as well as in the neighboring Czech Republic. The Jewish community has called on the Government to ban this openly anti-Semitic band, which the Government had not done by the end of the period covered by this report.

In late April 2002, the Jewish cemetery in the eastern Slovak town of Kosice was desecrated for the second time in the past 5 years. The police identified three children between the ages of 11 and 13 as the perpetrators; however, as minors, they were not prosecuted. In late May 2001, unknown culprits desecrated the Jewish cemetery in the central town of Levice for the fourth time in the past 3 years. The Jewish community has appealed to the mayor of Levice to properly investigate this incident; the police investigation did not lead to the location of any suspects.

There was no progress in the Catholic Church's plans to canonize the late Bishop Vojtasak, who was imprisoned after World War II and died as a consequence. Vojtasak was a member of the National Council of the wartime pro-Nazi Slovak state and was aware of the deportations of Slovak Jews to Nazi concentration camps.

The Jewish community continued to complain that a lawsuit against Martin Savel, a former editor of the publishing house Agres who published anti-Semitic literature and the anti-Jewish magazine Voice of Slovakia in the early 1990's, never has been resolved due to the slowness of the courts.

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. The U.S. Embassy maintains contacts with a broad spectrum of religious groups. The Embassy encourages tolerance for minority religions.

Embassy officers meet with officials of the major religious groups on a regular basis to discuss property restitution issues as well as human rights conditions. Relations with religious groups are friendly and open. The Embassy continued its dialog with the Conference of Bishops, the Federation of Jewish Communities, and the Orthodox Church. The Embassy has good relations with the Ministry of Culture and has fostered an effective dialog between religious groups, the Ministry, and the Commission for the Preservation of U.S. Heritage Abroad on matters of importance to the Commission.

The Ambassador and Deputy Chief of Mission actively lobbied members of the Government to expedite the work of the joint Commission on resolving the questions of heirless property taken from holocaust victims.

Embassy officers met with the head of the Catholic Church, Cardinal Jan Korec, and the director of the local branch of Amnesty International to discuss human rights concerns, including those of a religious nature. The Embassy organized meetings between official visitors and representatives of religious communities.

Embassy officers have played an active role in assisting in restitution cases involving U.S. citizens and have assisted the Government in its attempts to become a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research and to initiate a liaison project on Holocaust education in cooperation with the Task Force.

SLOVENIA

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 12,589 square miles, and its population is approximately 1.99 million. Estimates of religious identification vary. According to the 1991 census, the numbers are: Roman Catholic, 1.4 million (72 percent); No answer, 377,000 (19 percent); Atheist, 85,500 (4.3 percent); Orthodox, 46,000 (2 percent); Muslim, 29,000 (1.5 percent); Protestant, 19,000 (1 percent); Agnostic, 4,000 (0.2 percent); and Jewish, 201 (0.01 percent).

The Orthodox and Muslim populations appear to correspond to the country's immigrant Serb and Bosniak populations, respectively. These groups tend to have a lower socioeconomic status in society.

Foreign missionaries, including a mission of the Church of Jesus Christ of Latter-Day Saints (Mormons) and other religious groups (including Hare Krishna, Scientology, and Unification organizations) operate without hindrance.

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 Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

There are no formal requirements for recognition as a religion by the Government. Religious communities must register with the Government's Office for Religious Communities if they wish to be recognized as legal entities; to date no groups have been denied registration. The Government proposed an amended Religious Communities Act to Parliament in 1998 that would have offered non-profit status to registered religious communities; however, this bill had not yet been adopted as of the end of the period covered by this report.

In 1999 the Government signed an agreement regarding the legal position of the Roman Catholic Church in Slovenia with the Bishop's Conference, and concluded a similar agreement in 2000 with the Evangelical (Lutheran) Church of the Augsburg Confession in Slovenia. Other religious communities have expressed interest in negotiating similar agreements with the Government. In December 2001, the Government concluded an Agreement on Legal Questions with The Holy See.

Religious groups, including foreign missionaries, must register with the Ministry of the Interior if they wish to receive value added tax rebates on a quarterly basis. All groups in the country report equal access to registration and tax rebate status.

The appropriate role for religious instruction in schools continues to be an issue of debate. The Constitution states that parents are entitled to give their children "a moral and religious upbringing." Only those schools supported by religious bodies teach religion.

In May 2002, the Law on Defense was amended to include a provision specifically providing military personnel with the right to religious services and creating a chaplain corps to provide services in the Catholic, Orthodox, Protestant, and Muslim faiths.

The Roman Catholic Church was a major property holder in the Kingdom of Yugoslavia before World War II. After the war, much church property—churches and support buildings, residences, businesses, and forests—was confiscated and nationalized by the Socialist Federal Republic of Yugoslavia. After Slovenian independence in 1991, Parliament passed legislation calling for denationalization (restitution or compensation) within a fixed period. Despite the Catholic Church's numerical predominance, restitution of its property remains a politically unpopular issue. In July 2001, the Ministry of Agriculture issued a decree returning approximately 20,396 acres of forests in Triglav National Park to the Church. However, in May 2002, this decree was annulled by the Ljubljana Administrative Court in response to multiple legal challenges.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

The Muslim community registered a complaint with the Ombudsman during the period covered by this report because public broadcaster RTV Slovenia refused to allow them free airtime to address their community during Ramadan—a privilege granted to the Catholic, Serb Orthodox, and Protestant communities during their respective religious holidays. The Ombudsman pursued the complaint with TV Slovenia, which agreed to grant airtime to the Muslim community for this purpose in 2002.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Societal attitudes toward religion are complex. Historical events dating long before the country's independence color societal perceptions regarding the dominant Catholic Church. Much of the gulf between the (at least nominally) Catholic center-right and the largely agnostic or atheistic left stems from the massacre of large numbers of alleged Nazi and Fascist collaborators in the years 1946–48. Many of the so-called collaborators were successful businessmen whose assets were confiscated after they were killed or driven from the country, and many were prominent Catholics. Societal attitudes towards the minority Muslim and Serb Orthodox communities generally are tolerant; however, some persons fear the possible emergence of Muslim fundamentalism.

Interfaith relations are generally amicable, although there is little warmth between the majority Catholic Church and foreign missionary groups, such as the Mormons, which are viewed as aggressive proselytizers.

While there are no governmental restrictions on the Muslim community's freedom of worship, services commonly are held in private homes under cramped conditions. The community has conceptual plans to build a new facility in Ljubljana. As of June 2002, a potential site had been identified and necessary amendments to the city plan were under consideration by the local government. However, processes to obtain permits are notoriously complex, and offer anyone who might wish to oppose the construction many opportunities to delay the project.

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. The U.S. Embassy has held extensive discussions with the Government on the topic of property denationalization in the context of the rule of law, although it has not discussed specifically church property during these sessions. Additionally the Embassy has made informal inquiries into the status of the mosque construction project (see Section II). The Embassy meets with members of all major religious communities, with representatives of nongovernmental organizations that address religious freedom issues, and with government officials from relevant offices and ministries.

SPAIN

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Catholic Church enjoys some privileges unavailable to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationships 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 has a total area of 194,897 square miles, and its population is approximately 41 million.

According to 1998 statistics collected by the Roman Catholic Church, 93.63 percent of citizens are Roman Catholic. This figure is drawn in part from records of events such as baptisms, first communions and weddings; the number of self-described Catholics is lower. A survey published in February 2002 by the Center for Sociological Investigations found that 82.1 percent of citizens consider themselves Catholic, of whom 19 percent attend Mass regularly; 2 percent are followers of other religions; 10.2 percent are nonbelievers or agnostics; and 4.4 percent are atheists. The Federation of Evangelical Religious Entities (FEREDE) represents 350,000 Spanish Protestants, but estimates that there are 800,000 foreign Protestants, mostly European, who reside in the country at least 6 months of each year. The Federa-

tion of Spanish Islamic Entities (FEERI) estimates that there are more than 450,000 Muslims, not including illegal immigrants (who could number a quarter million). Some 50,000 Jews attend religious services. There are approximately 9,000 practicing Buddhists.

In May 2002, the Register of Religious Entities listed 11,706 entities created by the Catholic Church; 813 Protestant, Islamic, or Jewish entities; 375 entities of other religions; and 153 Catholic canonical foundations.

In May 2002, there were 1,188 non-Catholic churches, confessions, and communities in the register, including 604 Protestant church entities. Protestant entities include 89 Charismatic churches, 120 Assemblies of Brothers, 213 Baptist churches, 64 Pentecostal churches, 36 Presbyterian churches, 1 Evangelical Church of Philadelphia, 9 Church of Christ churches, 1 Salvation Army entity, 17 Anglican churches, 60 interdenominational churches, 25 Churches for Attention to Foreigners, 3 Adventist churches, and 106 other evangelical churches. In addition, there are also 5 Orthodox entities, 3 Christian Scientist entities, 1 entity of Jehovah's Witnesses, 1 entity of the Church of Jesus Christ of Latter-Day Saints (Mormons), 1 entity of the Unification Church, 10 entities of other Christian confessions, 15 entities of Judaism, 159 entities of Islam, 2 entities of the Baha'i Faith, 3 entities of Hinduism, 13 entities of Buddhism, and 3 entities of other confessions.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. Discrimination on the basis of religious beliefs is illegal.

The 1978 Constitution, which declares the country to be a secular state, and various laws provide that no religion should have the character of a state religion. However, the Government treats religions in different ways. Catholicism is the dominant religion, and enjoys the closest official relationship with the Government as well as financial support. The relationship is defined by four 1979 accords between Spain and the Holy See, covering economic, religious education, military, and judicial matters. Jews, Muslims, and Protestants have official status through bilateral agreements, but enjoy fewer privileges. Other recognized religions, such as Jehovah's Witnesses and the Mormons, are covered by constitutional protections but have no special agreements with the Government.

Among the various benefits enjoyed by the Catholic Church is financing through the tax system; a box on the income tax form permits taxpayers to assign approximately 0.5 percent of their taxes to the Catholic Church. The State ensures a minimum level of financing regardless of taxpayer contributions. Direct payments in 2001 amounted to approximately \$120 million (21,746 million pesetas), not including state funding for religion teachers in public schools, military and hospital chaplains, and other indirect assistance.

The Organic Law of Religious Freedom of 1980 implements the constitutional provision for freedom of religion. The 1980 law establishes a legal regime and certain privileges for religious organizations. To enjoy the benefits of this regime, religious organizations must be entered in the Register of Religious Entities maintained by the General Directorate of Religious Affairs of the Ministry of Justice, which is updated regularly. To register with the Ministry of Justice, religious groups must submit documentation supporting their claim to be religions. If a group's application is rejected, it may appeal the decision to the courts. If it is judged not to be a religion, it may be included on a Register of Associations maintained by the Ministry of Interior. Inclusion on the Register of Associations grants legal status as authorized by the law regulating the right of association. Religions not officially recognized, such as the Church of Scientology, are treated as cultural associations.

The Catholic Church does not have to register with the Ministry of Justice's religious entities list; however, some Catholic entities do register for financial or other reasons. The first section of the Register of Religious Entities, called the special section, contains a list of religious entities created by the Catholic Church and a list of non-Catholic churches, confessions, and communities that have an agreement on cooperation with the State. In 1992 agreements on cooperation with the State were signed by three organizations on behalf of Protestants, Jews, and Muslims; the organizations were the Federation of Evangelical Entities of Spain (FEREDE), the Federation of Israelite Communities of Spain (FCIE), and the Islamic Commission of Spain (CIE).

Leaders of the Protestant, Muslim, and Jewish communities report that they continue to press the Government for comparable privileges to those enjoyed by the

Catholic Church. Their list of concerns includes public financing, expanded tax exemptions, improved media access, removal of Catholic symbols from some official military acts, and fewer restrictions on opening new places of worship. Minority religious groups often have difficulty navigating city requirements such as municipal building codes to open storefront places of worship. Protestant and Muslim leaders also called for the Government to provide more support for public religious education in their respective faiths.

Religion courses are offered in public schools but are not mandatory. The Catholic Church and other religious entities support religious schools.

Foreign and national missionaries proselytize without restriction.

National religious holidays include Epiphany (January 6), Holy Thursday and Good Friday, Assumption (August 15), All Saints Day (November 1), Immaculate Conception (December 8), and Christmas (December 25); some communities celebrate local religious holidays. National religious holidays do not have a negative impact on other religious groups.

Restrictions on Freedom of Religion

Government policy and practice contributed to the generally free practice of religion.

The State funds Catholic chaplains for the military, prisons, and hospitals. The 1992 bilateral agreements recognize the right of Protestant and Muslim members of the armed forces to have access to religious services, subject to the needs of the service and authorization by their superiors. According to the agreements, such services are to be provided by ministers and imams approved by the religious federations and authorized by the military command. However, Protestant and Muslim leaders report that there are no military regulations to implement the 1992 agreements. Muslim leaders report that prison officials generally provide access for imams to visit Muslim prisoners, but officials have not granted permission for imams to hold religious services on prison grounds. Negotiations between the Government and the Protestant and Muslim federations for improved access were ongoing at the end of the period covered by this report.

In 1999 the Salvation Army was unable to obtain a permit to open a children's center in Tenerife; the group submitted a new application, but had not received a response by the end of the period covered by this report. The local government denied the original permit application, in part because of a police report that referred to the Salvation Army as a "destructive sect." The Ministry of Religious Affairs subsequently advised the local government that the Salvation Army, as a registered religious entity, could not be considered a "destructive sect."

In December 2001, a Madrid court acquitted 15 persons of charges of illicit association and tax evasion. The charges arose from a fraud complaint against Church of Scientology offices Dianetica and Narconon and the subsequent arrest of Scientology International President Heber Jentzsch and 71 others at a 1988 convention in Madrid. Scientology representatives asserted that the indictment against Jentzsch, who was not part of the trial, was religiously based; officials denied this assertion. At the prosecutor's recommendation, the court dismissed the case against Jentzsch in April 2002.

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 refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

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

The growth of the country's immigrant population has at times led to social friction, which in isolated instances has had a religious component. In May 2002, arsonists burned an evangelical church in the town of Arganda del Rey, in the Madrid Autonomous Community. The church, whose congregation was predominantly Romanian, previously had been vandalized with anti-immigrant graffiti. Police arrested four youths, who according to the local mayor were associated with an ultra-right group. In May 2002, the Catalan town of Premià de Mar was the site of neighborhood protests over the local Muslim community's intention to build a mosque in the center of town. In April 2001, a local judge had ordered the community's storefront mosque closed due to overcrowded and dilapidated conditions. The city allowed the group to use a public school for Friday prayers as a transitional facility. The neighbors' complaints focused on fears that the mosque would attract more immi-

grants, and the inadequacy of the site for the proposed mosque, which could cause overcrowding and unsanitary conditions.

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. Embassy officials met with religious leaders of a number of denominations during the period covered by this report.

SWEDEN

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 173,732 square miles, and its population is an estimated 8.9 million. Approximately 84 percent of the population belong to the Church of Sweden. It is possible to leave the Church of Sweden, and an increasing number of persons do. In 1999 when the Church and the State separated, 33,299 persons left the Church of Sweden, more than twice as many as in the previous years. The number decreased somewhat in 2000, but in 2001 it again increased to a record high of 53,702.

There are approximately 150,000 Roman Catholics. The Orthodox Church has approximately 100,000 members, and the main national Orthodox churches are Greek, Serbian, Syrian, Romanian, and Macedonian. There also is a large Finnish-speaking Lutheran denomination. While weekly services in Christian houses of worship generally are poorly attended, a large number of persons observe major festivals of the ecclesiastical year and prefer a religious ceremony to mark the turning points of life. Approximately 75 percent of children are baptized, 50 percent of all those eligible are confirmed, and 90 percent of funeral services are performed under the auspices of the Church of Sweden. Approximately 60 percent of couples marrying choose a Church of Sweden ceremony.

There are a relatively large number of smaller church bodies. Several are offshoots of 19th century revival movements in the Church of Sweden. Others, such as the Baptist Union of Sweden and the Methodist Church of Sweden, trace their roots to British and North American revival movements.

The Jewish community has 10,000 active, practicing members; however, the total number of Jews living in the country is estimated to be approximately 20,000. There are Orthodox, Conservative, and Reform Jewish synagogues. Large numbers of Jews attend high holiday services but attendance at weekly services is low. The exact number of Muslims is difficult to estimate; however, it has increased rapidly in the past several years. The number provided by the Muslim community is approximately 350,000 members, of whom around 100,000 are active. Muslim affiliations are represented among immigrant groups are predominantly with the Shi'a and Sunni branches of Islam. There are mosques in many parts of the country. Buddhists and Hindus number approximately 3,000 to 4,000 persons each. Although no reliable statistics are available, it is estimated that 15 to 20 percent of the adult population are atheist.

The major religious communities and the Church of Sweden are spread across the country. Large numbers of immigrants in recent decades have led to the introduction of nontraditional religions in those communities populated by immigrants.

The Church of Jesus Christ of Latter-Day Saints (Mormons) and other foreign missionary groups are active in the country.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The rights and freedoms enumerated in the Constitution include freedom of worship, protection from compulsion to make known one's religious views, and protection from compulsion to belong to a religious community.

The country maintained a state (Lutheran) church for several hundred years, supported by a general "church tax," although the Government routinely granted any request by a taxpayer for exemption from the tax. All churches of all faiths receive state financial support. In 1995 after decades of discussion, the Church of Sweden and the Government agreed to a formal separation. The separation came into effect in 2000; however, the Church still is to receive some state support.

Foreign missionary groups do not face special requirements.

Religious education is part of an overall schedule of compulsory course work in public schools, but is not limited to instruction in the state religion.

The law permitted official institutions, such as government ministries and Parliament, to provide the public with copies of documents that are filed with the institutions, although such documents may be unpublished and protected by copyright law. For example, unpublished documents belonging to the Church of Scientology had been made available to the public. In February 2000, a new law was enacted that eliminated the former contradiction between the Constitution's freedom of information provisions and the Government's international obligations to protect unpublished copyrighted works. The new legislation states that the freedom of information does not apply when it can be assumed that the copyright holder does not wish his/her work to be made public.

The Office of the Ombudsman Against Ethnic Discrimination investigates claims by individuals or groups of discrimination "due to race, skin color, national or ethnic origin, or religion." For many years the Government has supported the activities of groups working to combat anti-Semitism. In 1998 the Government began a national Holocaust education project after a public opinion poll found that a low percentage of school children had even basic knowledge about the Holocaust. Approximately 1 million copies of the education project's core textbook (available at no cost to every household with children, including in the most prevalent immigrant languages) are in circulation. The Government initiated an intergovernmental multinational Task Force for International Cooperation on Holocaust Education, Remembrance, and Research, to combat anti-Semitism, racism, and intolerance by reinforcing efforts to educate about the Holocaust with international political support. Eight other countries, including the United States, are members of the Task Force.

In 1998 the Government published a report by a commission of experts entitled "In Good Faith—Society and New Religious Movements." The report sought to determine the need of persons leaving new religious movements for support from the national community. The report emphasized the needs of children. According to the commission, each year approximately 100 persons seek assistance for various medical, legal, social, economic, or spiritual difficulties arising from their departure from new religious movements. The commission recommended passage of legislation making "improper influence" (such as forcing an individual to renounce his or her faith, or other such "manipulation") a punishable offense. The Government decided not to go forward with the commission's proposal, reasoning that it would be difficult to determine the proper balance between the freedom of speech and the proposed offense of "improper influence."

In October 2001, a new law became effective that regulates the circumcision of boys. The law stipulates that the circumcision may be performed only by a licensed doctor or, on boys under the age of 2 months, a person certified by the National Board of Health. Approximately 3,000 Muslim boys and 40 to 50 Jewish boys are circumcised each year. Jewish mohels have been certified by the National Board of Health to carry out the operations, but they must be accompanied by a medical doctor or a nurse for anesthesia. The Jewish community has protested against the law on the grounds that it interferes with their religious traditions. The new law is scheduled to be evaluated in 4 years.

