Catalogue Report

Religious Freedom of Unrepresented Peoples

March 2020
About the UNPO

The Unrepresented Nations and Peoples Organization (UNPO) is an international membership-based organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their fundamental human rights.

The peoples represented within the UNPO membership are all united by one shared condition: they are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realize their rights to civil and political participation and to control their economic, social and cultural development. In many cases, they are subject to the worst forms of violence and repression.

UNPO is a unique presence in the international arena in that it is built and primarily funded by its members. This gives it a strong connection to those suffering the consequences of the exclusion that the organization seeks to address. And it means that UNPO is able to address issues that often remain hidden because UNPO has the freedom to raise issues that others cannot due to political or funding constraints.

The organization consists of a General Assembly of members, which serves as a deliberative body for decision-making, solidarity and standard setting among unrepresented nations and peoples, and a number of Foundations established to provide secretariat services for the General Assembly and to improve the respect for the rights of unrepresented peoples everywhere through research, education and public campaigns.

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Introduction

Ever since the United States Commission on International Religious Freedom (USCIRF) started documenting the state of religious freedom around the world in annual reports, the first of which was published in 2000, a recurring finding has been that religious freedom conditions worldwide continued to deteriorate both in depth and breadth of violations. Similarly, in a study that tracked the restrictions on religion and social hostilities involving religion from 2007 to 2017, the Pew Research Center found that the number of governments who impose ‘high’ or ‘very high’ restrictions on religion and the number of countries where people experience the highest levels of social hostilities involving religion rose by 30 and 43 percent respectively.¹ In an age where people are becoming increasingly connected with each other, tolerance through upholding the fundamental human rights to freedom of thought, conscience and religion – as prescribed in numerous United Nations Declarations, Treaties and Conventions – seems to be ever more at risk.

As such, violations of the freedom of religion occur everywhere around the world and to peoples of every faith. Many suffer regularly from extreme forms of religious persecution such as arbitrary arrests, enforced disappearances, extrajudicial executions, systematic discrimination, physical and mental abuse, rape and sexual violence, and many other forms of cruel treatment, both at the hands of state and non-state actors. Those exposed to forms of religious persecution often belong to a religious minority in their specific country. Because many of these religious minority groups are not properly represented at the national or international level by the government of the state in which they reside, they are particularly vulnerable to persecution.

Therefore, the right to freedom of thought, conscience and religion is of essential importance for the Unrepresented Nations and Peoples Organization (UNPO), as many of its members constitute minorities based on their distinctive religious adherence or beliefs. Three systemic issues can be identified with regard to policies of religious persecution:

I. **Lack of adequate national representation**: legislation often excludes the needs and interests of minorities;

II. **Silencing of unrepresented peoples**: through the use of intimidation and violence, repressive regimes often manipulate the international system to block representatives of religious minorities;

III. Lack of international pressure against perpetrators: geopolitical considerations often prevent effective international pressure to counter gross violations of the right to religious freedom.

As a result, more than one-fourth of all UNPO members currently face some form of persecution based on their religion or belief. In light of this concern, this report aims to catalogue the various cases of religious persecution affecting UNPO members. By sharing some of their stories, it hopes to shed light on the various distinctive ways through which religious persecution takes place. Although religious persecution remains highly context-specific, common trends can be discerned.

Overview

Paradoxically, one thing most countries that systemically violate the right to religious freedom have in common is the fact that this right is almost always enshrined in their constitutions, albeit in different forms. Despite this ostensible constitutional protection of religious freedom, these governments have tried to introduce (legal) policies through which state persecution of religious minorities has been legitimised. An important reason why some states resort to the persecution of persons based on their distinct religion or belief is that these governments – which are most often authoritarian – perceive religious or cultural differences as a threat to state control. In particular, the predominance of religious or ideological doctrine as a basis for governance has meant that minorities explicitly have fewer rights than majority groups in these countries. In other words, severe persecution of religious minority groups often follows from the inextricable link between state control and religious or ideological doctrine as a basis for governance.