The Government promotes interfaith understanding and meets annually with representatives from various religious groups. The Commission for State Grants to Religious Communities (SST) is a government body that cooperates with the Swedish Free Church Council. SST members are selected by religious bodies, that are entitled to some form of state financial assistance.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

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 have been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Citizens are tolerant of diverse religious practitioners, including Mormons and Scientologists. However, some anti-Semitism exists, which occasionally takes the form of vandalism or assault. The number of reported anti-Semitic crimes has increased in the past several years. In 2000 a total of 131 crimes with anti-Semitic overtones were reported to the police. According to the Jewish community, in the fall of 2001, anti-Semitic tendencies increased due in part to growing tension in the Middle East.

During the fall of 2001, the Muslim community received many threats. Several mosques received bomb threats, and a Muslim school in the western suburbs was fire bombed on September 17, 2001; no one was injured in the attack. Police were conducting investigations at end of the period covered by this report. Surveys have indicated that members of the Muslim community have experienced more negative treatment since the fall of 2001.

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. The U.S. Government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. The U.S. Government had criticized the law that made unpublished Scientology documents public.

SWITZERLAND

The Constitution provides for freedom of religion, 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, and government policy continued to contribute to the generally free practice of religion.

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 has a total area of 15,941 square miles, and its population is an estimated 7.21 million.

Experts estimate that between 300 to 800 denominations and groups are established throughout the country. Approximately 95 percent of the population traditionally has been split evenly between Protestant churches and the Catholic Church. Since the 1980's, there has been a trend of persons, primarily Protestants, formally renouncing their church membership. According to the Federal Government's Office of Statistics, membership in religious denominations is as follows: approximately 44.1 percent Roman Catholic, 36.6 percent Protestant, 4.5 percent Muslim, 1.2 percent Orthodox, 1.9 percent other religions, and 11.7 percent no religion. There are an estimated 58,500 persons belonging to other Christian groups; 29,175 belonging to new religious movements; 17,577 Jews; and 11,748 Old Catholics.

Islamic organizations believe that the Muslim population has grown to 350,000 persons, due to the influx of Yugoslav refugees in the past several years. Muslims, who are the country's largest non-Christian minority, practice their religion throughout the country. Although only 2 mosques exist—in Zurich and Geneva—there are approximately 120 Islamic centers throughout the country.

Groups such as Young Life, Youth for Christ, the Church of Scientology, Youth With a Mission, the Salvation Army, Jehovah's Witnesses, the Church of Jesus

Christ of Latter-Day Saints (Mormons), Seventh-Day Adventists, and the Islamic Call are active in the country.

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 Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

The Constitution grants freedom of creed and conscience and the Federal Criminal Code prohibits any form of debasement or discrimination of any religion or of any religious adherents.

There is no official state church. However, all of the cantons financially support at least one of the three traditional denominations—Roman Catholic, Old Catholic, or Protestant—with funds collected through taxation. Each of the 26 states (cantons) has its own regulations regarding the relationship between church and state. In all cantons an individual may choose not to contribute to church taxes. However, in some cantons private companies are unable to avoid payment of the church tax. A religious organization must register with the Government in order to receive tax-exempt status. There have been no reports of a nontraditional religious group applying for the “church taxation” status that the traditional three denominations enjoy. Total church taxation revenues were \$850 million (1.3 billion Swiss francs) in 1997.

Groups of foreign origin are free to proselytize. Foreign missionaries must obtain a “religious worker” visa to work in the country. Requirements include proof that the foreigner would not displace a citizen from doing the job, that the foreigner would be supported financially by the host organization, and that the country of origin of religious workers also grants visas to Swiss religious workers. Youth “interns” may qualify for special visas as well.

Religion is taught in public schools. The doctrine presented depends on which religion predominates in the particular state. However, those of different faiths are free to attend classes for their own creeds during the class period. Atheists are not required to attend the classes. Parents also may send their children to private schools or teach their children at home.

In response to the issue of Holocaust era assets, the Government and private sector initiated a series of measures designed to shed light on the past, provide assistance to Holocaust victims, and address claims to dormant accounts in Swiss banks. These measures included: The Independent Commission of Experts under Professor Jean-Francois Bergier, which concluded on March 20, 2002, a 600 page report on the country’s wartime history and its role as a financial center; the Independent Committee of Eminent Persons under Paul Volcker, charged with resolving the issue of dormant World War II era accounts in Swiss banks; the Swiss Special Fund for Needy Holocaust Victims worth \$180 million (288 million Swiss francs); and the Swiss Special Fund for Needy Holocaust Victims worth \$180 million (288 million Swiss francs), financed by both the private sector and the Swiss National Bank, which was paid to 309,000 persons in 60 countries.

The debate over the country’s World War II record contributed to the problem of anti-Semitism (see Section III). The Federal Council took action to address the problem of anti-Semitism. The Federal Department of the Interior has set up a Federal Service for the Combating of Racism to coordinate anti-racism activities of the Federal Administration with cantonal and communal authorities. This Federal Service, which began operating at the beginning of 2002, has a budget of 15 million Swiss francs to use over a 5-year period. Of this money, 500,000 Swiss francs per year was reserved for the establishment of new local consultation centers where victims of racial or religious discrimination may seek assistance. Approximately 130 of these consultation centers or contact points already exist in the country. In addition, the Federal Service for the Combating of Racism sponsors and manages a variety of projects to combat racism, including some projects specifically addressing the problem of anti-Semitism.

In 1999 the Federal Council (Cabinet) announced the creation of a Center for Tolerance in Bern. Planning for the center under the chairmanship of a former parliamentarian is continuing, and financing is expected to come from the public and private sectors. The Center, which plans to produce curricula material to address the roots of racism, provides exhibits designed to teach historical lessons, offer academic research opportunities, and host international symposia, held its first symposium, “Bern-Discussion for Tolerance” on November 11, 2001 in a hotel in Bern. Meanwhile the search for a permanent location for the planned center continues.

The Government does not initiate interfaith activities.

Of the country's 16 largest political parties, only 3—the Evangelical People's Party, the Christian Democratic Party, and the Christian Social Party—subscribe to a religious philosophy. There have been no reports of individuals being excluded from a political party because of their religious beliefs. Some groups have organized their own parties, such as the Transcendental Meditation Maharishi's Party of Nature and the Argentinean Guru's Humanistic Party. However, none of these have gained enough of a following to win political representation.

Restrictions on Religious Freedom

On December 19, 2001, the Vaud cantonal court rejected a claim by the Church of Scientology that Lausanne authorities had discriminated against them and prevented them from renting a restaurant and launching an advertising campaign. The court said that the Church of Scientology could not be considered as a "real church" because it "did not believe in God," and because its services had no religious connection. As a result, the court said that religious discrimination could not apply. The Church did not appeal the court decision.

Due to increasing concern over certain groups, in 1997 the Government had asked an advisory commission to examine the Church of Scientology. The commission's 1998 report concluded that there was no basis for special monitoring of the Church, since it did not represent any direct or immediate threat to the security of the country. However, the report stated that the Church had characteristics of a totalitarian organization and had its own intelligence network. The commission also warned of the significant financial burden imposed on Church of Scientology members and recommended reexamining the issue at a later date. In December 2000, the Federal Department of Police published a follow-up report, which concluded that the activities of such groups, including Scientology, had not altered significantly since the first report and that their special monitoring therefore was not justified. The Government no longer specially monitors the Church of Scientology.

In 1999 the Church of Scientology failed in the country's highest court to overturn a municipal law in Basel that barred persons from being approached on the street by those using "deceptive or dishonest methods." The Court ruled that the law, prompted by efforts to curb Scientology, involved an intervention in religious freedom but did not infringe on it.

The city of Buchs, St. Gallen, also has passed a law modeled on the Basel law. However, it is still legal to proselytize in nonintrusive ways, such as through public speaking on the street or by going door-to-door in neighborhoods.

In 1995 in Zurich, Scientologists appealed a city decision that prohibited them from distributing flyers on public property. In 1999 a higher court decided that the Scientologists' activities were commercial and not religious, and that the city should grant them and other commercial enterprises such as fast food restaurants more freedom to distribute flyers on a permit basis. Fearing a heavy administrative and enforcement workload, the city appealed to the Supreme Court. The Supreme Court rejected the appeal in 2000, reinforcing the decision by the previous court that the Scientologists' activities were commercial in nature. The Supreme Court decision is expected to establish a nationwide legal guideline on the issue.

In Winterthur City, the authorities require Scientologists to apply for an annual permit to sell their books on public streets. The permit limits their activities to certain areas and certain days. This practice has been in effect since 1995 when a district court upheld fines issued to Scientologists by the city for accosting passers by to invite them onto their premises to sell them books and conduct personality tests. The court ruled that the Scientologists' activities primarily were commercial, rather than religious, which required them to get an annual permit for the book sale on public property and prohibited them from distributing flyers or other advertising material. The Supreme Court's decision in that case is expected to be the national legal guideline on the issue.

In January 2002, the City of Zurich decided to establish a Muslim cemetery, ending a decade-long struggle of local Muslim organizations for a place to bury their members. The cemetery is expected to be ready by the end of 2002, adjacent to an existing public cemetery in a Zurich suburb. It offers space for a few hundred graves and meets Muslim religious requirements. Muslim congregations also may use the existing infrastructure of the cemetery to perform rituals. Muslim cemeteries already exist in Geneva, Bern, and Basel.

In February 2002, the European Court of Human Rights upheld the Canton of Geneva's legal prohibition of a Muslim primary school teacher from wearing a headscarf in the classroom. The Court ruled that the Geneva regulations do not violate the articles on religious freedom and nondiscrimination of the European Convention on Human Rights. The Court found that the legal provisions did not dis-

criminate against the religious convictions of the complainant, but were meant to protect the rights of other subjects as well as the public order.

On March 13, 2002, the Government backed down on its proposal to lift the ban on the ritual slaughter of animals after its draft bill met with strong opposition during public consultation. Ritual slaughter (the bleeding to death of animals that have not been stunned first) has been banned in the country since 1893. The Government proposed to lift the ban because it considered it to be an infringement on the freedom of religious minorities; however, the proposal provoked a wave of opposition from animal rights and consumer groups, veterinary surgeons, and farmers arguing that the practice inflicted undue suffering on animals. The Government took its decision to maintain the ban in the interest of religious peace after consulting with Jewish organizations. The Government announced that new legislation would be drafted to allow explicitly the import of kosher and halal meat, which already generally is readily available at comparable prices.

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 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.

According to the 2001 Swiss National Security Report, as of December 2001, there had been 183 cases brought to court under the 1995 antiracism law, with 83 convictions. Of those, 43 were convicted for racist oral or written slurs, 19 persons for anti-Semitism, 17 for revisionism, and 4 for other reasons.

In June 2001, a visiting Israeli Orthodox rabbi was shot and killed in Zurich. Although the circumstances of the event stimulated speculation that it may have been a hate crime, police were unable to uncover any evidence about the perpetrator or his motives.

On May 22, 2002, a Vevey district court sentenced three revisionists—Gaston-Armand Amaudruz, Philippe Georges Brennenstuhl and Rene-Louis Berclaz—to prison terms of 3 and, in Berclaz's case, 8 months for racial discrimination. All men were found guilty of writing and distributing two books that outlined their revisionist and anti-Semitic views to the general public. Only Brennenstuhl was present at the court ruling. He declined to answer the court's questions and built his case on the constitutional right to free speech.

In 1998 the Federal Commission Against Racism released a report on anti-Semitism expressing concern that the controversy over the country's role during World War II had to some extent contributed to increased expressions of latent anti-Semitism. At the same time, the Commission described the emergence of strong public opposition to anti-Semitism and credited the Federal Council with taking a "decisive stand" against anti-Semitism. The Commission also proposed various public and private measures to combat anti-Semitism and encourage greater tolerance and understanding.

In response the Federal Council committed itself to intensify efforts to combat anti-Semitic sentiment and racism. The Federal Council welcomed the publicly funded 1999 Bergier Commission report that disclosed the country's World War II record on turning away certain refugees fleeing from Nazi oppression, including Jewish applicants. The Federal Council described the publication of the Bergier Report as an occasion for reflection and discussion of the country's World War II history. The Federal Council took new action to address the problem of anti-Semitism (see Section II).

In March 2000, a Geneva research group released a survey in cooperation with the American Jewish Committee in New York, stating that anti-Semitic views are held by 16 percent of citizens. Other prominent survey firms, as well as some Jewish leaders, disputed the accuracy of the Geneva firm's survey, stating that the survey overestimated the prevalence of anti-Semitic views. According to the survey, 33 percent of Swiss People's Party (SVP) supporters voiced anti-Semitic views. However, the survey found that 92 percent of all Swiss youth rejected anti-Semitic notions. The survey reflected some inconsistencies. For example, during the recent period of controversy over the country's World War II record, public opinion in support of the country's antiracism laws actually strengthened.

There have been no reports of difficulties in Muslims buying or renting space to worship. Although occasional complaints arise, such as a Muslim employee not

being given time to pray during the workday, attitudes generally are tolerant toward Muslims.

Many nongovernmental organizations coordinate interfaith events throughout the country.

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. The U.S. Embassy discusses religious freedom issues with both Government officials and representatives of the various faiths.

TAJIKISTAN

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. Government policies reflect a pervasive fear of Islamic fundamentalism, a fear shared by much of the general population. The Government monitors the activities of religious institutions to keep them from becoming overtly political. Members of the organization Hizb ut-Tahrir (Party of Emancipation), an Islamist movement with origins in the Middle East, were subject to arrest and imprisonment for subversion. The Government, including President Imomali Rahmonov, continued to enunciate a policy of active "secularism," which it tends to define in antireligious rather than nonreligious terms.

The generally amicable relationship among religions in society contributed to religious freedom; however, unknown persons killed two Baha'i leaders in October and December 2001 for religious reasons. Some mainstream Muslim leaders occasionally expressed concern that minority religious groups undermine national unity.

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 55,300 square miles, and its population is approximately 6.6 million. An estimated 95 percent of the citizens consider themselves Muslims, although the degree of religious observance varies widely. Only an estimated 10 to 15 percent regularly follow Muslim practices (such as daily prayer and dietary restrictions) or attend services at mosques. The number of Muslims who fast during the holy month of Ramadan continued to increase; up to 99 percent of Muslims in the countryside and more than 66 percent in the cities fasted during the latest month of Ramadan. Approximately 3 percent of all Muslims are Ismailis; most of them reside in the remote Gorno-Badakhshan region as well as certain districts of the southern Khatlon region and in Dushanbe. Most of the rest of the Muslim inhabitants (approximately 90 percent) are Sunni, while approximately 4 percent are Shi'a.

There are approximately 230,000 Christians, mostly ethnic Russians and other Soviet-era immigrant groups. The largest Christian group is Russian Orthodox, but there also are Baptists (five registered organizations), Roman Catholics (two registered organizations), Seventh-Day Adventists (one registered organization), Korean Protestants (one registered organization), Lutherans (no data on registration), and Jehovah's Witnesses (one registered organization). Other religious minorities are very small and include Baha'is (four registered organizations), Zoroastrians (no data on registered organizations), Hare Krishna (one registered organization), and Jews (one registered organization). Each of these groups probably totals less than 1 percent of the population. The overwhelming majority of these groups live in the capital or other large cities.

Christian missionaries from Western countries, Korea, India, and other countries are present, but their numbers are quite small. The number of recent Christian converts is estimated to be approximately 2,000 persons. One group of Islamic missionaries from Saudi Arabia paid a two-week visit to the country in February 2002.

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 are some restrictions, and the Govern-

ment monitors the activities of religious institutions to keep them from becoming overtly political. Members of the organization Hizb ut-Tahrir (Party of Emancipation), an Islamist movement with origins in the Middle East, were subject to arrest and imprisonment for subversion.

According to the Law on Religion and Religious Organizations, religious communities must be registered by the State Committee on Religious Affairs (SCRA) under the Council of Ministers, which monitors the activities of Muslim groups, the Russian Orthodox Church, and possibly other religious establishments. While the official reason given to justify registration is to ensure that religious groups act in accordance with the law, the practical purpose is to ensure that they do not become overtly political. However, the SCRA no longer registers neighborhood mosques; in September 2001, local religious affairs authorities assumed responsibility for the registration of mosques as well as the local communities of other religious groups. In 1997 the Council of the Islamic Center was subordinated to the SCRF. This move took place quietly, and with no apparent objection from the observant Muslim community.

More than 5,000 mosques were estimated to be open for daily prayers; 3,500 of these mosques were registered as of May, 2002. Socalled "Friday mosques" (large facilities built for Friday prayers) must be registered with the SCRA. Of these mosques, 247 were registered. These figures do not include Ismaili places of worship because complete data were unavailable.

Regularly throughout the period covered by this report, President Rahmonov strongly defended "secularism," which in the country's political context is a highly politicized term that carries the strong connotation—likely understood both by the President and his audience—of being "antireligious" rather than "nonreligious." The President also occasionally criticized Islam as a political threat. While the vast majority of citizens consider themselves Muslims and are not anti-Islamic, there is a significant fear of Islamic fundamentalism among both progovernment forces and much of the population at large.

A 1999 constitutional amendment stated that the State is secular and that citizens may be members of political parties formed on a religious basis, although a 1998 law specifying that parties may not receive support from religious institutions remained in effect. Two representatives from a religiously oriented party, the Islamic Renaissance Party, were members in the Lower House of the national Parliament during the period covered by this report. There also were several deputies from the Islamic Renaissance Party in regional and district parliaments around the country.

Although there is no official state religion, the Government has declared two Islamic holidays, Id Al-Fitr and Idi Qurbon, as state holidays.

There are small private publishers that publish Islamic materials without serious problems. There is no restriction on the distribution or possession of the Koran, the Bible, or other religious works. The Islamic Renaissance Party continued to publish its official newspaper, Najot (founded in 1999). Because Najot lost access to government owned printing presses in 2000, apparently for political reasons, the newspaper is published on a privately owned press. The party also publishes Naison, a magazine for women. The Union of Islamic Scientists of Tajikistan publishes the weekly journal Chashmandoz. Privately owned mass circulation newspapers regularly published articles explaining Islamic beliefs and practices.

Restrictions on Religious Freedom

Missionaries of registered religious groups were not restricted legally and proselytized openly. There were no reports of harassment of such groups, although missionaries are not particularly welcomed. The Government's fear of Islamic terrorists prompted it to restrict visas for Muslim missionaries. There was evidence of an unofficial ban on foreign missionaries who were perceived as extreme Islamic fundamentalists. The Government has banned specifically the activity of the Hizb ut-Tahrir, which has developed a significant following among the ethnic Uzbek population in the north. This movement operates underground and allegedly calls for a nonviolent overthrow of established authority and the reestablishment of government along the lines of the six "rightly guided Caliphs" of early Islamic history. There were numerous arrests of individuals alleged to have been associated with Hizb ut-Tahrir.

There were allegations that during the period covered by this report unregistered mosques were forced to close in areas throughout the country; for example, during summer 2001 and later during the holy month of Ramadan, unregistered mosques in Khatlon and Sughd reportedly were closed. In Dushanbe city authorities during Ramadan informed several "teahouses" where Muslims gathered to pray and discuss

religion that they would need to register as mosques; officials did not restrict activities at these teahouses while the registration applications were pending.

Aside from the registration requirement, there were few official constraints on religious practice; however, government officials sometimes issued extrajudicial restrictions. For example, in early 2001, the mayor of Dushanbe prohibited mosques from using loudspeakers for the 5-times-daily call to prayer. Similar restrictions were initiated in the southern Khatlon and northern Soghd regions. There also were reports that some local officials have forbidden members of the Islamic Renaissance Party to speak in mosques in their region. However, this restriction is more a reflection of political rather than religious differences. In Isfara following allegations that a private Arabic language school was hosting a suspected Uzbek terrorist, the authorities imposed restrictions on private Arabic language schools (to include restrictions on private Islamic instruction). Although these restrictions applied to religious instruction, authorities probably were taking actions based more on their political concerns than on their antipathy to religion.

There were no further reports of harassment of members of a Baptist congregation in Dushanbe, which was fined in 2000 for refusing to register, during the period covered by this report.

In the spring of 2001, there were reports that local authorities in the city of Qurghanteppe (also, Kurgan-Tyube) prevented a Christian church from registering. The church appealed to the SCRA, which mediated the dispute. In January 2002, the church was registered.