As religious differences are perceived by many authoritarian states as threatening their control over society, the first main trend that can be identified from this report is the securitisation of religion. This is often particular to states that have an ideological doctrine as a basis for governance, such as China and Laos. In this sense, a government moves issues such as political dissent or expressions of a distinct religion out of the political realm by framing these issues as security threats. This is called a securitising move. The most important consequence of securitising an issue is that this allows governments to use ‘extraordinary measures’ that would not be acceptable under ‘normal circumstances’. In other words, by framing religious practices as threats to the security of a state, repressive regimes provide a justification for religious persecution or strict controls on
religious practices. A commonly used securitising practice, especially after the 9/11 terrorist attacks, is the use of anti-terrorism and anti-extremist legislation to arrest, detain and even execute clerics and religious activists. Moreover, such legislation is commonly used to restrict the religious activities of minority groups by placing them under strict government control.

In Russian-occupied Crimea, the indigenous **Crimean Tatars** are persecuted under terrorism and extremism-related charges as part of a Russian policy that seeks to exclude non-traditional religious groups and suppress political opposition to the annexation of Crimea. In China, the independent practicing of religion by both **Uyghur** Muslims and **Tibetan** Buddhists has been harshly restricted by the Chinese Communist Party (CCP) in order to ‘sinicise’ religious belief. The persecution of Uyghur Muslims is particularly severe, as millions of Uyghurs have been forcefully imprisoned in detainment camps, which the CPP defend as ‘re-education camps’ to combat extremism in the region. In Chinese-occupied Tibet, the CCP has assumed strict control over Tibetan Buddhism and introduced several counterterrorism laws which criminalise even small acts of Buddhist religious expression. The Communist government of Laos has also placed heavy restrictions on the freedom of religion. For the **Hmong** in Laos, their religious persecution is compounded by the fact that the Laotian government has framed them as a dangerous anti-government group because of their involvement in the Vietnam War. Lastly, **West Papuans** in Indonesia have long been suffering from violence at the hands of state authorities, who have tried to crack down on any pro-independence sentiment in West-Papua and incentivised the migration of Muslims to the originally Christian-majority region.

A second trend that can be discerned from this report, and one that is very much related to the securitisation of religion – but not entirely similar – is the **politicisation of religion**. This is often particular to states that have a religious doctrine as their basis for governance, such as Pakistan and Iran. In countries where politics and religion are intertwined, certain religious communities that do not conform to the dominant or state religion are regarded as a threat to the state and society. In this sense, the dominant or state religion is used as a tool of exclusion to marginalise, isolate and discriminate against religious minority groups. By framing expressions and practices of non-recognised religious minorities as blasphemous or offensive to state religion, repressive governments legitimise persecuting these groups. This religious persecution is often legalised – and sometimes even constitutionalised – through the introduction of blasphemy and related laws.
In Pakistan, where Islam is the official state religion, non-Sunni religious groups face intersectional violence and severe persecution. In its Balochistan province, where the Pakistani government has allowed an environment conducive to hate speech and bigotry, non-Sunni minorities are targeted by sectarian violence of extremist movements. In Pakistan's Sindh province, Hindu and Christian women and girls are often victims of forced marriages or conversions, which aggravates their already marginalised position in Pakistani society. Moreover, both in Balochistan and Sindh, persons belonging to religious minority groups are disproportionately affected by Pakistan's harsh blasphemy laws. Such an oppressive and discriminatory legal system can also be found in Iran, whose legal system is based on an Islamic Shi'a-dominated doctrine. As a result, minority groups who adhere to Sunnism, such as Ahwazi Arabs, Iranian Kurds and Baloch, form a disproportionate share of those detained or executed under Iran's Islamic Penal Code (IPC). In Vietnam, although formally a secular country, the government-created Vietnam Buddhist Saga (VBS) acts as the sole representative of Vietnamese Buddhism. As a consequence, the Vietnamese government has assumed almost total control over the distinct Buddhist practices of the indigenous Khmer-Krom. Any protest against this practice has been quelled under charges of ‘anti-government activities’, which has resulted in the defrocking of numerous Khmer-Krom religious leaders. Finally, Assyrians in Iraq, Syria and Iran are also facing systemic discrimination and intersectional violence, especially in light of the former presence and current legacy of the Islamic State of Iraq and Syria (ISIS) in the region.