Government-imposed restrictions on the number of pilgrims allowed to undertake the Hajj were loosened during the period covered by this report. A total of 5,200 Tajiks made the pilgrimage (out of a Saudi-imposed limit of 5,900), which was an increase of 1,600 compared with the previous Hajj. The Government imposed regional quotas on the number of pilgrims permitted to undertake the Hajj, which led to increased corruption as places were sold. The motivation for quotas and other restrictions appears to be profit (maximizing bribes from Hajj pilgrims), rather than discouraging religious practice.

Government publishing houses are prohibited from publishing anything in Arabic script; they do not publish religious literature. However, in 1998 the President initiated a project to publish a Tajik version of the Koran in both Cyrillic and Arabic script, which was printed in Iran and sold through the Iranian bookshop in Dushanbe.

The police guard occasionally confronted members of the Baha'i community outside Dushanbe's Baha'i Center and asked them why they had forsaken Islam. Others were called in by the Ministry of Security and asked why they had changed religious affiliation.

Abuses of Religious Freedom

The Government detained numerous members of the Islamist organization, Hizb ut-Tahrir in the northern, primarily ethnic Uzbek, Leninobod district and imprisoned some of them. These measures primarily were a reaction to the group's political agenda of replacing the Government with an Islamic caliphate. Although the Hizb ut-Tahrir asserts that it intends to accomplish this by nonviolence, officials are concerned by its alleged links to terrorist organizations, including the Islamic Movement of Uzbekistan (IMU). According to the Ministry of Security, more than 105 members of Hizb ut-Tahrir were arrested during 2001 and charged with planning to overthrow the Government. More than half of these persons were sentenced to between 1 and 2 years imprisonment. Although in October 2001 a court convicted two members of the Islamic Renaissance Party in a trial with members of Hizb Ut-Tahrir, the Government immediately granted the two IRP members amnesties. In 2000 one Hizb ut-Tahrir member reportedly died in police custody. Most analysts believe that the Government harasses Hizb ut-Tahrir members because of the political implications of their religious beliefs. The Hizb ut-Tahrir, although part of a world-wide organization that calls for the creation of a world-wide Muslim Caliphate, is linked with groups of the same name in neighboring Uzbekistan. In that country, it has become a target of repression by the Government, which has accused its members of acting against the constitutional order and of having close ties to the violent extremist group, the IMU.

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 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. Conflict between different religious groups virtually is unknown, in part because there are so few non-Muslims. However, some Muslim leaders occasionally expressed concern that minority religious groups undermine national unity. While the vast majority of citizens consider themselves Muslims and most of the inhabitants are not anti-Islamic, there is a pervasive fear of Islamic fundamentalism among both progovernment forces and much of the population at large.

In August 2001, two Dushanbe Islamic Institute students, convicted of the October 2000 bombing of a Protestant church in Dushanbe which that seven persons and injured many more, were executed. A third student suspected in the case escaped and was not rearrested. The students confessed to the bombing and said that their motive was religious; specifically, they opposed foreign missionaries converting Tajik Muslims to Christianity. They were not known to have any ties with extremist groups.

Government law enforcement and security agencies were investigating the 2000 bombings of the Syvato-Nikolskii Russian Orthodox Church and a Seventh-Day Adventist Church in Dushanbe, but no progress was made during the period covered by this report. There were no injuries from the bombings.

The small Baha'i community generally did not experience prejudice; however, two Baha'i residents of Dushanbe were shot and killed on October 23 and December 31, 2001. A police investigation determined that both men were killed because of their religion. No suspects were arrested by mid-2002, but the investigation was continuing. There were no reports of progress in the investigation of the 1999 killing of a prominent 88-year-old leader of the community in Dushanbe. Members of the Baha'i community believe that he was killed because of his religion, since none of his personal possessions were taken from the murder scene. Police made no arrests, but militant Islamists aligned with Iran were considered likely perpetrators.

In 2001 Hare Krishna groups experienced limited discrimination; however, such problems have diminished."

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.

Through public diplomacy, the U.S. Embassy has supported programs designed to create a better understanding of how democracies address the issue of secularism and religious freedom. Several participants in these programs reported that they had developed a better understanding of the role that religion could pay in an open society.

In Washington, the Office of International Religious Freedom and other Department and U.S. officials met to discuss religious freedom with a group of Tajik journalists on a U.S. Government sponsored visitors program, and with a group of religious figures and scholars, including a high-ranking government official, who were in the U.S. as participants in a visitors program to promote religious tolerance.

TURKEY

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

There was no significant change in the status of respect for religious freedom during the period covered by this report. Some Muslims, Christians, and Baha'is faced some restrictions and occasional harassment, including detentions for alleged proselytizing or unauthorized meetings. The Government continued to oppose "Islamic fundamentalism." An intense debate continues over a broad government ban on wearing Muslim religious dress in state facilities, including universities, schools, and workplaces. Following the June 2001 closure of the Islamist-led Fazilet (Virtue) party for "anti-secular activities," two new Islamist political parties were formed. The leader of one of these new parties, a former Istanbul mayor, is under investigation for allegedly "fomenting religious enmity" in public speeches made several years earlier.

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, and Baha'is face societal suspicion and mistrust.

The U.S. Government frequently 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 301,394 square miles, and its population is approximately 65.6 million. Approximately 98 percent of the population is Muslim, the majority of whom are Sunni. The level of religious observance varies throughout the country, in part due to a strong adherence to secularism. In addition to the country's Sunni Muslim majority, there are an estimated 12 million Alevi, a heterodox Muslim sect. Turkish Alevi rituals include men and women worshipping together through speeches, poetry, and dance. Some Turkish Alevi maintain they are not Muslims.

There are several other religious groups, mostly concentrated in Istanbul and other large cities. While exact membership figures are not available, these include an estimated 50,000 Armenian Orthodox Christians, 25,000 Jews, and from 3,000 to 5,000 Greek Orthodox adherents. These three groups are recognized by the Government as having special legal minority status under the 1923 Lausanne Treaty. There also are approximately 10,000 Baha'is, as well as an estimated 15,000 Syrian Orthodox (Syriac) Christians, 3,000 Protestants, and small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, and Maronite Christians. The number of Syriac Christians in the southeast once was high; however, many Syriacs have migrated to Istanbul, Europe, or North America.

There are no known estimates of the number and religious affiliation of foreign missionaries in the country.

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, the Government imposes some restrictions on non-Muslim religious groups and on Muslim religious expression in government offices and state-run institutions, including universities, usually for the stated reason of combating religious fundamentalism. The Constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, these rights are restricted particularly by other constitutional provisions regarding the integrity and existence of the secular State. The Constitution prohibits discrimination on religious grounds.

The Government oversees Muslim religious facilities and education through its Directorate of Religious Affairs (Diyanet). It regulates the operation of the country's 75,000 mosques, and employs local and provincial imams, who are civil servants. Some groups claim that the Diyanet reflects mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the Government asserts that the Diyanet treats equally all those who request services.

A separate government agency, the Office of Foundations (Vakiflar Genel Mudurlugu), regulates some activities of non-Muslim religious groups and their affiliated churches, monasteries, religious schools, and related property. There are 160 "minority foundations" recognized by the Vakiflar, including Greek Orthodox (approximately 70 sites), Armenian Orthodox (approximately 50), and Jewish (20), as well as Syrian Christian, Chaldean, Bulgarian Orthodox, Georgian, and Maroni foundations. The Vakiflar also regulates Muslim charitable religious foundations, including schools and hospitals.

In November 2001, there were press reports that a Syriac Christian church in Harput, Elazig province, was reopened after 51 years; it is the second oldest church in the country.

Non-Muslim religious foundations legally may not acquire property for any purpose, although under certain circumstances foundation property may revert to the State. In November 2001, this legal status was reconfirmed, when the Supreme Court ruled that such foundations were established under the Ottoman sultanate and therefore could not be expanded under existing law. The Armenian Patriarchate publicly protested the Supreme Court's ruling on the grounds that this policy significantly would affect its and other faiths' ability to sustain themselves.

In May 2000, a Protestant community in Istanbul won the right to charter itself as a "Protestant cultural organization." This community owns a building outright, can arrange work visas for a few staff, and has set up a chapel with weekly services. Normally all "religious" foundations had to have been in existence since the early days of the republic in order to be deemed as such. Other Protestant groups are engaged in the lengthy process of applying for permission to form foundations. Some

religious groups have lost property to the State in the past, or continue to fight against such losses. If a non-Muslim community does not use its property due to a decline in the size of its congregation to under 10 individuals, the Vakıflar may assume direct administration and ownership. If such groups can demonstrate a renewed community need, they may apply to recover their properties.

Government authorities do not interfere on matters of doctrine pertaining to non-Muslim religions, nor do they restrict the publication or use of religious literature among members of the religion.

There are legal restrictions against insulting any religion recognized by the State, interfering with that religion's services, or debasing its property.

Alevis freely practice their beliefs and build "Cem houses" (places of gathering). Many Alevis allege discrimination in the State's failure to include any of their doctrines or beliefs in religious instruction classes (which reflect Sunni Muslim doctrines) in public schools, and charge a bias in the Diyanet. No funds are allocated specifically from the Diyanet budget for Alevi activities or religious leadership. However, some Sunni Islamic political activists charge that the secular state favors and is under the influence of the Alevis.

Restrictions on Religious Freedom

The Government imposes some restrictions on religious groups and on religious expression in government offices and state-run institutions, including universities.

The Government, in particular the military, judiciary, and other members of the secular elite, continued to wage campaigns against proponents of Islamic fundamentalism. Fundamentalism, especially the advocacy of Shari'a law, is viewed by these groups as a threat to the democratic secular republic. The National Security Council (NSC)—a powerful military/civilian body established by the 1982 Constitution to advise senior leadership on national security matters—categorizes religious fundamentalism as a threat to public safety. Despite the NSC's activism on this issue, legislative measures have been taken in only 5 of an 18-point "anti-fundamentalist" plan introduced in 1997.

According to the human rights nongovernmental organization (NGO), "Mazlum Der," (Organization of Human Rights and Solidarity for Oppressed People), some government ministries have amended their internal regulations and dismissed civil servants suspected of anti-state (including Islamist) activities, one of the 1997 points. According to Mazlum Der and media accounts, the military regularly dismisses observant Muslims from the service. Allegedly such dismissals are based on behavior that the military believes identifies these individuals as Islamic fundamentalists, and their fear is that such individuals have less loyalty to a secular, democratic state.

In February 2002, an Administrative Court closed the Union of Alevi-Bektasi Organizations (ABKB) on the grounds that it violated the Associations Law, which prohibits the establishment of associations "in the name of any religion, race, social class, religion, or sect." The ABKB is appealing of the decision.

Tarikats (religious orders and communities) and other mystical Sunni Islamic, quasi-religious, and social orders have been banned officially since the 1920's but largely are tolerated. The NSC has called for stricter enforcement of the ban as part of its campaign against the perceived threat of Islamic fundamentalism. Nevertheless, some prominent political and social leaders continue to be associated with Tarikats or other Islamic communities.

Under the law, religious services may take place only in designated places of worship. Under municipal codes, only the State can designate a place of worship, and if a religion has no legal standing in the country it may not be eligible for a designated site. Non-Muslim religious services, especially for religious groups that do not own property recognized by the Vakıflar, often take place in diplomatic property or private apartments. Police occasionally bar Christians from holding services in private apartments.

An August 2001 circular signed by the Ministry of Interior encouraged some governors to use existing laws (such as those which regulate meetings, religious building zoning, and education), while "bearing in mind" those provisions of the law which provide for freedom of religion, in order to regulate gatherings of "Protestants, Baha'is, Jehovah's Witnesses, Believers in Christ, etc ..." within their provinces. According to one Protestant group, as well as other observers and media reports, local authorities asked more than a dozen churches in Istanbul and elsewhere to close or they have been subject to increased police harassment since the publication of the circular.

Following the Constitutional Court's June 2001 closure of the Islamist Fazilet (Virtue) party for being a center of activities "contrary to the principle of the secular republic," two successor parties were formed—the Saadet (Contentment) Party and

the AK (Justice and Development) Party. AK Party Chairman and former Istanbul Mayor Recep Tayyip Erdogan faced immediate legal challenges to his role as founding member of the party, based on his 1999 conviction for the crime of “inciting religious hatred.” In January 2002, the Constitutional Court ruled that Erdogan was ineligible to run for Parliament due to this conviction and therefore could not be a founding member of the party, and gave the AK an October 2002 deadline to correct the situation. Erdogan also faces possible legal charges based on speeches he made in the early 1990’s that allegedly contained anti-secularist statements, and for alleged financial misconduct.

In July 2001, the European Court of Human Rights upheld the Government’s 1998 decision to close Fazilet’s predecessor party, Refah. The court ruled that the closure “could reasonably be considered to meet a pressing social need for the protection of a democratic society” because, according to the ECHR’s analysis, Refah had espoused the possibility of instituting Shari’a law in Turkey.

Following his indictment in August 2000, the Turkish courts continued to try a case in absentia against Fetullah Gulen, an Islamic philosopher and leader, who resides in the United States, for “attempting to change the characteristics of the Republic” by allegedly trying to establish a theocratic Islamic state. The prosecutor also charged that Gulen attempted to “infiltrate” the military. The Government is seeking a maximum 10-year sentence based on the Anti-Terror Law.

The authorities monitor the activities of Eastern Orthodox churches but do not interfere with their activities. While the Government does not recognize the ecumenical nature of the Greek Orthodox patriarch, it acknowledges him as head of the Turkish Greek Orthodox community and does not interfere with his travels or other ecumenical activities. The Ecumenical Patriarch in Istanbul continues to seek to reopen the Halki seminary on the island of Heybeli in the Sea of Marmara. The seminary has been closed since 1971, when the State nationalized all private institutions of higher learning. Under existing restrictions, including a citizenship requirement, religious communities largely remain unable to train new clergy in the country for eventual leadership. Coreligionists from outside the country have been permitted to assume leadership positions.

There is no law that explicitly prohibits proselytizing or religious conversions; however, many prosecutors and police regard proselytizing and religious activism with suspicion, especially when such activities are deemed to have political overtones. Police occasionally bar Christians from proselytizing by handing out literature. Police occasionally arrest proselytizers for disturbing the peace, “insulting Islam,” conducting unauthorized educational courses, or distributing literature that has criminal or separatist elements. Courts usually dismiss such charges. If the proselytizers are foreigners, they may be deported, but generally they are able to reenter the country. Police officers may report students who meet with Christian missionaries to their families or to university authorities.

The Government continued to enforce a long-term ban on the wearing of religious head coverings at universities or by civil servants in public buildings. Women who wear head coverings, and both men and women who actively show support for those who defy the ban, have been disciplined or lost their jobs in the public sector as nurses and teachers. Students who wear head coverings are not permitted to register for classes. In March 2002, deputies from Islamist parties in Parliament pressed for a motion of censure against the Minister of Education for allegedly “creating unrest at the ministry” and “escalating tensions” by enforcing strictly the headscarf ban, including at imam-hatip (religious) high schools. In June 2002, a special parliamentary committee concluded that the Minister should not face charges.

Some members of non-Muslim religious groups claim that they have limited career prospects in government or military service. A 1997 law made 8 years of secular education compulsory. Students may pursue study at Islamic Imam-Hatip high schools upon completion of 8 years in the secular public schools. Imam-Hatip schools are classified as vocational, and therefore the graduates face some barriers to university admission such as an automatic reduction in their entrance exam grades. Only the Diyanet is authorized to provide religious training, usually through the public schools, although some clandestine private religious classes may exist. Students who complete 5 years of primary school may enroll in Diyanet Koran classes on weekends and during summer vacation.

State-sponsored Islamic religious and moral instruction in public 8-year primary schools is compulsory. Upon written verification of their non-Muslim background, minorities “recognized” by the Government under the 1923 Lausanne Treaty (Greek Orthodox, Armenian Orthodox, and Jewish) are exempted by law from Muslim religious instruction. These students may attend courses with parental consent. Other non-Muslim minorities, such as Catholics, Protestants, and Syriac Christians, are not exempted legally; however, in practice may obtain exemptions. The courts have

ruled that all universities are public institutions and, as such, have an obligation to protect the country's basic principles, such as secularism. Small, peaceful protests against this policy occurred at various times during the period covered by this report, and some journalists and supporters face minor charges relating to their roles in the protests.

Some religious groups have lost property to the State in the past, or continue to fight against such losses. In the case of an Armenian church in Kirikhan, Hatay province, which may be expropriated since its community has decreased to fewer than 10 persons, the Armenian Patriarchate won a court case allowing them to retain control of the property. However, the prosecutor subsequently appealed the verdict. The case was before the High Administrative Court at the end of the period covered by this report.

The Baha'i community continues to fight a legal battle against the proposed expropriation of a sacred site near Edirne. The case has been at the High Administrative Court for nearly 1 year. The Ministry of Culture had granted cultural heritage status to the site in 1993; however, in January 2000, the Ministry of Education notified the Baha'i community that the property would be expropriated for future use by the adjacent school.

Restoration or construction may be carried out in buildings and monuments considered "ancient" only with authorization of the regional board on the protection of cultural and national wealth. Bureaucratic procedures and considerations relating to historic preservation in the past have impeded repairs to religious facilities, especially in the Syrian Orthodox and Armenian properties. However, according to religious leaders, the Government has become more supportive of these communities' requests. Groups are prohibited from using funds from their properties in one part of the country from supporting their existing population in another part of the country.

Although religious affiliation is listed on national identity cards, there is no official discrimination based upon religious persuasion. Some religious groups, such as the Baha'i, allege that they are not permitted to state their religion on their cards because no category exists; they have made their concerns known to the Government.

Following a hearing on October 30, 2001, two university professors at Sivas' Cumhuriyet University were not expelled based on charges of allegedly ignoring official duties due to Baha'i related activities.

Abuses of Religious Freedom

Mehmet Kutlular, leader of the Nur Cemaati religious community, was convicted and imprisoned from May 2001 until February 2002 for "inciting religious hatred" in a 1999 newspaper article. In February 2002, the Ankara State Security Court ruled that, following new legislative reforms to the Constitution and free speech laws, Kutlular should be released early from his 2-year sentence. In 1999 Kutlular had published an article in his newspaper alleging that an earthquake, which killed more than 17,000 persons was "divine retribution" for laws banning headscarves in state buildings and universities. On March 5, 2002, a senior columnist for the Islamist newspaper *Yeni Safak*, Fehmi Kuru, was acquitted of charges of "inciting religious enmity" for a 1999 television broadcast in support of Kutlular.

In December 2001, a court acquitted and ordered the released of U.S. citizen and Sufi Muslim preacher Aydogan Fuat, who was arrested June 29, 2001, of charges in two separate courts of, respectively, causing religious enmity and wearing banned religious clothing. Fuat, who was arrested in June 2001, was held in custody for 5 months pending the outcome of his trial on "causing religious enmity" through speech. He was allowed regular consular visits. His trial for using religious dress also ended in acquittal in May 2002; however, the prosecutor appealed the acquittal. The appeal remained pending at the end of the period covered by this report.

In August 2001, the trial in Ankara of a group of Islamist politicians and business figures of the "National View Organization" ended when the court decided to apply the December 2000 Conditional Suspension of Sentences Law and dismissed the trial.

Christian groups have encountered difficulty in organizing (especially in university settings) in Gaziantep, Eskisehir, and other cities in which they have not sought recognition as a foundation; the authorities briefly detained some Turkish and foreign Christians in these areas.

The trial continued of seven Christians in Istanbul who were charged with holding illegal church and Bible study meetings in an apartment. This group alleges that the trial has been prolonged unnecessarily (it started in 2000) in order to prevent the group from legally re-forming and holding meetings. On June 27, 2002, a

criminal court dismissed the charges against Turkish Christian Kemal Timur in Diyarbakir who was arrested in 2000 for “insulting Islam.”

In April 2002, eight Ahmadi Muslims, members of a small religious community in Istanbul, were arrested and charged under Article 7 of the Anti-Terror Law (involvement with an organization “with terrorist aims”). Five subsequently were released on bail, while the remaining three (two Turkish citizens and one German citizen) continued to be held at the end of the period covered by this report.

There were no other 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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In May 2002, the Diyanet adopted a series of decisions after holding a 4-day conference on religious issues with attendees from the Diyanet’s Supreme Council on Religious Issues and experts from theology schools. The Diyanet formally decided to: allow women to participate in the congregation for daily prayers, on Fridays, during religious holidays, and funeral prayers; allow those who have not memorized original Arabic prayers to make them in their native tongue; rule that men may not use the Koran as a premise for domestic violence; underline the necessity for civil marriages (rather than only religious marriages) in order to preserve women’s rights; and state that social and legal advances for women were not against the spirit of the Koran. Women immediately began to participate in prayers, without incurring negative initial reactions.

In the fall of 2001, the Diyanet issued an immediate statement condemning terrorism as a crime against humanity. The Diyanet also issued a statement, read during Friday prayers at all mosques, stressing that there is no Islamic justification for any form of terrorism. This message was reinforced during the Ramazan period at state-sponsored Iftaar dinners attended by members of non-Muslim religious groups, and repeated in a statement at the Diyanet-sponsored “Fifth Eurasia Islamic Council.”

SECTION III. SOCIETAL ATTITUDES

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, some Muslims, Christians, and Baha’is face societal suspicion and mistrust. Jews and most Christian denominations freely practice their religions and report little discrimination in daily life. However, citizens who convert from Islam may experience some form of social harassment or pressure from family and neighbors. Proselytizing socially is unacceptable. A variety of newspapers and television shows have published anti-Christian messages, including one fringe newspaper (“Aydinlik”) that published in May 2002 a purported list of 40 churches in the city of Izmir that were “bribing” converts.

Many non-Muslim religious group members, along with many in the secular political majority of Muslims, fear the possibility of Islamic extremism and the involvement of even moderate Islam in politics. Several Islamist newspapers regularly publish anti-Semitic material.

In November 2001, an Istanbul NGO hosted an Iftaar dinner attended by the head of the Diyanet, the Armenian and Greek Orthodox Patriarchs, the Chief Rabbi, and the heads of the Syrian Orthodox, Roman Catholic, Bulgarian, Anglican and other Protestant churches, with the theme of brotherhood and tolerance. Such interfaith efforts occur occasionally, particularly in Istanbul.

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. The Ambassador and other Mission officials, including staff of the U.S. Consulate General in Istanbul and the U.S. Consulate in Adana, enjoy close relations with Muslim majority and other religious groups. The U.S. Embassy has urged the Government to reopen the Halki seminary on Heybeli Island. In December 2001, the Secretary of State met with high ranking government officials to discuss several issues, including freedom of religion. In April and May 2002, visiting representatives from the State Department’s Bureau of Democracy, Human Rights, and Labor met with members of various religious groups to hear their concerns. The Ambassador and other Embassy officers also remain in close contact with local NGO’s that monitor freedom of religion.

Embassy and Consulate staff members monitor and report on incidents of detention of foreigners found proselytizing, and have attended the trials of Americans and others facing charges relating to free expression and the free practice of religion.

TURKMENISTAN

The Constitution provides for freedom of religion and does not establish a state religion; however, in practice the Government continues to restrict all forms of religious expression. A law on religious organizations requires that religious groups must have at least 500 members in each locality in which they wish to register in order to gain legal status with the Government. The only religions that have registered successfully under the law are Sunni Islam and Russian Orthodox Christianity, which are controlled by the Government. The law has prevented all other religious groups, of which there are many, from registering. The Government severely limits the activities of nonregistered religious congregations by prohibiting them from gathering publicly, proselytizing, and disseminating religious materials. The Government's interpretation of the law severely restricts their freedom to meet and worship in private.

There was no change in the status of respect for religious freedom during the period covered by this report; however, government harassment of some unregistered religious groups lessened. Harassment of nonregistered religious congregations continued and included arrest and seizure of property. However, there were no reported incidents of torture, Shageldy Atakov a well known religious prisoner was released, and the Government conducted a widespread internal investigation and prosecution of police and intelligence authorities that led to widespread dismissals and high-level prosecutions, including for human rights abuses.

There is no general, notable societal discrimination or violence based on religion in the country. Turkmen society historically has been tolerant and inclusive of different religious beliefs. The Government's restrictions on nontraditional religions apparently do not stem from doctrinal differences or societal friction between the majority Muslim population and non-Muslim communities. Rather, some observers have speculated that official restrictions on religious freedom, a holdover from the Soviet era, reflect the Government's concern that liberal religious policies could lead to political dissent, including in particular the introduction of Islamic extremist movements into the country. The Government appears to view participation in or sponsorship of nontraditional religions as a threat to the stability and the neutrality of the State.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, Embassy representatives met frequently with the Government to appeal for greater support for religious freedom. The Ambassador met with high-level government officials urging them to rescind legislation on registration of religious groups and hosted several public events to promote religious freedom in the country. Improving registration for nongovernmental groups, including religious organizations was a top U.S. priority in the country. Embassy officers visited with representatives of unregistered religious groups on a regular basis.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 188,407 square miles, and its population is approximately 5 million. Statistics regarding religious affiliation are not available. According to the most recent figures from the Government's 1995 census, ethnic Turkmen constituted 77 percent of the population. Minority populations included ethnic Uzbeks (9.2 percent), ethnic Russians (6.7 percent), and ethnic Kazakhs (2 percent). The remaining 5 percent of the population consisted of Armenians, Azeris, and other ethnic groups. The majority of the population is Sunni Muslim, and the largest minority is Russian Orthodox Christian. The level of religious observance was unknown for both religions.

Ethnic Turkmen, Uzbeks, and Kazakhs are predominantly Sunni Muslim. There are small pockets of Shi'a Muslims in the country, many of whom are ethnic Iranians living along the border with Iran. There has been a modest, government-sponsored and tightly controlled revival of Islam since independence. During the Soviet era, there were only 4 mosques operating; now there are an estimated 318. Nevertheless, mosque-based Islam does not play a dominant role in society, in part due to 70 years of Soviet rule, restrictions imposed by the Government, and because of the country's indigenous religious culture. Traditionally Turkmen express Islam

more through rituals associated with birth, marriage, and death, and through pilgrimage to the tombs of saints, rather than through regular attendance at a mosque.

While the 1995 census showed that Russians comprised almost 7 percent of the population, emigration to Russia and elsewhere has reduced this proportion considerably. The majority of ethnic Russians and Armenians are Christian. Practicing Russian Christians are most likely to be members of the Russian Orthodox Church. There are 11 Russian Orthodox churches in the main cities, 3 of which are in Ashgabat. A priest resident in Ashgabat, who also is a Deputy Chairman of the Government's Council on Religious Affairs, leads the Russian Orthodox Church. He serves under the religious jurisdiction of the Russian Orthodox Archbishop in Tashkent, Uzbekistan. There are five Russian Orthodox priests, but no seminaries. There have been plans to build a Russian Orthodox cathedral in Ashgabat since at least 2000, but no date had been set to begin construction by the end of the period covered by this report. The Armenian Apostolic Church has a small congregation but is considered an unregistered religious group. There are no Armenian Apostolic churches.

Russians and Armenians also tend to represent a significant percentage of the members of nonregistered religious congregations, although there are groups of ethnic Turkmen represented as well. There are small communities of Roman Catholics, Pentecostal Christians, Protestant Word of Life Church members, Jehovah's Witnesses, Seventh-Day Adventists, Baptists, Baha'is, Hare Krishna, and Jews. None of these groups is registered or maintains churches. The Seventh-Day Adventist church was demolished by the Government in November 1999, and the Baptist church was seized by the Government in April 2001. The Roman Catholic community in Ashgabat meets in the chapel of the Vatican Nunciature. It includes both citizens and foreigners. A very small community of ethnic Germans, most of whom live in and around the city of Serakhs, reportedly practices the Lutheran faith.

It is estimated that less than 1,000 ethnic Jews live in the country. Most are descendants from families that came to the country during World War II from Ukraine, but there also are some Jewish families living in Turkmenabat, on the border with Uzbekistan, who are members of the community known as Bokharski Jews, referring to the city of Bokhara, Uzbekistan. There were no complaints from this community although virtually all Jews in the country are reportedly non practicing. There are no synagogues or rabbis in the country. The size of the Jewish community continues to dwindle as members emigrate to Israel, Germany, and the United States.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion, as does the 1991 Law on Freedom of Conscience and Religious Organizations, which was amended in 1995 and 1996; however, in practice the Government does not protect these rights. The law has been interpreted to control religious life tightly and to restrict severely the activities of all religions. There are no safeguards in the legal system that provide for remedy against violation of religious freedom or persecution by private actors.

According to the law on religious organizations, all congregations are required to register with the Government.

However, in order to register, a congregation must have 500 citizens of at least 18 years of age in each locality in which it wishes to register (i.e., it is not sufficient to have at least 500 members in the country as a whole). These requirements have made it impossible for religious communities other than Sunni Muslims and Russian Orthodox Christians to register. The situation is exacerbated because ethnic Turkmen members of Christian groups are hesitant to sign their names to a public document that shows that they have converted. Ethnic Turkmen who have converted to Christianity have been subjected to official harassment and mistreatment.

There is no state religion, but the majority of the population is Sunni Muslim. An individual is considered to be born into an ethnicity and religion at the same time. Departures from the pattern are rare and do not receive much support in society. The Government has incorporated some aspects of Islamic tradition into its effort to redefine a national identity. However, the Government is concerned about foreign Islamic movements spreading into the country.

The Government maintains tight control over the practice of Islam in several ways. It pays the salaries of all Muslim clerics. It approves the appointment of all senior clerics and requires them to report to the Council on Religious Affairs. In 1997 the Government began prohibiting mosque-based imams from gathering pupils and teaching about Islam. Following President Niyazov's closure of a mosque in

Dashoguz in 2001, the Theological Faculty at Turkmen State University in Ashgabat became the only academic institution to conduct Islamic education. The Government has declared further restrictions on Islamic education. In January 2002, the President declared that clerical students would be limited to 15–20 a year and would spend a year at Artogrud Gazy Mosque in Ashgabat and one year at the Goek Tepe Mosque.

Non-registered religious groups are prohibited officially from conducting religious activities, including gathering, disseminating religious materials, and proselytizing. This is a consequence of the Government's interpretation of the law rather than the law itself, which does not prohibit nonregistered religious groups from gathering. In fact the Law on Public Associations specifically excludes its application in the case of religious gatherings. Nevertheless government authorities regularly apply the Law on Public Associations when non-registered religious groups meet, even if the meetings occur in private homes. Participants are subject to fines and administrative arrest, according to the country's administrative code, and once administrative measures are exhausted, are subject to criminal prosecution. In such cases, the Soviet-era 1988 regulation on the procedure for conducting gatherings, meetings, marches, and demonstrations is applied, although gatherings in private homes are not within the scope of this regulation. In March 2002, there was an internal government investigation of the Committee for National Security (KNB) and other state security organs for possible abuse of human rights, including violation of the 1988 Soviet regulation on meetings, such as illegal searches of private homes. The entire leadership of the KNB was fired and some senior officials were prosecuted.

There is no religious instruction in public schools. However, the Government requires instruction on "Rukhnama," President Niyazov's spiritual guidebook on Turkmen culture and heritage, which was released in February 2001, in all public schools and institutes of higher learning. Rukhnama is present in every mosque and President Niyazov is mentioned officially in Muslim prayer. The Russian Orthodox Church conducts religious instruction classes for children. Home-schooling usually is allowed only in cases of severe illness or disability and not for religious reasons.

The Government maintains a Council on Religious Affairs that reports to President Niyazov. The Chairman is the Imam of the Goek Tepe Mosque. He serves with three deputy chairmen: the Mufti of Turkmenistan, the head of the Russian Orthodox Church in Turkmenistan, and a government representative. Technically, the Council acts as an intermediary between the government bureaucracy and registered religious organizations. However, in practice the Council acts as an arm of the state, supervising the work of the two registered religions and selecting their personnel, as well as helping to control all religious publications and activities. It has no role in promoting interfaith dialog beyond that between these two religions. Although the Government does not favor officially any one religion, it does provide some financial and other support for the construction of new mosques to the Council on Religious Affairs.

In addition, religious holidays that also are national holidays are all Muslim. These include Gurban Bairam (Eid al-Adha), a 3-day holiday that commemorates the end of the Hajj; and Oaza-Bairam (Eid al-Fitr), which commemorates the end of Ramadan, the Muslim month of fasting. These holidays do not have an overt negative impact on any non-Muslim groups.

Restrictions on Religious Freedom

The Government's registration requirements for religious groups, which specify that a group must have at least 500 citizens over the age of 18 as members in each locality, effectively prevent all religions but Sunni Islam and the Russian Orthodox Church from practicing openly. However, the only groups specifically banned by the Government are extremist groups that advocate violence.

The Government restricts organized religions in establishing places of worship. The Government does not allow unregistered groups to gather publicly or privately or to establish a church; it punishes individuals or groups who violate these prohibitions. Congregations continue to practice quietly and privately.

The Government restricts the number of Muslim places of worship whose construction requires government permission. According to the Council on Religious Affairs, every village should have one mosque. Large, monumental mosques, such as the ones in Ashgabat and Goek Tepe, and the one planned for Gipchak, are supported by the Government. Village mosques are supported by the local population. Villagers who wish to build a mosque must first obtain land from the local authorities, then get permission from nearby residents, and provide the funding for construction and maintenance.

The Government also controls and restricts access to Islamic education. Beginning in 1997, the Government began to restrict mosque-based imams from teaching Islam

to pupils. In a meeting with religious leaders in January 2002, President Niyazov explained he had closed all but one institution of Islamic education to prevent what he believed was inappropriate instruction of Islam. The President specified that future annual classes of religious students would be limited to between 15 to 20 students a year. The students would spend two years studying Islam, 1 year at the Artogrul Gazy Mosque in Ashgabat and another at the Goek Tepe Mosque. The Government controls the curriculum of this instruction. In 2001 the Government controlled the number of persons allowed to participate in the annual Muslim pilgrimage to Mecca (the Hajj). In December 2001, the Government again specified that only 187 pilgrims would be allowed to journey to Mecca (out of the country's quota of 4,600). Transport was to be provided free of charge by the national airline. However, in January 2002, the Government abolished exit-visas, in theory permitting travel to all those who wished to participate in the Hajj. The Government did not release statistics on how many pilgrims participated in the Hajj in 2002; however, there were anecdotal reports of individuals participating even though the Government closely screened travelers.

Although the Government continues to restrict the freedom of parents of some religious groups, such as the Adventists, to raise their children in accordance with their religious beliefs, the authorities had long tolerated Bahai's conducting of Sunday school until April 2002, when they were closed down across the country.

Foreign missionary activity is prohibited, although both Christian and Muslim missionaries have some presence in the country. Ethnic Turkmen members of unregistered religious groups who are accused of disseminating religious material receive harsher treatment than non-ethnic Turkmen, especially if they have received financial support from foreign sources.

Abuses of Religious Freedom

In November 1999, the Government razed the Seventh-Day Adventist church in Turkmenabat. In October 2000, the Adventist pastor was detained and questioned for several days in Turkmenabat after police and KNB members raided a prayer service he was conducting in a private apartment. The same private apartment was raided again in November 2001, when authorities dispersed a small Bible study of Seventh-Day Adventists. On the latter occasion, two of the participants were detained overnight by police. The Government charged the owner of the apartment for holding meetings of an unregistered religious organization in her home. The apartment owner was fined and evicted from her apartment. In January 2002, she left the country fearing for her personal safety.

According to Keston News Service, in May 2002, a group of Christians in the village of Deinau were forced to renounce their faith publicly. Three Christians who refused to comply with the local police, swearing to renounce the Bible and Jesus, were expelled from the village.

In November 2000, four ethnic Turkmen Baptists were detained, interrogated, and tortured by KNB officials in Anau, outside of Ashgabat, after local police found Christian literature in their car. In December the KNB again harassed and detained the four Baptists in Ashgabat and Turkmenabat. In December 2000, three of the ethnic Turkmen Baptists were forced to sign documents ceding houses, used for religious purposes, over to the Government, although they were allowed to keep their personal property. In February 2001, local authorities of the Niyazov district of Ashgabat sealed the country's last functioning Baptist church. In March 2001, the authorities reportedly broke the seals and removed all of the church's contents. The church had been in existence for 20 years, and was owned corporately by the congregation, which had been registered under the Soviets but lost registration in 1997 under the new law.

In 2001 the religious press reported that Dmitri Melnichenko, a member of a Baptist Church in Ashgabat, was arrested and tortured because of his persistent refusal, on religious grounds, to perform military service. These reports remain unconfirmed. Also in May 2001, a Baptist pastor and two fellow church members were detained by Mary KNB officials and questioned for several hours after the KNB broke up an open air religious service conducted by the pastor outside Mary. Local police officials prohibited the Baptists from ever traveling to Mary again. In July 2001, two Armenian Baptists were deported from Turkmenbashi because of their religious activity. In October 2001, the Keston News reported the Baptists' families also were deported, although these reports were unconfirmed. According to Keston News Service reports, in July 2001, five officers of the KNB, raided a Baptist church in the western town of Balkanabad. During the raid, the officers wrote down the name, address, and place of work of all those present and warned them not to meet again under the threat of confiscation of their church building. They reportedly also warned the Baptists not to take their case to court.

In December 2001, the religious press reported that an elderly blind Baptist was threatened with eviction from her apartment in the town of Khazar after holding a Baptist service that had been raided by secret police earlier in the week. Also in Khazar, in January 2002, six members of a Baptist congregation were fined for holding "illegal services." Since early 2002, there has been a dramatic decline in reports of government harassment of Baptists.

In November 2001, police raided a Protestant Word of Life Church meeting in Ashgabat. Approximately 40 persons were arrested after police dispersed the gathering held in a private apartment. Three non-Turkmen citizens who participated in the meeting were deported. The other participants subsequently were released but authorities imposed large fines on them. The Protestant Word of Life Church members were threatened with dismissal from work, confiscation of identity documents, and long-term imprisonment if the fines were not paid. The owner of the apartment in which the meeting was held was threatened with eviction. There were no reports whether the eviction was carried out. In December 2001, the Keston News Service later reported that several members of the Protestant Word of Life Church again were arrested for their participation in the November meeting; and one member was sentenced to 15 days in prison. The report was not confirmed.

In April 2001, a Pentecostal pastor lost his long court battle against eviction from the house in which he held religious services. The Ashgabat city government, without inspecting the premises, claimed he had made unauthorized renovations that rendered it unsafe for occupation. Despite the pastor's intention to appeal, the city has allowed 20 workers to live in the house.

In April 2001, a group of KNB, police, and city officials disrupted a Jehovah's Witnesses service in a private apartment. In June 2001, the city of Ashgabat determined that the owner of the apartment, a Jehovah's Witness adherent, should be evicted from the apartment and not provided with another because she had used the apartment for holding unauthorized religious meetings. However, there were no reports as to whether the eviction was carried out during the period covered by this report.

In April 2002, the Government closed all Baha'i Sunday school groups, which had been allowed to operate since the country's independence.

During the period covered by this report, there were credible but unconfirmed reports that certain congregations of Russian Orthodox Christians were prevented from practicing their faith despite the religion's registration with the Government.

In December 2001, several members of Jehovah's Witnesses who had been imprisoned for conscientious objection were released, however six of their colleagues were not. There were no other 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 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, there were no accounts that the Government tortured members of any religious groups.

In January 2002, the Government ended the exit visa regime that restricted external movement by Turkmen citizens. Members of unregistered religious groups are now allowed to travel to other countries for religious meetings without interference, and there were reports of believers exercising this option. In May 2002, approximately 30 Catholics were allowed to travel to Baku, Azerbaijan, to attend a Mass given by the Pope.

In January 2002, Baptist prisoner of conscience Shageldy Atakov was released from prison. Atakov had been in prison since 1999 for allegedly making an illegal transfer of automobiles in 1994. His original sentence of 2 years had been extended to 4 years and he was fined \$12,000, an unusually large fine for such an offense. Atakov denied the charges and claimed that he was being imprisoned because of his religious beliefs. Following his early release from prison, Atakov was placed under a month of observation by agents of the KNB, after which he was given complete freedom of movement and allowed to receive visitors. Embassy officers visited Atakov on two separate occasions. He was in fair health and reported no serious problems.

Unlike in the past, there were no reports of harassment of Baptists in Ashgabat by authorities during the period covered by this report.

In March 2002, the Government initiated an internal investigation of the KNB and other security organs in part because of allegations of human rights abuses. President Niyazov openly criticized several members of the KNB and other min-

istries for violating the law (for example, illegal searches of private homes). Some of those criticized for human rights abuses later were dismissed from their positions and stripped of their rank. Prosecutions have been instigated against the senior leadership of the KNB.