Both the securitisation and politicisation of religion are worrying developments as they have been widely used by state and non-state actors to persecute persons based on their religion or belief with impunity. While these trends are commonly recognised by organisations and institutions that do research on religious freedom, it is also argued that the issue of religious freedom is decreasing in importance on the human rights agenda of Western governments and media. This increasing indifference is compounded by the blatant disregard many repressive regimes show to the United Nations (UN) human rights mechanisms, often deliberately manipulating UN procedures to escape punitive measures. Ultimately, the worsening situation of religious freedom for hundreds of millions around the world and the lack of support and protection of human rights defenders (inter)nationally prolongs the manifold suffering of religious minorities.


3 Unrepresented Nations and Peoples Organization (UNPO) et al., Compromised Space: Bullying and Blocking at the UN Human Rights Mechanisms (July 2019).
Therefore, it remains imperative that religious minorities who are not adequately represented at institutions of national governance are duly protected by legislation. Having their voices heard is the most important source of resistance against the violations of religious freedom.

**China - Tibetans | Uyghurs**

Even though the freedom of religious belief is enshrined in China’s constitution, which even states that “no state organ, public organisation or individual […] may discriminate against citizens who believe, or do not believe in, any religion”\(^4\), China has an extremely troubling record when it comes to religious freedom. The Chinese Communist Party (CCP) has persecuted persons belonging to nearly every faith, aiming to ‘sinicise’ religious belief in order to promote and assimilate religious practice to Chinese cultural identity. This not only constitutes an effort to suppress any form of religious practice that operates independently, but also to erase the distinctive cultural and linguistic heritage of religious and ethnic minority groups.\(^5\) Ever since Xi Jinping assumed office as General Secretary of the CCP in 2012, Chinese authorities have increased their attention to religious affairs as part of what has been described as a ‘hardline turn’ aiming to bring elements of Chinese society outside the CCP under its control to prevent the independent organisation of civil society.\(^6\) This policy has been institutionalised through the transferring of jurisdiction over religious affairs to the United Front Work Department (UFWD), an organ of the CCP. Consequently, strict regulations that ban ‘unauthorised religious teaching’ and require nearly all religious activities to be reported have put severe limitations on the expression and independent practicing of religion.

**TIBETANS**

In Chinese-occupied Tibet, the CCP has long pursued a strategy of forced assimilation and suppression of Tibetan Buddhists, whose distinct culture, religion and language it perceives as a threat to Chinese cultural unity. When Xi Jinping came to power in 2012, this strategy was extended by the adoption of a proactive policy to sinicise religion. Since February 2018, the CCP updated its Religious Affairs Regulation to tighten its grip on religious practice, consequently requiring all religious groups to practice ‘core socialist

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\(^5\) USCIRF, 2019 Annual Report, 34.

\(^6\) United States Congressional-Executive Commission on China (CECC), Annual Report 2018 (October 2018).
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values'. For Tibetan Buddhism, it reaffirmed the religious affairs department’s sole authority to approve and control legitimate places of worship, religious events, the selection of Tibetan Buddhist leaders and the online dissemination of religious information. To sinicise Tibetan Buddhism, the CCP has created an authorised catalogue of 'verified Buddhas', halved the resident population of the Larung Gar Buddhist Academy, introduced new ‘political reliability trainings' for Buddhist monks and nuns and recently started to demolish the Yachen Gar Tibetan Buddhist Centre.7