SECTION III. SOCIETAL ATTITUDES

There were no reports of general, overt societal discrimination or violence based on religion during the period covered by this report. The culture historically is tolerant and inclusive of different religious beliefs. For example, in the early part of the 20th century, Ashgabat was a refuge for members of the Baha'i Faith escaping persecution in Iran, and the first Baha'i temple was built in Ashgabat. Government repression of minority religions does not reflect doctrinal or societal friction between the majority Muslim population and minority religions. Rather, observers believe that it reflects the Government's concern that the proliferation of nontraditional religions could lead to loss of state control, civil unrest, undue influence of foreign interests and the undermining of the Niyazov Government. The societal attitude toward conversion from Islam to any other religion generally is surprise, and often disapproval. Although most citizens do not emphasize mosque attendance or observance of many Islamic customs practiced in other parts of the Muslim world, they view being Muslim as an integral part of the national culture and identity.

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.

During the period covered by this report, the Embassy approached the Government regularly regarding the issue of religious freedom, at every level including with President Niyazov. In October 2001, the Ambassador met with members of the Council on Religious Affairs to press for increased religious freedom. In late October, the Ambassador opened a joint restoration project of a ruined mosque in Anau in an effort to promote religious tolerance. In November 2001, the Ambassador hosted an Iftar dinner, celebrating the breaking of the fast during Ramadan, in support of religious tolerance. In December 2001, the Ambassador joined European Union ambassadors in urging the Government to release religious prisoner Shageldy Atakov and calling for an end to the law on religious registration. During the announced December amnesty, the Ambassador again urged the highest levels of the Government to release Atakov later in the month.

Embassy efforts to promote religious freedom continued in 2002, when in January, the Ambassador and the Assistant Secretary of State for European Affairs met with President Niyazov and discussed several topics including increasing religious freedom. In February 2002, the Ambassador and Embassy staff met with the staff of the Organization for Security and Cooperation in Europe (OSCE) Center in Ashgabat to maximize cooperation in promoting religious freedom. During the period covered by this report, the Ambassador and Embassy officers encouraged the Government to increase religious freedom. President Niyazov wrote to President Bush in March 2002 to reiterate commitment to freedom of religion and to develop the country's religion law in accordance with OSCE and International Covenant on Civil and Political Rights (ICCPR) commitments. Throughout the period covered by this report, the Ambassador and Embassy officers regularly met with representatives of unregistered religious groups to hear about their situation and discuss possible steps for easing their difficulties. Embassy officers also visited Shageldy Atakov for updates on his condition after his release from prison. In May 2002, the Embassy sponsored a series of public events featuring an American Muslim who talked at length about religious freedom and tolerance. The Ambassador hosted a roundtable with members of minority faiths in May 2002.

UKRAINE

The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion and the Government generally respects these rights in practice; however, some minority and nontraditional religions have experienced difficulties in registration and in buying and leasing property.

During the period covered by this report, there was some improvement in Government respect for religious freedom; administrative difficulties faced by religious communities, primarily at the local level, diminished, and property restitution contin-

ued. However, registration and property restitution problems remained in some cases.

The generally amicable relationship among religions in society contributed to religious freedom; however, there were some exceptions, particularly among leaders of rival branches of the same faith. There were isolated instances of anti-Semitism and anti-Islamic sentiments. The All-Ukrainian Council of Churches and Religious Organizations (All-Ukrainian Council) contributed to the resolution of some disputes.

The U.S. Government actively supports religious freedom in the country and 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 233,088 square miles, and its population is 48.4 million. A nationwide survey conducted in 2001 by the research center SOCIS found that over 40 percent of the inhabitants considered themselves to be atheists. Religious practice is strongest in the western part of the country.

More than 90 percent of religiously active citizens are Christian, with the majority being Orthodox. Approximately 10 percent are members of the Ukrainian Greek Catholic Church. Roman Catholics claim 1 million adherents, or approximately 2 percent of the total population. There are small but significant populations of Jews and Muslims, as well as growing communities of Baptists, Seventh-Day Adventists, Evangelical Christians, adherents of the Church of Jesus Christ of Latter-Day Saints (Mormons), and members of Jehovah's Witnesses.

Most citizens identify themselves as Orthodox Christians of one of three Churches. The Ukrainian Orthodox Church, Moscow Patriarchate, is the largest single religious community, and is the largest of the country's Orthodox Churches. The Church has 9,423 registered communities, most of them located in the central, southern, and eastern parts of the country. It is headed by Metropolitan Volodymyr (Sabodan) of Kiev and All Ukraine. As part of the Russian Orthodox Church, the Ukrainian Orthodox Church, Moscow Patriarchate, was the only canonically recognized Orthodox Church during the period covered by this report.

The second largest Orthodox Church is the Ukrainian Orthodox Church, Kiev Patriarchate. This Church was formed after independence and has been headed since 1995 by Patriarch of Kiev and All Rus'Ukraine Filaret (Denisenko,) once the Russian Orthodox Metropolitan of Kiev and all Ukraine. It has 3,010 registered parishes, approximately 60 percent of which are in the western part of the country.

The smallest of the three major Orthodox Churches is the Ukrainian Autocephalous Orthodox Church. This Church was founded in 1919 in Kiev. Outlawed by Stalin in 1933, the Church has survived mainly among the Ukrainian Diaspora. It was legalized in 1989 and has 1,052 registered communities, most in the western regions. In the interest of the possible future unification of the country's Orthodox Churches, it did not name a Patriarch to succeed the late Patriarch Dmitriy. The Ukrainian Autocephalous Orthodox Church is headed by Metropolitan Mefodiy of Ternopil and Podil.

The second largest group of believers after the Christian Orthodox belongs to the Ukrainian Greek Catholic Church. It was formed in 1596 by the Council of Brest to unify Orthodox and Roman Catholic believers. This Church celebrates a Byzantine liturgy similar to the Orthodox Churches but is in full communion with the Pope. The Soviet regime forced the Ukrainian Greek Catholic Church to reunite with the Orthodox Church after the Second World War. However, it survived in hiding inside the country and among the Diaspora. Legalized in 1989, the Ukrainian Greek Catholic Church had 3,289 registered communities as of January 1, 2002. Its members constituted a majority of the believers in the West, and approximately 10 percent of the population as a whole, or approximately 4.5 to 5 million persons. The head of the Church is Lyubomyr Cardinal Huzar, Major Archbishop of Lviv.

The Roman Catholic Church is associated traditionally with historical pockets of citizens of Polish ancestry, located predominantly in the central and western districts. The Roman Catholic Church has 818 registered communities serving approximately 2 percent of the population. The Roman Catholic Church is headed by Marian Cardinal Jaworski, Archbishop of Lviv.

The Jewish community has a long history in the country dating back centuries to a time when much of present day Ukraine was within the Russian Empire's Pale of Settlement, the area of the Empire beyond which Jews were not permitted to live. Many of the Jewish population perished in the Holocaust, and still others were victims of Soviet repression. Published reports cite estimates of the Jewish population ranging from 250,000 to 325,000. Some Jewish leaders claim that the population is

as large as 500,000. It is thought that 35 to 40 percent of the Jewish population is active communally; there are 236 registered Jewish communities.

The Jewish population faces demographic difficulties. Emigration to Israel and the West has decreased the size of the Jewish population by approximately 30,000 annually, although the number of emigrants was significantly lower during the period covered by this report. In addition, the average age of Jews in the country is 60; scholars and local Jewish leaders estimate that approximately twelve deaths occur for every birth in the community. In spite of these demographic indicators, Jewish life continues to flourish, with additional communities registered every year due to an increased proportion of Jews practicing their faith (helped by an increase in the number of rabbis entering the country from Israel since Ukraine's independence) and an increased willingness of individuals to identify themselves as Jewish. Most observant Jews are Orthodox. The Chief Rabbi of all Orthodox Jews is Yaakov dov Bleich, a Karliner Stoller Hasidic rabbi. Rabbi Shmuel Kaminezki of the Chabad Lubovitch movement also has had great success in rebuilding the Jewish community in Dnipropetrovsk. Although smaller, the Progressive (Reform) Jewish movement continues to grow, with 46 communities at the end of the period covered by this report. The Chief Rabbi of the Progressive community is Rabbi Alexander Dukhovny. In 2001 a Conservative Jewish congregation was started in Uzhhorod.

Islam also has been practiced on the territory of contemporary Ukraine for centuries. Sheik Tamin Akhmed Mohammed Mutach, head of the Spiritual Directorate of the Muslims of Ukraine and representative on the All-Ukrainian Council estimated that there were as many as 2 million members of the Muslim community nationwide. Sheik Tamin notes there are approximately 50,000 Muslims—mostly foreign—living in Kiev alone. Most of the country's Muslims are Crimean Tatars. The Crimean Tatars were deported forcibly from Crimea in 1944, but began returning in 1989. Approximately 260,000, or 12 percent, of Crimea's population are Crimean Tatars. The leader of the Muslims of Crimea is Mufti Emirali Ablayev.

Protestant Churches have grown in the years since independence. Evangelical Baptists are perhaps the largest group, claiming over 140,000 members in approximately 2,160 communities. Other growing communities include Seventh-Day Adventists, Pentecostals, Mormons, Jehovah's Witnesses, and Evangelical Christians.

The growth in the numbers of communities representing nontraditional religious movements is evidence of the religious freedom in the country. According to the Ukrainian State Committee for Religious Affairs (SCRA), 31 Krishna Consciousness communities, 34 Buddhist communities, and 12 Baha'i communities have been formed since independence.

Foreign religious workers are active in many faiths and denominations. They play a particularly active role in Protestant and Mormon communities where missionary activity has been central to community growth. The Jewish community also depends on foreign religious workers; many Rabbis are not Ukrainian citizens.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion and the Government generally respects these rights in practice; however, some minority and nontraditional religions have experienced difficulties in registration and in buying and leasing property.

The law requires virtually all religious organizations to register with the State. The SCRA is responsible for liaison with religious organizations and for execution of state policy on religion. The Committee's headquarters are in Kiev; it maintains representatives in all regional capitals, as well as in the autonomous cities of Kiev and Sevastapol. Each religious organization with more than 10 adult members must register its articles and statutes either as a local or national organization in order to obtain the status of a "juridical entity," a status necessary to conduct many economic activities including publishing, banking, and property transactions. Registration also is necessary to be considered for restitution of religious property. National organizations must register with the SCRA, and then each local affiliate must register with the local office of the State Committee in the region where they are located. By law the registration process should take 1 month, or 3 months if the State Committee requests an expert opinion on the legitimacy of a group applying for registration. According to the SCRA, the average registration period is 3 months. In some cases, which require additional expert evaluation, it may take 6 months to register a religious organization. Denial of registration may be appealed in court. In addition to registration, local offices of the State Committee supervise compliance of religious organizations with the provisions of the law.

The SCRA often consults with the All-Ukrainian Council, whose membership represents the faiths of over 90 percent of the religiously active population. The All-Ukrainian Council meets once every two or three months, and has a rotating chairmanship. Representative members also use the Council as a means of discussing potential problems between religious faiths. For example, the Evangelical Christian-Baptists used the Council as a means to discuss concerns they had with some literature printed by the Ukrainian Orthodox Church, Moscow Patriarchate.

The law restricts the activities of “nonnative,” foreign based, religious organizations (“native religions” are defined as Orthodox, Greek Catholic, and Jewish), and narrowly defines the permissible activities of members of the clergy, preachers, teachers, and other foreign citizen representatives of foreign-based religious organizations. They may preach, administer religious ordinances, or practice other canonical activities “only in those religious organizations which invited them to Ukraine and with official approval of the governmental body that registered the statutes and the articles of the pertinent religious organization.” However, in practice there were no reports that the Government used the law to limit the activity of nonnative religious organizations. Unlike in previous years, there were no reports that non-native religions experienced difficulties in obtaining visas for foreign religious workers, registering, or carrying out their activities. The Government generally did not discriminate against individual believers of non-native religions.

On June 11, 2002, the Government submitted draft amendments to the Law on Religions to the Rada (Parliament). They had been formulated with input from the All-Ukrainian Council and included changes in registration procedures and expansion of types of property eligible for restitution. The amendments were not voted on during the period covered by this report. They elicited strong and varying reactions from religious communities. One religious leader noted that the draft amendments would help simplify the restitution process. Others expressed reservations over a proposed increase—from 10 to 25—in the number of members required for a religious community to be registered. Still others were concerned that the new amendments might strengthen the SCRA and its role in registration and restitution issues. These religious leaders claim that the State Committee already blurs the constitutionally-required division of church and state.

There is no state religion, although the Ukrainian Orthodox Church, Moscow Patriarchate, and the Ukrainian Greek Catholic Church tend to predominate in the east and west of the country, respectively. Some religious leaders allege that local government officials in the east and west favor the predominant confessions, although each of the major religions and many of the smaller ones maintain a presence in all parts of the country. The Government has spoken out in favor of unity of the country’s Orthodox Churches; it has tried to treat all Orthodox Churches equally.

Officially, religion must be kept out of the public school curriculum; however, the Government has attempted to introduce training in “basic Christian ethics” into schools. While Jewish leaders supported the teaching of ethics and civics in school, they insisted on a nonsectarian approach to this training. A working group was formed in the All-Ukrainian Council to discuss the issue; however, a resolution has yet to be reached. Schools run by religious communities can and do include religious education as an extracurricular activity.

The country officially celebrates numerous religious holidays, including Christmas Day, Easter Monday and Holy Trinity Day, all celebrated according to the Julian Calendar shared by Orthodox and Greek Catholics.

Restrictions on Religious Freedom

The Government generally permits religious organizations to establish places of worship and to train clergy. The Government continued to facilitate the building of houses of worship by allocation of land plots for new construction and through restitution of religious buildings to their rightful owners. Members of numerous communities described difficulties in dealing with Kiev’s municipal administration in obtaining land and building permits—problems not limited to religious groups. Restitution continued at a slower pace than in past years. Some religious leaders were pleased with the pace, while others felt it was too slow.

A 1993 amendment to the 1991 law on Religion and Freedom of Conscience limits the activities of foreign religious workers. Religious worker visas require invitations from registered Ukrainian religious organizations and the approval of the State Committee on Religious Affairs. In 2001, 13,578 foreign religious workers were admitted to the country. In the first 5 months of the period covered by this report, the SCRA in Kiev issued 2,145 visas. The number of foreign religious workers admitted by religious affairs departments of oblast administrations were not available at the end of the period covered by this report. Most missionaries work in Protes-

tant communities. In past years, fewer than one half of 1 percent of applications for religious visas were refused, according to the State Committee, usually because applicants improperly filled out forms. While no refusal data were available for the year covered by this report, no religious communities reported that they experienced problems obtaining religious worker visas during this time.

Under existing law, religious organizations maintain privileged status as the only organizations permitted to seek restitution of property confiscated by the Soviet regime. During the period covered by this report, only buildings and objects immediately necessary for religious worship were subject to restitution. Communities must apply to regional authorities. While the consideration of a claim should last 1 month, it frequently takes much longer. According to the SCRA, 8,589 buildings and over 10,000 religious objects have been returned to religious communities since independence. A total of 44 of these buildings were returned during the period covered by this report. Properties were returned to all three Orthodox Churches, as well as Jewish, Muslim, Ukrainian Greek Catholic, and Roman Catholic communities during this period. Draft amendments to the Law on Religion and Freedom of Conscience seek to expand the types of property eligible for restitution to include religious schools and administrative buildings.

Outstanding claims for restitution remain among all the major religious communities. Many properties for which restitution is sought are occupied, often by state institutions, or are historical landmarks. The slowing pace of restitution is, among other things, a reflection of economic conditions that make relocation of residents of seized religious property prohibitively expensive. In accordance with a presidential decree signed March 21, 2002, an interagency group was created with the primary goal of eliminating the consequences of totalitarian rule by returning property to religious communities.

Many religious groups suggest that they are slighted in matters of property restitution by the local governments in regions traditionally dominated by other religious groups. Representatives of the Ukrainian Orthodox Church, Kiev Patriarchate, the Ukrainian Autocephalous Orthodox Church, and the Ukrainian Greek Catholic Church alleged government preference for the Ukrainian Orthodox Church, Moscow Patriarchate in the east. Roman Catholic representatives allege governmental discrimination in favor of the three Orthodox churches. Moscow Patriarchate representatives claim intense pressure on their congregants in Lviv, Chernihiv, and Ivano-Frankivsk. The Kiev Patriarchate cited local authorities' failure to return cathedrals in Kharkiv or Zhytomyr, and noted difficulty in registering new communities in regions traditionally dominated by the Moscow Patriarchate, including Odesa, Chernihiv, and Poltava. The Kiev Patriarchate also claims that local authorities in Crimea are attempting to take away a building it uses for both religious and administrative services. Greek-Catholic representatives have reported that the Moscow Patriarchate repeatedly blocked their attempts to gain a plot of land for the purposes of building a church in Kharkiv. Roman Catholic representatives expressed frustration at unrealized restitution claims in Simferopol, Sevastopol, Bila Tserkva, Uman, Zhytomyr, and Kiev. They noted that local authorities have backtracked on a decision to grant the Roman Catholic Church a plot of land to build a church in Chernihiv.

Representatives of the Muslim community noted that they have been unable to register a community in Kharkiv for the past 10 years, while Muslims are often subject to document checks by local police. They have raised this issue with the Presidential Administration and the SCRA. Representatives of the Islamic community leaders expressed frustration with the Ministry of Education, which has yet to register a single Islamic school. These leaders suggested they are continuing to work with the SCRA to register their schools.

Representatives of the Progressive Jewish Communities claimed that local authorities and Chabad Lubovitch officials made statements against their community in the local press while the group was organizing Progressive Jewish communities in Dnipropetrovsk and Krivy Rih, a city in Dnipropetrovsk oblast. The Progressive Jewish Community claims that the Dnipropetrovsk Chabad Community opposes the registration of any Jewish community but Chabad in the region and that under pressure from Chabad Lubovitch, the Progressive Jewish community was denied registration in Dnipropetrovsk. The Progressive Jewish Community also reported that the Community's application for registration in Kryvy Rih, Dnipropetrovsk Oblast, has been under examination since 2001. Dnipropetrovsk was home to the father of the Lubavitcher Rebbe, Menachem Schneerson. However, Chabad Lubovitch officials claim that they actually assisted the Progressive Jewish Community's attempts to establish two communities in Dnipropetrovsk oblast, and subsequently have supported these communities financially.

Representatives of Evangelical Christian communities expressed concern over instances of discrimination against their adherents. However, such incidents appeared to be isolated. In two cases, they asserted that believers were forced to leave jobs in the military or in military production because their Evangelical churches had contact with missionaries from abroad. An evangelical pastor also noted that local authorities in some cities had denied permits for religious processions and that in a village in the Odesa region an Evangelical church opposed by a local Orthodox community had been refused permission to hold regular Church services. Evangelical churches, like many other religious communities, experienced difficulties in obtaining land plots.

Representatives of the Ukrainian Autocephalous Orthodox Church cited instances of difficulties in providing religious services to soldiers and of the need to obtain approval for prison ministry activities from prison chaplains of the Moscow Patriarchate. There was no alteration in these procedures 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 conversions, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

On March 21, 2002, President Kuchma signed a decree intended to overcome many of the prejudicial effects on religion of the Soviet regime, particularly to facilitate the restoration of property to religious communities. The decree called for the creation of a special commission to prepare proposals to achieve this end and present them by September 1, 2002. No measures had been taken to implement this decree as of the end of the period covered by this report, and it was not clear how the Government expects to achieve the decree's goals.

Another positive development involved a resolution passed on March 11, 2002, by the Government Committee on Social, Scientific, and Humanitarian Development stating that theology is now included on the list of academic disciplines. The resolution marks the first step in combining juridical registration and state accreditation for religious institutions. The next steps would include the development of a national standard for theology, accompanied by a syllabus, before institutional accreditation. According to the SCRA, at the beginning of 2002, there were 147 educational theological institutes, with 11,554 fulltime students and approximately 7,000 correspondent students. On June 29, 2002, an inauguration ceremony was held to convert the Lviv Theological Academy into the Ukrainian Christian University.

Other significant events covered by the period of this report included the Orthodox Church's celebration of the 950th anniversary of Monastery of the Caves, and the Jewish community's commemoration of several Holocaust atrocities. Kiev commemorated the 60th year of the Babyn Yar tragedy with a number of ceremonies, concerts, and exhibitions attended by highlevel government officials. In Dnipropetrovsk, residents attended the unveiling of a cornerstone commemorating Holocaust victims. In the Lviv oblast town of Staryi Sambir, the Jewish community opened a memorial park for a restored Jewish cemetery.

SECTION III. SOCIETAL ATTITUDES

Relations among religious groups remain for the most part amicable; however there were strains, particularly among the leadership of contending religious groups. The March 2002 parliamentary elections, in which some priests of various Orthodox communities were accused of endorsing particular political parties or candidates in their sermons, added to the already tense inter orthodox relations, while tensions persisted over the continued presence of crosses at several Jewish burial grounds. While acts of anti-Semitism were uncommon, an attack on the Great Synagogue of Kiev in April 2002 by inebriated youths following a soccer match was a source of concern to the Jewish community. However, there were no other attacks on the synagogue during the period covered by this report, and most observers believe that the April incident was not premeditated.

As noted above, Orthodoxy is divided into three major Churches, only one of which, The Ukrainian Orthodox Church, Moscow Patriarchate, is recognized as canonical by the Orthodox world. The debate regarding possible unification of some or all of these Orthodox Churches and/or granting them canonical status as an autonomous Ukrainian Orthodox Church has lost momentum. Leaders of the Ukrainian Orthodox Church, Kiev Patriarchate, and Ukrainian Autocephalous Church began negotiations on unification in the hope that, when unified, they would be rec-

ognized as Ukraine's Orthodox Church by Orthodoxy's "First Among Equals," Patriarch Bartholomew of Constantinople. While an agreement has been reached to allow priests of these two churches to celebrate liturgies together, unification negotiations are stalled. For his part Patriarch Bartholomew has supported efforts aimed at Orthodox unity, meeting with or sending delegations to each of the three main Orthodox Churches to discuss the issue. Patriarch Bartholomew has not expressed an opinion as to who should lead a united Ukrainian Orthodox Church.

Pope John Paul II's June 2001 visit to the country was the source of much discussion and debate in religious and government circles. The Government actively promoted the Pope's visit as a sign of tolerance. Public events were attended by tens of thousands in Kiev, and hundreds of thousands in Lviv. Most religious and political leaders and, based on public opinion polls, over 90 percent of the public supported the Pope's visit.

However, the Pope's visit was criticized by the Russian Orthodox Church, and its affiliate in Ukraine, the Ukrainian Orthodox Church, Moscow Patriarchate. The Moscow Patriarchate organized small, peaceful protests prior to the visit, but held no demonstrations during the visit itself. The Russian Orthodox Church and the Ukrainian Orthodox Church, Moscow Patriarchate, have used the occasion of the visit to emphasize disputes with the Ukrainian Greek Catholic Church over church property in the western part of the country. These disputes, in part a legacy of the Soviet Union's forcible reunification of the Greek Catholic and Russian Orthodox Churches after World War II, remain a source of tension in interfaith relations.

The Ukrainian Orthodox Church, Moscow Patriarchate also accused the Ukrainian Greek Catholic Church of attempting to expand in regions where the Moscow Patriarchate is traditionally strong. Kharkiv city and regional administrations finally agreed to grant a plot of land to the Ukrainian Greek Catholic Church to build a church in November 2001, despite protests from the Ukrainian Orthodox Church, Moscow Patriarchate, whose leaders also opposed the decision by the Ukrainian Greek Catholic Church to move its head offices from Lviv to Kiev.

Disputes between the Kiev and Moscow Patriarchates continued. They included confrontations in Poltava, Crimea, and Vinnytsia Oblast. In Poltava the Kiev Patriarchate claims that Moscow Patriarchate priests seized a Kiev Patriarchate church, assaulted a Kiev Patriarchate priest, blockaded the church entrance, and conducted a liturgy. The Moscow Patriarchate claims, however, that the church in Poltava decided to leave the Kiev Patriarchate to join the Moscow Patriarchate. In Crimea, the Kiev Patriarchate claims that local authorities—in conjunction with the Moscow Patriarchate—are attempting to take away a building used for religious and administrative purposes. Moscow Patriarchate supporters physically prevented Patriarch Filaret of the Kiev Patriarchate from consecrating a church in the town of Kalynivka, Vinnytsia Oblast.

The March 2002 parliamentary elections led to further inter orthodox friction, notably between the Kiev and Moscow Patriarchates. In general, support for an independent local Orthodox Church (based on the Kiev Patriarchate and Autocephalous Churches) is strongest among Western Ukrainians and center right political parties. Eastern Ukrainians and leftist parties tend to support continued union with the Russian Orthodox Church. During the election campaign, Churches accused the others of instructing their congregants to vote for specific political parties and candidates. The Kiev Patriarchate also claims that local government authorities told Kiev Patriarchate priests that they would have their churches taken away from them unless they told their congregants to vote for specific candidates.

Such friction culminated when the Prosecutor General's Office apparently found an "irregularity" in the Kiev Patriarchate's registration, and petitioned the SCRA to deregister the Kiev Patriarchate immediately prior to the elections. The State Committee on Religious Affairs declined the request. The Moscow Patriarchate long has claimed that the Kiev Patriarchate was registered illegally, and therefore has no right to restitution claims. The Kiev Patriarchate argued that the Prosecutor General—who was running for Parliament on the Communist Party list—was trying to enlist support from the Moscow Patriarchate by deregistering the Kiev Patriarchate.

The election campaign also affected the Muslim community. Muslim community leaders noted that anti-Islamic leaflets were disseminated during the election campaign, hoping to capitalize on anti-Muslim sentiment. Muslim community leaders also noted that during a Muslim celebration at a mosque in Kiev several days prior to Election Day on March 31, 2002, local police checked the documentation of congregants and ultimately detained 29 individuals. According to Muslim community leaders, one Muslim was beaten. The Muslim community protested with the SCRA and the Presidential Administration. According to Muslim community leaders, the policemen involved in the detainment are facing prosecution.

Conflicts continue in Kiev and Sambir, Lviv oblast, as a result of the presence of crosses on Jewish cemeteries. In Kiev one cross remains on the territory of an old Jewish cemetery near the site of a Nazi massacre at Babyn Yar. Jewish leaders assert that the cross was erected without a building permit and ask that it be removed. In Sambir the Ukrainian Jewish community began construction of a memorial park at the site of an old Jewish cemetery and Holocaust massacre site with the assistance of an American benefactor. Ukrainian nationalists, with the apparent assistance of local officials, erected crosses on the site to mark the Christian victims of Nazi terror there. While memorial organizers supported the recognition of all groups who suffered on the Sambir site, they opposed the use of Christian religious symbols on the territory of the Jewish cemetery. At the same time, local Ukrainian nationalists remain opposed to the use of Jewish symbols or Hebrew in the memorial. Jewish and Greek Catholic leaders had attempted to find a just and peaceful solution to the conflict. However, resolution of this issue also was delayed by local elections in March 2002; local government leaders were reluctant to address the conflict during the election campaign.

The Jewish community continued to encounter difficulties, particularly at the local level, in preserving Jewish cemeteries. Impasses over new construction of cemeteries, including one in Sambir and the Krakivsky cemetery in Lviv, continued despite calls from the national Government for resolution. Apartment building construction on a Jewish cemetery in Volodymyr-Volynsky, Volyn oblast, continued despite a court ruling that the building lies within cemetery boundaries and a letter from the Ministry of Culture and Arts asking for a halt in construction until the court case is resolved.

While acts of anti-Semitism are infrequent, the Great Synagogue of Kiev was attacked in April 2002, following a soccer match. Windows were broken and a Yeshiva instructor was struck to the ground. The authorities described the attack as an act of hooliganism; some Jewish community leaders asserted that the perpetrators shouted anti-Semitic slurs and that the attack was organized by anti-Semitic individuals who took advantage of rowdy soccer fans and incited them to attack the synagogue. A synagogue in Khmelnytsky was attacked in late May 2002; synagogue windows were broken by bricks in the attack. In June 2002, a Holocaust memorial in Zhytomyr was vandalized. One Jewish community leader stated that these attacks were not indicative of an overall anti-Semitic societal attitude; he did not see a rise in anti-Semitic acts from prior years.

In Odesa, Member of Parliament and former Mayor Eduard Hurvits was subjected to anti-Semitic slurs during his campaign to win reelection.

While anti-Semitic articles rarely appear in the national press, such articles appear frequently in small publications and newsletters, such as "Idealist," printed in Lviv oblast. With a circulation of 3,000, "Idealist" printed articles supporting legislation to expel the Jewish community from the country. The journal "Personnel," whose executive board includes several Rada deputies, also published anti-Semitic articles. The Jewish community was considering taking legal action against the publication, and received support from public officials in criticizing articles in the journal. Mainstream newspapers and media outlets vociferously criticized the attack on the Kiev synagogue.

SECTION IV. U.S. GOVERNMENT ACTION

The U.S. Government discusses religious freedom issues with the Ukrainian Government in the context of its overall dialog and policy of promoting human rights, on a regular basis, pressing U.S. Government concerns actively when the situation is warranted. Since a majority of foreign religious workers are American, the Embassy has intervened as necessary to defend their rights to due process under Ukrainian law. The U.S. Embassy received no reports of religious-worker visa problems during the period covered by this report. The U.S. Embassy raised with the SCRA and the Ministry of Foreign Affairs the cases of representatives of the Evangelical Mission "Rivers of Living Water, International" who had been denied religious worker visas in the past. The SCRA and the Ministry of Foreign Affairs provided assistance and clarification to the Embassy as it assisted the U.S. citizens in ascertaining and asserting their rights.

The U.S. Ambassador, as well as other Embassy officers, demonstrated the U.S. Government's concern for religious freedom by maintaining an ongoing dialog with government and religious leaders on this topic, as well as by their presence at significant events in the country's religious life. U.S. Embassy officers attended significant Holocaust memorials, including the Babyn Yar commemoration in Kiev, a commemoration in Dnipropetrovsk, and the opening of a memorial park in Staryi Sambir, Lviv Oblast.

The U.S. Embassy charged officers with reporting on religious issues, the restitution of church property, interfaith dialog and disputes, anti-Semitism, and human rights. In the course of this reporting, Embassy officers maintained close contact not only with clerics, but also with lay leaders in religious communities and representatives of faith-based social service organizations, such as Caritas and the American Jewish Joint Distribution Committee, both of which are active in the country. In addition, the Embassy facilitated similar meetings with such groups for U.S. Members of Congress and other visiting U.S. officials.

The Embassy closely monitored the Sambir and Volodymyr-Volynskiy cemetery cases, raising them with the State Committee on Religious Affairs. The Embassy also raised the Volodymyr-Volynskiy cemetery case with the Volyn State Administration, the Ministry of Foreign Affairs, the Ministry of Justice, and the Presidential Administration. In addition, the U.S. Embassy has raised these cemetery cases, as well as the restitution situation in general, with government officials in connection to possible graduation from Jackson-Vanik Amendment restrictions. The Public Affairs Section sponsored through its American Specialist program a speaker to promote Holocaust education and awareness.

Representatives of the U.S. Department of State's Office of International Religious Freedom, Office of Holocaust Assets and Ukraine Desk met during the year with various Jewish and Christian leaders from the country.

UNITED KINGDOM

The law provides for freedom of religion, and the Government generally respects this right in practice. The Church of England and the Church of Scotland are established churches.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. Centuries-old sectarian divisions—and instances of violence—persist in Northern Ireland.

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 94,525 square miles, and its population in 2000 was approximately 59.8 million. There are no official statistics collected on religious beliefs or church membership, except in Northern Ireland. The census conducted in April 2001 contained a voluntary question on religion; the results are expected to be available in the spring of 2003. Although their methodologies differ greatly, the numbers collected by individual religious communities highlight patterns of adherence and belief.

The Office for National Statistics 2002 yearbook estimates that 40 million persons (approximately 65 percent of the population) identify themselves as Christians. Approximately 45 percent of the population identify with Anglican churches, 10 percent with the Roman Catholic Church, 4 percent with Presbyterian churches, 2 percent with Methodist churches, and 4 percent with other Christian churches. Approximately 8.7 percent of the population attends a Christian church on a regular basis. Church attendance in Northern Ireland is estimated at 30 to 35 percent. An additional 2 percent of the population is affiliated with the Jehovah's Witnesses, the Church of Jesus Christ of Latter-Day Saints (Mormons), the Church of Christ, Christian Scientists, and Unitarians. A further 5 percent are adherents of other faiths, including Hinduism, Islam, Judaism, and Sikhism. Muslim, Sikh, and Hindu communities tend to be concentrated around larger cities. Approximately 30 percent of the population do not identify with a religion.

The conflict between nationalists and unionists in Northern Ireland has been drawn along religious lines; however, the policy of the Government remains one of religious neutrality and tolerance (see Section III).

The fear of inter communal violence has, over the years, led to a pattern of segregated communities in Northern Ireland. As a result, Protestant and Catholic families have moved away from mixed or border neighborhoods.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The law provides for the freedom to change one's religion or belief. The 2001 Anti-Terrorism, Crime, and Security Act (which became law in December 2001) covers "religiously aggravated offenses," based on existing assault, harassment, criminal damage, and public order offenses. Those convicted of "religiously aggravated offenses" face higher maximum penalties where there is evidence of religious hostility in connection with a crime.

There are two established (or state) churches, the Church of England (Anglican) and the Church of Scotland (Presbyterian). The monarch is the "Supreme Governor" of the Church of England and always must be a member of the Church and promise to uphold it. The monarch appoints Church of England officials on the advice of the Prime Minister and the Crown Appointments Commission, which includes lay and clergy representatives. The Church of Scotland appoints its own office bearers, and its affairs are not subject to any civil authority. The Church in Wales, the Scottish Episcopal Church, and the Church of Ireland are members of the Anglican Communion. There are no established churches in Wales or Northern Ireland. At the end of 2001, the Home Office still was considering a January 2000 university report on religious discrimination that claimed that the establishment status of the Church of England causes "religious disadvantage" to other religious communities. Those who believe that their freedom of religion has been infringed have the right to appeal to the courts for relief.

Religious groups are not required to register with the Government. No church or religious organization—established or otherwise—receives direct funding from the State. Religious bodies are expected to finance their own activities through endowment, investments, and fund-raising. The Government funds the repair of historic church buildings, such as cathedrals, but such funding is not restricted to Church of England buildings. A Government grants program helps to fund repair and maintenance of listed places of worship of all religions nationwide. The Government also contributes to the budget of the Church Conservation Trust, which preserves "redundant" Church of England buildings of architectural or historic significance. Several similar groups in England, Scotland, and Wales repair non-Anglican houses of worship.

Most religious institutions are classified as charities and, as such, enjoy a wide range of tax benefits. (The advancement of religion is considered to be a charitable purpose.) In England and Wales, the Charity Commission reviews the application of each body applying for registration as a charity. Commissioners base their decisions on a substantial body of case law. In Scotland and Northern Ireland, the Inland Revenue performs this task.

Charities are exempt from taxes on most types of income and capital gains, provided that the charity uses the income or gains for charitable purposes. They also are exempt from the value-added tax.

While a majority of state-supported religious schools are Anglican or Catholic, there are a small number of Methodist, Muslim, and Jewish schools.

All schools in Northern Ireland receive state support. In Northern Ireland, approximately 95 percent of students attend schools that are either predominately Catholic or Protestant. Integrated schools serve approximately 5 percent of school-age children whose families voluntarily choose this option; however, there are not enough spaces available for those seeking integrated education.

The law requires religious education in publicly maintained schools throughout the country. According to the Education Reform Act of 1988, it forms part of the core curriculum for students in England and Wales (the requirements for Scotland were outlined in the Education Act of 1980.) The shape and content of religious instruction is decided on a local basis. Locally agreed syllabi are required to reflect the predominant place of Christianity in religious life, but they must be non-denominational and refrain from attempting to convert pupils. All parents have the right to withdraw a child from religious education, but the schools must approve this request.

In addition, schools have to provide a daily act of collective worship. In practice this action mainly is Christian in character, reflecting Christianity's importance in the religious life of the country. This requirement may be waived if a school's administration deems it inappropriate for some or all of the students. Under some circumstances, non-Christian worship may instead be allowed. Teachers' organizations have criticized school prayer and called for a government review of the practice.

Where a substantial population of religious minorities characterizes a student body, schools may observe the religious festivals of other faiths. Schools also endeavor to accommodate religious requirements, such as providing halal meat for Muslim children.

The Human Rights Act prohibits discrimination on the basis of religion by public authorities. In Northern Ireland, the Fair Employment Act specifically banned employment discrimination on the grounds of religious or political opinion; however, unemployment rates are higher for Catholics than for Protestants (see Section III). All public sector employers and all private firms with more than 10 employees must report annually to the Equality Commission on the religious composition of their workforces and must review their employment practices every 3 years. Noncompliance may result in criminal penalties and the loss of government contracts. Victims of employment discrimination may sue for damages. In December 2001, the Government published a consultation paper, "Towards Equality and Diversity," proposing national implementation of a European Commission Directive against employment discrimination on the basis of religion.

The Government makes an active effort to ensure that public servants are not discriminated against on the basis of religion and strives to accommodate religious practices by government employees whenever possible. For example, the Prison Service permits Muslim employees to take time off during their shifts to pray. It also provides prisoners with Christian, Jewish, and Muslim chaplains. The Advisory Group on Religion in Prisons monitors policy and practice on issues relating to religious provision. The military generally provides soldiers who are adherents of minority religions with chaplains of their faith.

In addition, the 1998 Northern Ireland Act stipulates that all public authorities must show due regard to the need to promote equality of opportunity, including on the basis of religious belief. Each public authority must report its plans to promote equality to the Equality Commission, which is to review such plans every 5 years.

In January 2002, the Prime Minister hosted a meeting of religious leaders as part of the Government's effort to promote interfaith dialog.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

Due to the limited broadcast spectrum, the 1990 Broadcasting Act precludes certain groups, including those "wholly or mainly of a religious nature," from obtaining the few available national licenses. Religious groups are not restricted from owning a range of local and regional broadcast licenses—including licenses for local digital radio, local and regional analog radio, cable and satellite channels—whose frequencies are more numerous and, therefore, not subject to provisions regarding broad audience appeal.

The Government does not recognize Scientology as a religion for the purposes of charity law. Scientology ministers are not considered ministers of religion for the purpose of immigration relations. Scientologist chapels do not qualify as places of worship under the law. The Prison Service does not consider Scientology as a religion and does not recognize it for the purpose of facilitating prison visits by ministers. However, Scientology prisoners are free to register their adherence to Scientology; this is recorded on their records.

Other than the House of Lords, membership in a given religious group does not confer a political or economic advantage on individual adherents. The Anglican Archbishops of York and Canterbury; the Bishops of Durham, London, and Winchester; and 21 other bishops, in order of seniority, receive automatic membership in the House of Lords, whereas prominent clergy from other denominations or religions are not afforded this privilege. The Removal of Clergy Disqualification Act 2001 removed restrictions that prohibited all clergy ordained by an Anglican bishop, as well as ministers of the Church of Scotland, from seeking or holding membership in the House of Commons.

While not enforced and essentially a legal anachronism, blasphemy against Anglican doctrine remains technically illegal. Several religious organizations, in association with the Commission for Racial Equality, are attempting to abolish the law or broaden its protection to include all faiths.

A February 2001 report commissioned by the Home Office found that some religious groups, particularly those identified with ethnic minorities, reported unfair treatment on the basis of their religious belief. Muslims, Sikhs, Hindus, and black-led Christian churches were more likely to report problems ranging from lack of recognition or inclusion of religious beliefs in education to discrimination or lack of accommodation of religious beliefs by employers.

The Police Service of Northern Ireland (formerly the Royal Ulster Constabulary (RUC), Northern Ireland's police force, is not required to conform to Section 75, and Catholics now comprise less than 8 percent of the police force. However, the Police (Northern Ireland) Act of 2000, which incorporates many of the recommendations of the 1999 Patten Commission report, mandates measures designed to expand Catholic representation in the new Police Service of Northern Ireland. These include the establishment of an independent recruitment agency and a recruitment policy mandating equal intake of qualified Catholics and non-Catholics. The Patten Commission projected that, following implementation of these reforms, Catholics, who comprise approximately 40 percent of the population, would make up 30 percent of the police force within 10 years. Legislation commits the Police Service of Northern Ireland to hiring quotas to ensure that half of all new recruits are Catholic to redress a long-standing imbalance in the composition of the police.