Even small acts of religious expression have been criminalised. According to the Central Tibetan Administration, in June 2015, Choekyi, a Tibetan monk, was sentenced to four years in prison for wearing a t-shirt with a Tibetan text celebrating the Dalai Lama's 80th birthday and posting messages of good wishes on social media. Similarly, in December 2016, nine Tibetans received prison sentences ranging from 5 to 14 years for celebrating the Dalai Lama's birthday; the official charges and details of their cases were not made public. In addition to such arbitrary detentions, opaque legal procedures and harsh sentences for non-violent religious expressions, the Central Tibetan Administration found Tibetans who were sentenced for minor offences to be subject to torture, maltreatment and inadequate healthcare, leading to an alarming increase in the number of prison deaths. Moreover, in 2016, China introduced new counter-terrorism laws, which allowed for “the conflation of domestic protest, dissent or religious activity with international terrorism”, thereby allowing for “using counter-terrorism as a justification to crackdown on even mild expressions of religious identity and culture”.8

The most well-known case of China's strict control on Tibetan religious practices is the disappearance of the Panchen Lama. In 1995, the Dalai Lama recognised Gedhun Choekyi Nyima, a six-year-old boy, as the 11th Panchen Lama – the second-most important religious Tibetan figure. Three days later, Chinese authorities abducted the Panchen Lama and his family, making him the world's youngest political prisoner. His whereabouts remain unknown, and he has not been seen in public since his kidnapping although it is believed he is still alive. The enforced disappearance of the Panchen Lama – and the fact that China has appointed its own Panchen Lama to replace Gedhun Choekyi Nyima – clearly shows that China’s claim of respecting religious freedom in Tibet is aimed solely at serving its political goal of controlling Tibetan Buddhism.


A second example of China’s widescale violations of religious freedom is the case of Tenzin Delek Rinpoche. Recognised by the Dalai Lama as a reincarnated Lama in the 1980s, Tenzin Delek Rinpoche has been a community leader and a staunch advocate for the protection and preservation of Tibetan culture, religion and way of life for decades. In 2002, Rinpoche was arrested on false charges of exploding bombs and distributing separatist leaflets. The only evidence against him was extracted from a relative who had been subjected to torture. The relative later recanted, clearing Rinpoche of any wrongdoing. Rinpoche’s trial was held in secret, and even though he had no independent legal counsel and the evidence against him was non-existent, he received a death sentence, which was later commuted to life in prison. While serving his sentence, reports of his declining health condition were common. On 12 July 2015, Tenzin Rinpoche died thirteen years into a 20-year sentence. The true cause of his death is still unknown. After he died, his body was cremated against his family's wishes.

Such cases of religious persecution have become increasingly common over the past years as Chinese efforts to crack down on Buddhist religious practices have intensified. This has not been missed by the international community, as numerous international bodies have raised the issue of religious persecution of Tibetan Buddhists in their statements, reports and communications with China. Numerous UN bodies have issued urgent appeals, statements and recommendations, such as the CERD, CRC, the Special Rapporteur on the freedom of religion or belief, the Special Rapporteur on independence of judges and lawyers, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture. Moreover, the European Parliament has passed several resolutions calling for religious freedom in Tibet, such as a resolution on the selection of the Panchen Lama and religious freedom in Tibet in 1995, on the human rights situation – including religion – in 2012, and in the case of the Larung Gar Tibetan Buddhist Academy in 2016. The latest one, adopted on 18 April 2019, expressed concerns that Chinese criminal law is being abused to persecute Tibetans and Buddhists, whose religious activities are equated with separatism, and condemned China's ‘patriotic education’ campaigns, including interferences in the management of Tibetan Buddhist monasteries. Nevertheless, the CCP continues its crackdown on even the mildest expressions of a distinct Tibetan religious identity and culture with no signs of positive change, as China has only increased surveillance measures and implemented new legislation in order to suppress religious freedom in Tibet.
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UYGHURS