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 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. Political, economic, and social factors contributed to problems between nationalists and unionists in Northern Ireland, where centuries-old sectarian divisions persist between the Protestant and Catholic communities.

In 1998 the majority of citizens in Northern Ireland voted to support the Good Friday Agreement, which aims to create a lasting settlement to the conflict in Northern Ireland and a society based on equality of opportunity and human rights.

The police in Northern Ireland reported approximately 30 attacks against both Catholic and Protestant churches, schools, and meeting halls in 2001. Such sectarian violence often coincides with heightened tensions during the spring and summer marching season. Some parades by the "Loyal Institutions" (the Royal Black Preceptory, Orange Order, and Apprentice Boys), whose membership almost exclusively is Protestant, have been prevented from passing through nationalist areas due to public-order concerns. In the fall of 2001, residents of the loyalist Glynbryn area of north Belfast protested, at times violently, against Catholic pupils of Holy Cross primary school on their walk to school each day. Although the residents claimed that their demonstration "was not against the children," the protest involved shouting sectarian abuse and throwing debris (including bags of urine) at the children. A blast bomb also was thrown at police seeking to protect the children.

According to the Board of Deputies of British Jews, there were 310 reported anti-Semitic incidents during 2001, compared with 405 in 2000 (adjusted figure). According to the Community Security Trust, between January and June 2002, there were 173 anti-Semitic incidents reported, including at least 28 assaults. Public manifestations of anti-Semitism largely are confined to the political fringes. According to the Board of Deputies, in 2001 distribution of anti-Semitic literature declined, while the number of physical attacks on Jewish persons and property increased. At the end of April 2002, suspected neo-Nazis desecrated a synagogue in the Finsbury Park area of north London, leaving windows smashed, religious artifacts defaced, and crude swastikas painted everywhere. Members of Parliament, including a senior cabinet minister, promptly visited the synagogue and severely criticized the attack in the strongest terms; two senior Labour and Conservative politicians united "to condemn those who daubed swastikas and smashed windows in a north London synagogue."

In the fall of 2001, there were isolated attacks against Muslims. Targets included persons wearing traditional Islamic dress, and buildings such as mosques and Muslim-owned businesses. The Government quickly condemned the violence and responded by including "religiously aggravated offenses" as part of the Anti-Terrorism, Crime, and Security Act 2001.

Employment discrimination on religious grounds is prohibited by law in Northern Ireland (see Section II). As a result of the stability generated by the peace process, unemployment in Northern Ireland dropped to less than 4.8 percent in March 2002—the lowest level in 30 years. However, the Catholic unemployment rate remains almost double the rate for Protestants.

The country has both active interfaith and ecumenical movements. The Council of Christians and Jews works to advance better relations between the two religions and to combat anti-Semitism. The Interfaith Network links a wide range of religious

and educational organizations with an interest in interfaith relations, including the national representative bodies of the Baha'i, Buddhist, Christian, Hindu, Jain, Jewish, Muslim, Sikh, and Zoroastrian communities. The Inner Cities Religious Council encourages interfaith activity through regional conferences and support for local initiatives. In April 2002, the Prince of Wales launched a new nongovernmental organization, "Respect," to encourage voluntary time-sharing and mutual understanding among adherents of different religions.

The main ecumenical body is the Council of Churches for Britain and Ireland, which serves as the main forum for inter church cooperation and collaboration. Inter church cooperation is not limited to dealings among denominations at the national level. For example, at the local level Anglican parishes may share their church with Roman Catholic congregations.

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.

The U.S. Embassy encouraged interfaith dialog to promote religious tolerance. In the fall of 2001, the Embassy held meetings with the Muslim Council of Britain, leaders from the Sikh community, and representatives from "Rabbis for Human Rights." In January 2002, the Embassy hosted a speaker from the Islamic Awareness Project. In February 2002, the Ambassador met with representatives from the "Three Faiths Forum."

In Northern Ireland, longstanding issues related to religion have been part of the political and economic struggle largely between Protestant and Catholic communities. As an active supporter of the peace process, the U.S. Government has encouraged efforts to diminish sectarian tension and promote dialog between the two largest religious communities.

UZBEKISTAN

The Constitution provides for freedom of religion and for the principle of separation of church and state; however, in practice the Government restricted this right. The Government permits the existence of mainstream religions, including approved Muslim groups, Jewish groups, the Russian Orthodox Church, and various other denominations, such as Catholics, Lutherans, and Baptists, and generally registers more recently arrived religions. Christian churches generally are tolerated as long as they do not attempt to win converts among ethnic Uzbeks. However, the law prohibits or severely restricts activities such as proselytizing, importing and disseminating religious literature, and offering religious instruction.

There was no overall change in the status of respect for religious freedom during the period covered by this report. The Government continued its harsh campaign against unauthorized Islamic groups it suspected of anti-State sentiments or activities. The Government arrested numerous alleged members of these groups, and sentenced them to lengthy jail terms. However, the number arrested declined sharply from 1,500 persons in any 7-month period from 1999 to 2001, to 300 persons in the first 7 months of 2002. The Government granted amnesty to 800 such individuals. At least 20 women were tried for participating in or organizing demonstrations demanding the release of male relatives jailed on suspicion of Islamic extremism. A number of minority religious groups, including congregations of a variety of Christian confessions, the Baha'i Faith, and Hare Krishna, had difficulty satisfying the strict registration requirements set out by the law. Following the fall of the Soviet Union, the Government permitted the opening of thousands of mosques, more than the Soviet era total of 80 mosques. The Government permitted Muslims from outside the country to build many of these mosques and to establish unauthorized Islamic groupings. However, after this initial phase, the Government decided to ban such groupings, perceiving them as extremist threats, and closed all but approximately 2,000 of the new mosques. Vigilante groups enforcing strict Islamic mores such as full cover dress for women, were outlawed. Some underground mosques, such as those that were tolerated during the Soviet Union, have begun to operate again, but religious authorities and the security services monitor them closely.

There are amicable relations among the various religious communities. However, Hizb ut-Tahrir, an extremist Islamic political organization, continued to circulate strongly anti-Semitic leaflets.

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

bassy is engaged actively in monitoring religious freedom and maintains contact with both government and religious leaders.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 117,868 square miles and its population is approximately 24,756,000. There are no official statistics on membership in various faiths; however, approximately 88 percent of the population nominally are Muslim. Since 1991 when the country gained independence from the Soviet Union, there has been a resurgence, particularly in the Fergana valley, of the Sunni variety of Islam traditional in the region. Approximately 10 percent of the population nominally are Russian Orthodox. A growing number of individuals from these two faiths practice their religion, and outside of Tashkent believers may outnumber non-believers. During the decades of Soviet rule, religion was not practiced openly by most persons; however, it remained an important cultural factor in the lives of many, particularly Muslims.

There are roughly 30,000 Ashkenazy and Bukharan Jews remaining in the country, concentrated in the main cities of Tashkent, Bukhara, and Samarkand. Almost 70,000 have emigrated to Israel or the United States since independence. The remaining 5 to 10 percent of the population include small communities of Korean Christians, Baptists, Roman Catholics, Lutherans, Seventh-Day Adventists, Evangelical and Pentecostal Christians, Buddhists, Baha'is, and Hare Krishnas.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion and for the principle of separation of church and state; however, in practice the Government restricted these rights. The Government is secular and there is no official state religion.

Although the laws treat all religious confessions equally, the Government shows its support for the country's Muslim heritage by funding an Islamic university and subsidizing citizens' participation in the Hajj. The Government promotes a moderate version of Islam through the control and financing of the Spiritual Directorate for Muslims (the Muftiate), which in turn controls the Islamic hierarchy, the content of imams' sermons, and the volume and substance of published Islamic materials.

The Religion Law requires all religious groups and congregations to register and provides strict and burdensome criteria for their registration. Among its requirements, the law stipulates that each group must present a list of at least 100 Uzbek citizen members to the local branches of the Ministry of Justice. This provision enables the Government to ban any group simply by finding technical grounds for denying its registration petition. Government officials designed the law to target Muslims who worship outside the system of state-organized mosques. A special commission may grant exemptions to the Religion Laws' strict requirements and register groups that have not been registered by local officials. The commission has granted exemptions to 51 such groups, including congregations with fewer than 100 Uzbek citizen members. However, no formal procedures or criteria have been established to bring a case before this commission, which did not meet during the period covered by this report.

To register, groups also must report in their charter a valid legal address. Local officials on occasion have denied approval of a legal address in order to prevent Christian churches from registering. The Ministry of Justice in Tashkent also has cited this requirement in explaining local officials' decisions. Although church leaders cite high registration fees and the 100-member rule as obstacles, the most frequent problem is the lack of an approved legal address. Some groups have been reluctant to invest in the purchase of a property without assurance that the registration would be approved. Others claim that local officials arbitrarily withhold approval of the addresses because they oppose the existence of Christian churches with ethnic Uzbek members.

Some churches, particularly evangelical churches with ethnic Uzbek members, do not bother to apply for registration because they do not believe local officials will register them. Other groups, including those with too few members, have reported that they prefer not to bring themselves to the attention of the authorities by submitting a registration application that on its face does not meet legal requirements. There also are a few groups, which refuse on principle to seek registration, because they challenge the Government's right to require registration. The central Government's Committee on Religious Affairs (CRA) intervened in at least one case where a church met all registration requirements but had been denied registration by local officials. As a result, the church was allowed to register in the fall of 2001.

As of May 1, 2002, the Government had registered 2,047 religious congregations and organizations, 1,863 of which were Muslim. The 182 registered minority religious groups include 59 Korean Christian, 33 Russian Orthodox, 23 Pentecostal ("full gospel"), 23 Baptist, 11 Seventh-Day Adventist, 8 Jewish (6 Bukharan, 1 Ashkenazy, 1 mixed), 7 Baha'i, 4 Lutheran, 4 "New Apostolic," 4 Roman Catholic, 2 Jehovah's Witnesses, 2 Krishna Consciousness groups, 1 Bible Society, and 1 Armenian Apostolic. According to 2000 statistics, 335 applications were denied, 323 of which were from Muslim groups. The number of mosques has increased significantly from the 80 or so permitted during the Soviet era, but has decreased from the 4,000 or more that opened after the country gained independence and before registration procedures were in place.

Restrictions on Religious Freedom

There were significant governmental restrictions on religious freedom during the period covered by this report. The Government, by continuing to deny registration to some religious organizations, deprived them of their legal right to worship. The Government restricted many religious practices and activities and punished some citizens for carrying out their religious practices and activities in violation of the registration laws. Ethnic Russians, Jews, and foreigners generally enjoy greater religious freedom than traditionally Muslim ethnic groups, especially ethnic Uzbeks. Christian churches generally are tolerated as long as they do not attempt to win converts among ethnic Uzbeks. Christians who are ethnic Uzbeks are secretive about their faith and rarely attempt to register their organizations. Christian congregations that are of mixed ethnic background often face difficulties in registering, or are reluctant to list their Uzbek members on registration lists for fear of incurring official displeasure.

The Law on Freedom of Conscience and Religious Organizations provides for freedom of worship, freedom from religious persecution, separation of church and state, and the right to establish schools and train clergy; however, the law also severely limits religious activity. It restricts religious rights that are judged to be in conflict with national security, prohibits proselytizing, bans religious subjects in public schools, prohibits private teaching of religious principles, forbids the wearing of religious clothing in public by anyone other than clerics, and requires religious groups to obtain a license to publish or distribute materials. However, the authorities enforce this law disparately in practice.

The Criminal and Civil codes contain stiff penalties for violating the Religion Law and other statutes on religious activities. Prohibited activities include organizing an illegal religious group, persuading others to join such a group, and drawing minors into a religious organization without the permission of their parents. Any religious service conducted by an unregistered religious organization is illegal. The Law prohibits groups that do not have a registered religious center from training religious personnel. There are seven such registered religious groups. In practice these restrictions override almost all freedoms recognized by international standards.

The Government, for national security reasons, has conducted an intensely repressive campaign against perceived Islamic extremists. The result is an atmosphere of intimidation, in which many young Muslim men say they do not feel safe even observing basic religious duties such as praying five times each day. The ban on proselytizing results in fines and the denial of registration to many Christian churches, and in some cases, beatings of many of their members. The control over publication and distribution of religious literature has been used to prevent distribution of Bibles in the Uzbek language, something the Government fears is a barely disguised effort to convert the Uzbek-speaking Muslim majority.

The Criminal Code distinguishes between "illegal" groups, which are those that are not registered properly, and "prohibited" groups, which are banned altogether. The code makes it a criminal offense punishable by up to 5 years in prison to organize an illegal religious group or to resume the activities of such a group (presumably after being denied registration or ordered to disband). In addition, the code punishes any participation in such a group by up to 3 years in prison. The code also provides for penalties of up to 20 years in prison and confiscation of property for "organizing or participating" in the activities of religious extremist, fundamentalist, separatist, or other prohibited groups. In practice the courts ignore the theoretical distinction between illegal and prohibited groups and frequently convict members of disapproved Muslim groups under both statutes.

Some churches continue to face obstacles in obtaining registration from the Government. Local authorities have continued to block the registration of Baptist congregations in Gazalkent, Andijon, and Novaya Zhizn. The Deputy Mayor of Gazalkent allegedly told church leaders that their application might be approved if they removed from the church's membership list all names of ethnic Uzbek origin.

At the end of the period covered by this report, they still were experiencing problems. In 2001 the CRA successfully intervened on behalf of the Nukus Full Gospel Church, which resulted in its registration. In 2000 the Baptist congregation in Guliston was denied registration, ostensibly on the grounds that its proposed church was in a residential area. Church officials had claimed that local officials blocked their registration because ethnic Uzbeks were listed on their membership lists. The congregation was registered during the period covered by this report.

Although two congregations of Jehovah's Witnesses are registered, nine others that attempted to register between 2000 and 2001 were unsuccessful. Provincial authorities have referred to them as "extremists." Church officials believe that their particularly active style of proselytizing among ethnic Uzbeks (while the pastors of these groups are not ethnic Uzbeks) is at the root of the bureaucratic obstructionism that they encounter. Church officials also reported that members were detained and beaten on several occasions. In March 2002, police arrested members of three congregations of Jehovah's Witnesses and charged them with participating in an unregistered religious organization. Several received fines, and a few congregants in Nukus reported they were beaten. All later were released. At the end of the period covered by this report, the authorities in Bukhara still were debating whether to file criminal charges against the leader of Jehovah's Witnesses in that province. Any religious service conducted by an unregistered religious organization is illegal. In May 2002, officials of the CRA summoned leaders of the Jehovah's Witnesses and explained to them the requirements of the religion laws and offered to work with them to meet those requirements.

The CRA continues to refuse the Greater Grace Christian Church of Samarkand permission to have a Finnish, rather than Uzbek citizen, pastor. The Church's application for registration therefore is blocked until this issue is resolved. Church leaders expressed some optimism in the spring of 2002 that the issue might soon be resolved.

In March 2001, the CRA stated that the Government planned to instruct Christian congregations with foreign pastors to replace their pastors with Uzbek citizens. The CRA maintained that graduates of a registered Korean Christian seminary in the country could replace the foreign pastors. In May 2002, the CRA announced to a group of evangelical pastors that they no longer would be allowed to preach in the Uzbek language—the official national language and the one identified most closely with the majority Muslim population. However, by the end of the period covered by this report, official instructions were not issued in either case, and the measures had not been enforced.

The Gazalkent Baptist Church in Gazalkent continued to face difficulties in its attempts to obtain registration. According to the church's leader, Alikhan Kiev, officers of the NSS accused him in August 2001 of fabricating the congregation's membership list. The law requires 100 Uzbek citizen members for the registration of a religious organization. NSS officer Abdujalil Ishmatov accused Kiev of having "fabricated around 90 percent of the signatures." Ishmatov indicated that the NSS had interviewed individuals whose signatures were on the membership list. He said that most of these individuals, had not realized "they were signing up as members of a founding church group."

While supportive of moderate Muslims, the Government is intolerant of Islamic groups operating outside the state-run Muslim hierarchy that it perceives to be extremist; however, a small number of unofficial, independent mosques are allowed to operate quietly under the watch of official imams. The Government controls the content of imams' sermons and the volume and substance of published Islamic materials. Since 1998 the Government has prohibited loudspeakers in mosque minarets, in order to prevent amplified public calls to prayer. This order was implemented following a series of bombings in 1999, which the Government attributed to Islamic extremists. The order generally is enforced; however, in some neighborhoods on Fridays, the call to prayer is issued by loudspeaker.

The authorities often suspect Muslims who meet privately to pray or study Islam of being extremists, and such believers are at risk of arrest.

The Government is determined to prevent the spread of Hizb ut-Tahrir, as well as other extremist Islamic groups, which it places under the broad label of "Wahhabism." In spring of 2002, President Islam Karimov reaffirmed on national television his intention to eradicate Hizb ut-Tahrir. Hizb ut-Tahrir members desire an Islamic government, and the group's literature includes much anti-Western, anti-Semitic, and anti-democratic rhetoric. Some independent Muslims deny that they are extremists and claim that they are being labeled wrongly.

The Koran and prayer are banned in certain prisons, particularly those with prisoners believed to be Islamic extremists.

Religious groups are prohibited from forming political parties and social movements.

The Government requires that the religious censor approve all religious literature; however, in practice a number of government entities concerned with religion have a chance to veto that with which they are not satisfied. The CRA, in accordance with the law, has given the right to publish, import, and distribute religious literature solely to registered central offices of religious organizations. Seven such offices have been registered to date: A nondenominational Bible society, two Islamic centers, and Russian Orthodox, Full Gospel, Baptist, and Roman Catholic offices. However, the Government discourages and occasionally has blocked registered central offices from producing or importing Christian literature in the Uzbek language even though Bibles in many other languages are available in Tashkent bookstores.

The Muftiate sporadically issues an updated list of all officially sanctioned Islamic literature. Bookstores are not allowed to sell any Islamic literature not on the list. The list contains more than 200 titles; however, in practice Islamic bookstores in Tashkent sell a large number of titles not included on the list, including those in the Arabic language. More controversial literature, when available, is not displayed on shelves. Possession of literature by authors deemed to be extremist may lead to arrest and prosecution. Hizb ut-Tahrir leaflets absolutely are prohibited.

Unlike in the past, there were no reports of the confiscation of foreign Islamic literature or Uzbek-language Christian literature during the period covered by this report.

Although the authorities tolerate the existence of many Christian evangelical groups, they enforce the law's ban on proselytizing. The Government often monitors and harasses those who openly try to convert Muslims to Christianity. Members of Jehovah's Witnesses claim that they are subjected routinely to police questioning, searches, and arbitrary fines. Several churches, including the Baptist church in Gazalkent, have reported that local officials did not accept membership lists that included ethnic Uzbek names.

The Government bans the teaching of religious subjects in schools and also prohibits the private teaching of religious principles. In July 2000, police closed a summer youth camp sponsored by the registered Korean Christian church "Mir" in Nukus, Karakalpakstan. In August 2000, Karakalpak authorities revoked the church's registration and ordered Pastor Vladimir Kim to close it on the grounds that the camp had taught religion to minors without parental consent, a violation of the religion law. Kim maintained that all of the minor's parents had signed consent forms. Although the church was allowed to reopen in January 2001, it had not been reregistered by the end of the period covered by this report.

In May 2001 the Ministry of Justice informed the Baptist Union in writing that the holding of Sunday School classes for the children of congregation members was a violation of the Law on Freedom of Conscience and Religious Organizations. The letter threatened revocation of the Baptist Union's registration if it did not immediately cancel Sunday School. The legal problem has not been resolved, but a series of communications between the Baptist Union and the Ministry has resulted in what is at least a temporary, and mutually acceptable, compromise.

Also in May 2001 the Roman Catholic parish in Fergana received an order from the regional Prosecutor General to close its Sunday school on the grounds that the school was an institution of higher learning and had not been registered properly. However, later in the month, the CRA found that the Catholic Sunday school was not a formal institution, had been closed improperly, and should be allowed to reopen. Sunday school classes resumed at the school.

Unlike in the past, there were no cases of women being expelled from either university or secondary school for wearing religious dress during the period covered by this report. In 1999 Human Rights Watch compiled a list of 28 confirmed cases from 1997 and 1998 in which university and secondary school students were expelled for wearing the hijab, the headscarf associated with Muslim female modesty. Several women who were expelled in the past continued an unsuccessful campaign to be reinstated.

For the most part, women who wish to enter university abandon the headscarf. At one prominent Tashkent University, a professor noted that to his knowledge only one female student wore the hijab.

The law forbids anyone except clerics from wearing religious clothing in public. Nonetheless, women are seen wearing the hijab and less frequently, the veil on the street. Older men wearing prayer robes is not an uncommon sight.

Most young men do not wear beards, which the Government regards as a sign of extremism. Many young men attend Friday prayers; however, hardly any are bearded.

There were some reports of human rights abuses against members of minority religions during the period covered by this report. Police occasionally broke up meetings of unregistered groups. Leaders of such groups have been assessed fines or charged with administrative violations and in some cases, briefly detained by the authorities. Registration applications have been hampered.

Nikolai Shevchenko, pastor of the Bethany Baptist Church in Tashkent, faces administrative fines for leading an unregistered congregation. In July 2001, Shevchenko was charged with a related criminal offense, but those charges were dropped. Bethany Baptist Church is located in the Mirzo-Ulugbek district of Tashkent. The authorities rejected Bethany's application for registration after the mahalla (neighborhood) committee called the presence of a Christian church in their neighborhood intolerable.

Abuses of Religious Freedom

The Government continued to commit numerous serious abuses of religious freedom. The Government's campaign against extremist Muslim groups, begun in the early 1990's, resulted in numerous serious human rights abuses during the period covered by this report. The campaign was directed at three types of Muslims: alleged Wahhabists, including those educated at madrassas (schools) abroad and followers of Imam Nazarov of Tashkent and missing Imam Mirzaev of Andijon; those suspected of being involved in the 1999 Tashkent bombings or of being involved with the Islamic Movement of Uzbekistan (IMU), whose roots are in Namangan; and suspected members of Hizb ut-Tahrir throughout the country. The campaign resulted in the arrest of many observant Muslims who were not extremists. The campaign also resulted in thousands of allegations of torture, many of which have been confirmed.

In the late 1980's, the Government of the USSR began to loosen its control of the practice of Islam. In the early 1990's, the newly independent Government of Uzbekistan built hundreds of new mosques and allowed the construction of thousands more, many funded from abroad. However, towards the end of 1991, the Government launched a campaign of severe repression, in an attempt to stem the growth of what it considered a dangerous threat to stability. This followed the appearance of vigilante groups enforcing conservative Islamic social mores (for example, full cover dress for women) in the Fergana Valley. The Hizb ut-Tahrir and Wahhabist organizations first appeared in the country during the late 1980's and early 1990's proliferation of Islam. The IMU was formed in part by members of Adolat (Justice), a conservative Islamic political party that later was banned by the Government. While the Government views members of the IMU as terrorists, it views members of Hizb ut-Tahrir and Wahhabists as potential terrorists and as an ideological breeding ground for terrorists.

The Government does not consider repression of these groups to be a matter of religious freedom, but instead to be directed against those who want to foment armed resistance to the Government. However, the authorities are highly suspicious of those who are more observant than is the norm, including frequent mosque attendees, bearded men, and veiled women. In practice this approach results in abuses against observant Muslims for their religious beliefs. It also serves to radicalize some young men and women who otherwise might practice their religion in a politically neutral manner.

There were credible reports that police mistreatment resulted in several deaths in custody. Law enforcement officials regularly beat and torture suspects held in pretrial detention—including those accused of religious extremism—in order to extract confessions. Severe mistreatment of convicted prisoners also is common. Although there is specific information available on only a few deaths from mistreatment in custody, human rights and other observers credibly report that a large number of prisoners throughout the country during the period covered by this report died of diseases directly related to the conditions of their confinement. Law enforcement officials have been known to threaten families not to talk about their relatives' deaths. Human rights monitors reported a decrease in the number of abuses in certain prisons following a January 2002 conviction of four police officers in the beating death of an alleged extremist. Allegations of serious abuses in other prisons continue to be reported.

The Government has not conducted an investigation into the December 2000 death in prison of Habeebullah Nosirov, a member of Hizb ut-Tahrir who was convicted in 1999. According to his family, he died of injuries sustained from severe beatings by police while he was in prison. He was the brother of the imprisoned leader ("Amir") of Hizb ut-Tahrir Uzbekistan, Hafeezullah Nosirov.

There was no investigation into the October 2000 death of Numon Saidaminov, Hafeezullah Nosirov's reported successor as Amir of Hizb ut-Tahrir. His body was

returned to his family from detention by the National Security Service (NSS) and showed signs of torture.

In January 2002, a court sentenced four policemen to 20 years imprisonment each for their role in the beating death of Ravshon Haitov. In October 2001, Ravshon and Rasul Haitov were arrested in Tashkent on suspicion of belonging to Hizb ut-Tahrir. The next morning, Ravshon's body was returned to his family, who reported that it showed signs of severe torture. Rasul Haitov also was tortured and spent several months in the hospital. There have been allegations that three senior police officers also involved in the beatings escaped prosecution. The Government's investigation into Rasul Haitov's alleged Hizb ut-Tahrir activities still was open at the end of the period covered by this report.

During the period covered by this report, there were no reports of disappearances of religious leaders. There were no developments in the 1995 disappearance of Imam Abduvali Mirzaev; the 1997 disappearance of his assistant, Nematjon Parpiev; or the 1992 disappearance of Aboullah Utaev, leader of the Uzbekistan chapter of the outlawed Islamic Renaissance Party (IRP). The fate of the three men is unknown, but most observers believe that the authorities abducted them.

Bakhodir Khasanov, an instructor of French at the Alliance Francaise who was arrested in July 2000, still is missing. Unconfirmed reports indicate that he may have been sentenced since then. The authorities have not acknowledged that he is being held. Security services reportedly were interested in Khasanov because many members of the Khasanov family were jailed for alleged extremist Islamic activity, although acquaintances claimed that Khasanov was not especially religious. His brother Ismail was convicted in 1999 for alleged links to Islamic extremists and was retried on additional charges of involvement in an IMU incursion near Yangiabad, although these events took place while he was in prison. In 1999 police arrested Khasanov's 70-year-old father after planting Hizb ut-Tahrir leaflets on him. He signed a confession after police forced him to watch them beating his son Ismail. He was sentenced to 3 years' imprisonment.

The absence of a free press and publicly available centralized records makes it difficult to determine how many persons have been incarcerated. Nonetheless, the Moscow human rights center, Memorial, has compiled a list of more than 2,600 individuals arrested and convicted for political and religious reasons between January 1999 and August 2001. Nearly all those listed were accused of being Islamic extremists. Most human rights groups agree that the number of individuals convicted and still in prison, who were arrested for political or religious reasons is between 6,500 and 7,000. The Independent Human Rights Organization of Uzbekistan (IHROU) estimates that all but approximately 200 of those arrested were arrested on suspicion of Islamic extremism. The number of those in pretrial detention is unknown but is estimated to be less than 300.

Unlike in the past, there were no reports that security services arrested, detained, or harassed Muslim leaders perceived to be extremists during the period covered by this report.

Since August 2001, the number of individuals arrested on suspicion of Islamic extremism has decreased throughout the country. Activists in Fergana region reported that, in the first 4 months of 2002, only eight such arrests were made. In Andijon region, the reported figure was five. In Tashkent, the figure was similar, although 24 women were arrested, and 8 charged, for demonstrating on behalf of jailed relatives. Local human rights activists credibly estimate that throughout the country, approximately 300 such individuals were arrested during the first 6 months of 2002.

In December 2001, attorney Irina Mikulina met with Imam Abdolvakhid Yuldashev, a former associate of Imam Nazarov, 8 months after his April 2001 conviction for organizing an independent Islamic group, and reported that he continues to be tortured. According to Mikulina, the skin on his feet had been stripped clean from beatings. Observers claim that such continued beatings are meant as a deterrent to others. In court Yuldashev described how investigators had beaten him and burned his genitals in order to extract confessions during detention. The judge declined to investigate these charges.

The Koran reportedly is banned in many detention facilities, and there are numerous reports that Muslims in places of detention are punished severely if they are caught praying, especially in prisons where suspected Islamic extremists are incarcerated.

Arbitrary arrest and detention of Muslim believers on charges that they belong to Hizb ut-Tahrir or Wahhabist organizations remained a problem. Various estimates from credible sources suggest that as many as 5,000 of the estimated 6,500 political prisoners currently being held in the country are members of Hizb ut-Tahrir. Nonetheless, there were numerous cases of incarceration of individuals who were gathering for prayer in an unauthorized manner. For example, in August 2001,

a Jizzakh court convicted six young men (ages 20 to 30) and their 83-year-old host for holding prayers in the older man's home. The police allegedly planted drugs and Hizb ut-Tahrir leaflets. The six young men remained in prison at year's end, although their host was released after paying a fine. Even in cases where individuals are members of Hizb ut-Tahrir or other extremist organizations, the authorities sometimes failed to produce credible evidence that the individuals committed acts for which they allegedly were arrested.

Following both the 1997 murder of police officials in Namangan and the 1999 terrorist bombings in Tashkent, police detained hundreds and perhaps thousands of suspected Wahhabists. The majority of those detained were released after questioning and detention that lasted as long as 2 months. The police routinely planted narcotics, ammunition, and, beginning in 1999, religious leaflets, on citizens to justify their arrests. According to human rights activists, the police arrested many of those whose religious observance, sometimes indicated by their dress or beards, made them suspect to the security services. Approximately 8,000 persons have been arrested and convicted since February 1999 on suspicion of Islamic extremism, and approximately 6,500 remain incarcerated. While exact numbers are not available, observers believe that many prisoners have died in custody, primarily due to diseases such as tuberculosis.

To determine whom to arrest, the Government used the local mahalla (neighborhood) committees as a source of information. Shortly after the 1999 Tashkent bombings, President Islam Karimov directed that each committee assign a "defender of the people," whose job it was to ensure that youths in the neighborhoods were not joining independent Islamic groups. The committees identified for police those residents who appeared suspicious. Human rights observers noted that in practice the committees often identified the same individuals who had been detained by the police in the wake of either the 1997 murders of officials in Namangan or the Tashkent bombings, and who subsequently had been released for lack of evidence.

During the period covered by this report, the number of new arrests declined sharply. Local human rights activists have confirmed that, nationwide, the total number of persons arrested on suspicion of Islamic extremism during the first 7 months of 2002 was approximately 300. The average number of arrests during any 7-month period between 1999 and mid-2001 exceeded 1,500 persons. Activists in regions where there had been largescale arrests in the past confirmed these numbers. During the period covered by this report, more than 300 persons, many of whom were arrested during the spring and summer of 2001, were convicted. In August 2001, the Government declared an amnesty, in which approximately 860 persons convicted on charges related to Islamic extremism were released.

Although the Constitution provides for the presumption of innocence, the system of justice operates on the assumption that only the guilty are brought to trial. To bolster its claim that the presumption of innocence is observed, government officials pointed out that after the 1999 bombings, approximately 5,000 persons who were detained later were released. According to government officials, most of these persons were released after they renounced their allegiance to Islamist groups and pledged never again to engage in anti-State activities, while others were released for lack of evidence.

Unlike in previous years, human rights observers and others generally were allowed to attend trials during the period covered by this report. Defendants often claimed that confessions on which the prosecution based its cases were extracted by torture. Judges usually ignored these claims and invariably convicted the accused. During the period covered by this report, the majority of sentences were from 7 to 12 years, which were more lenient than previous years' sentences of 15 to 20 years but still are quite harsh. In an October 2001 trial, a Tashkent court convicted four men, ranging in age from 27 to 30, to terms of between 6 and 18 years for their membership in Hizb ut-Tahrir. The prosecutor in this trial showed up for only one of the five court sessions, and the state's evidence consisted exclusively of testimony from two witnesses, one of whom misidentified the defendants.

Family members of individuals wanted in connection with Islamic activities, or already jailed in connection with those activities, often are harassed or arrested. In some cases, the relatives themselves are involved in what the Government considers illegal religious activities, but in many cases the relatives' guilt only is by association. For example, in April 2002, authorities arrested a niece of Imam Abidkhon Nazarov, who is believed to have fled the country. Many adult male members of the family of Nazarov remain in jail and allegedly are beaten periodically.

In another case, Rahima Ahmadalievna, who was arrested on March 17, 2001, was sentenced in September 2001 to 7 years imprisonment. Ahmadalievna is the wife of Imam Ruhiddin Fahriddinov, who was accused by the Government of "Wahhabism" and is believed to be in hiding.

Eight male relatives of Imam Farhod Usmanov, a lay Muslim Imam who died in pretrial detention in 1999, remain in jail. Imam Usmanov was popular among extremely conservative Muslims in Tashkent.

The authorities continued to arrest women for organizing demonstrations demanding the release of their jailed male relatives. During the first 6 months of 2002, in Tashkent, more than 20 women were brought to trial; all but 2 received suspended sentences.

On April 14, 2002, authorities arrested Musharaf Usmanova, the widow of Imam Farhod Usmanov. Usmanova organized several demonstrations in the fall and winter of 2001 in Tashkent. Days after her April 14 arrest, her picture appeared in the official police gazette, and she was listed as a missing person. Her family subsequently located her, and at the end of the period covered by this report, she was awaiting trial.

On April 23, 2002, 44 women demonstrated in Margilon, demanding justice in the alleged 2001 murders by NSS officers of 4 Hizb ut-Tahrir members. Eleven women were detained, and all later were released. In May 2002, three NSS officers were convicted in one of the murders. The Fergana regional procurator announced that he was conducting investigations into two more of the murders.

On September 4, 2001, police arrested 63-year-old Fatima Mirhatieva, the organizer of several demonstrations. She had received several warnings from authorities to desist from organizing further demonstrations. She was sentenced in early November 2001 to 3 years of community service and was granted amnesty.

Throughout the period covered by this report, participants in similar demonstrations throughout the country were arrested. In most cases, they later were released.

The authorities in some cases briefly detained leaders of minority religions.

In August 2000, police allegedly detained for 2 days a group of unregistered Baptists meeting in a private apartment in Chirchik. The police allegedly beat them. After a similar incident in 1999 in Karshi, the Committee on Religious Affairs claimed that it had taken steps to ensure that police would allow such Baptist congregations, which consider registration to be inconsistent with their religious beliefs, to meet undisturbed for worship.

Police conducted several raids during 2001 against meetings of Jehovah's Witnesses, and the Jehovah's Witness' general counsel reports that harassment against their members remained a problem. In two incidents, one in January and one in July 2001, police reportedly beat arrested members. The Jehovah's Witness' counsel alleges that the Government regards Jehovah's Witnesses as an extremist group. On March 26, 2002, members of Jehovah's Witnesses reported that members of the three congregations in the city of Nukus were detained and beaten while celebrating their only official religious holiday. Members were charged with participating in an illegal religious activity. Several were fined; all later were released.

The authorities have attempted to silence human rights activists who criticize government repression of religious Muslims and others. On September 18, 2001, the Andijon prosecutor initiated an investigation into the activities of members of the Human Rights Society of Uzbekistan (HRSU). HRSU had assisted a group of women demanding the release of their male relatives, all alleged members of Hizb ut-Tahrir. The Andijon chief prosecutor subsequently called off the investigation.

In February 2002, the Ministry of Justice registered the Independent Human Rights Organization of Uzbekistan (IHROU) after four years of delay. IHROU monitors the arrests and trials of persons accused of extremism.

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 refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In August 2001, the Government announced a general amnesty. As part of that amnesty, 860 prisoners who had been convicted of crimes against the constitution (and most of whom were suspected of Islamic extremism) were released. Most of those released were alleged to have been members of, or to have had ties to, Hizb ut-Tahrir.

During the period covered by this report, the number of arrests of individuals on suspicion of Islamic extremism declined sharply. According to local human rights activists, the total arrested in the first 6 months of 2002 was less than 300, compared to thousands in previous years.

In August 2001, a commission from the office of the President visited Andijon, the site of several demonstrations in 2001. The commission met with demonstration or-

ganizers and local human rights activists. The demonstration organizers were allowed to convey their demand to release their relatives to the commission members.

In October 2001, the General Prosecutor's office launched an immediate investigation into the death of alleged Hizb ut-Tahrir member Ravshon Haitov. In January 2001, four policemen in Tashkent were convicted and sentenced to 20 years in prison each in this murder-in-custody case.

In early May 2002, three NSS officers went on trial in a Tashkent military court for the November 2001 beating death of a suspected Hizb ut-Tahrir member in Fergana. Two of the officers, including the chief of the Margilon NSS branch, eventually were convicted and sentenced to 15 years in prison. The third officer received a 4-year sentence. The Fergana Province Prosecutor announced that he was conducting an investigation into two more alleged murders by NSS officers.

The opposition political party Birlik reported on its website that a court in Fergana directly for the first time had answered allegations by defendants that they had been tortured. On April 26, 2002, the judge in the trial of 14 alleged Islamic radicals said that anyone guilty of torture would be brought before the courts.

In the fall of 2001, the authorities in Nukus registered the Nukus Full Gospel Church. According to church leaders, local authorities had objected to the presence on the membership roles of several ethnic Uzbeks in this predominantly ethnic-Korean church. The CRA has indicated that it is looking at ways to facilitate resolution of problems facing other Christian churches and has developed good working relations with minority religious leaders.

SECTION III. SOCIETAL ATTITUDES

There are amicable relations among the various religious communities. There is no pattern of discrimination against Jews. Synagogues function openly; Hebrew education, Jewish cultural events, and the publication of a community newspaper take place undisturbed. However, many Jews have emigrated because of bleak economic prospects and because of their connection to families abroad. Anti-Semitic fliers signed by the Hizb ut-Tahrir have been distributed throughout the country.

Members of ethnic groups that traditionally are associated with Islam who convert to Christianity sometimes encounter particular societal and low-level governmental hostility.

Evangelical Christian churches and churches with ethnic Uzbeks on their roles often face difficulties, including in registering. This difficulty is often a reflection of societal attitudes. For example, an official of the Ministry of Justice office in a small provincial city refused to register an evangelical church. The official allegedly told the pastor's wife "We don't need your Russian god." The official then allegedly suggested that the woman should consider emigrating.

The leader of the Russian Orthodox Church in Central Asia complained vocally several times about foreign Christian organizations that conduct missionary activity in the country. He has claimed that this activity is destabilizing and can lead to conflict between Muslims and Christians.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy is engaged actively in monitoring religious freedom issues and problems and maintains contact with both government and religious leaders. President George Bush and the Secretary of State each met with the President during the period covered by this report and expressed the strong U.S. position on human rights, including its stance on freedom of religious expression. Both the President and the Secretary of State have noted positive developments in the human rights situation and linked continued progress in the human rights situation to the viability of a long-term close relationship with the U.S. and Government of Uzbekistan. Numerous other high U.S. Government officials, including many members of Congress, met with officials of the government and have reiterated this view. Visiting legislators repeatedly met with Uzbek human rights activists. The U.S. Ambassador and other embassy officials met with local religious leaders, human rights activists and Uzbek officials to discuss specific issues of human rights and religious freedom. Officials in Washington met on several occasions with Uzbek embassy officials to convey U.S. concerns regarding the state of religious freedom.

The Embassy's human rights officer maintains regular contact with the CRA as well as religious leaders and human rights activists. The U.S. Embassy intervened on behalf of the Nukus Full Gospel Church and the Andijon Branch of the HRSU (which monitors arrests and trials of individuals accused of Islamic extremism). Embassy officials raised with the CRA the problems facing the Jehovah's Witnesses and other Christian groups. Embassy officials worked to facilitate the registration of a charitable Jewish organization that had experienced registration difficulties.

Embassy officials met with numerous Muslim clergymen and pressed the Government to take action against security forces implicated in the deaths of individuals arrested on suspicion of Islamic extremism. Embassy officials repeatedly urged the Government to allow conservative Muslims more freedom of religious expression. The U.S. Government believes that this is an essential element in preventing further radicalization of young Muslims.