One of the most alarming situations pertaining to religious freedom around the world is the persecution of Uyghur Muslims in the Xinjiang Uyghur Autonomous Region in China. Despite its ‘autonomous’ status, in reality the region enjoys no independence from Beijing. Since a decade ago, Chinese policy has started to slowly push the Uyghur population away from religion. This policy transformed into an aggressive push in 2017 and 2018 to completely eradicate Uyghur religion, culture, language and identity. Just as in Tibet, this follows a nationwide policy of the Chinese Communist Party (CCP) to sinicise religious belief. Beginning in mid-2017, religious expression and practices began to be inextricably linked to the arbitrary detention of Uyghurs and other Turkic groups in political indoctrination facilities. Such myriad restrictions have put the future of Islam as a basis for Uyghurs’ cultural identity under direct threat.
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It is currently estimated that more than one million Uyghurs and other Muslim minorities are being detained in what China calls ‘re-education camps’.⁹ Although China initially denied the existence of these camps, after satellite images provided irrefutable proof the CCP acknowledged their existence, defending them as a means to combat ‘separatist terrorism’ in the Xinjiang province. However, numerous human rights groups have indicated that these camps operate effectively as prisons and that those detained have not been charged with a specific crime, but “rather were detained for religious behaviour deemed ‘extremist’, such as having an ‘abnormal beard’, wearing a veil, accessing religious materials online, or participating in other ‘illegal’ religious activities.”¹⁰ Moreover, rather than providing ‘vocational education’ and ‘employment training’, Uyghur Muslims are subjected to political indoctrination as they are forced to learn Mandarin Chinese and sing praises of the CCP. This is often accompanied by physical abuse and torture, illustrated by various reports of deaths that all underlined the poor conditions, overcrowding and indefinite confinement in these camps.¹¹ In addition, recent articles have reported the sterilisation of Uyghur women inside the camps.¹²

Even outside these camps, Chinese authorities have launched an extensive campaign to monitor and control nearly all aspects of Uyghurs’ profession of religion in Xinjiang. The World Uyghur Congress (WUC) reported that in 2018, the only religious practices permitted for Uyghurs were highly monitored activities within registered sites (state-sanctioned mosques). In practice, this meant that Uyghurs were not permitted to hold religious gatherings privately in their homes or instruct their children in the teachings of Islam. Students, children under 18, government workers, teachers, and members of the CCP were not allowed to enter mosques. For those able to enter, religious practices continued to be subject to intense scrutiny; worshippers were carefully monitored and were required to submit themselves to police checks upon entrance. Furthermore, imams and other religious leaders were appointed by the CCP and their teachings were closely controlled.

During the holy month of Ramadan, Chinese government officials in the region have openly discouraged religious activities. Across the entire Xinjiang region, students,

¹⁰ USCIRF, 2019 Annual Report, 36.
teachers, public service employees and Party members have all been prohibited from fasting and were provided food and water throughout the day. In other instances, Uyghur restaurants have been forced to remain open. In addition, the WUC indicated that over the last half of 2016 thousands of mosques in the region have been destroyed under the guise of the ‘Mosque Rectification Campaign’ that aimed at addressing ‘safety concerns’. According to the WUC, more than half of all mosques have been demolished in villages in the south of the region, leaving tens of thousands without a place of worship. As praying outside of state-sanctioned mosques is illegal, this has effectively prohibited Uyghurs from practicing their religion.

In recent years, China has embedded the systematic religious persecution of Uyghur Muslims in its official policies by passing legislation that explicitly targets Islamic religious practice. In 2014, China passed the Xinjiang Regulations on Religious Affairs, which alleged the use of religion as a vessel for extremist or separatist tendencies and emphasised that ‘extremism’ has to be guarded against in religious management. In addition, in 2017 the CCP adopted the Xinjiang Autonomous Region Regulations on de-extremification, which explicitly linked Islam to extremism and radicalisation and banned numerous Islamic religious practices and expressions.

As conditions in Xinjiang for Uyghurs and other Muslim minorities are rapidly deteriorating, the situation has gained increasing attention from the international community. Most recently, this resulted in an unprecedented joint statement by twenty-two UN Member States – double the number that signed the previous joint statement in 2016 – calling upon China to immediately end its widespread abuses. However, China has repeatedly acted to suppress any scrutiny of its human rights violations in Xinjiang. In March 2019, during its Periodic Universal Review (UPR), China deliberately provided false answers on issues such as religious freedom and the rule of law and threatened not to attend a panel on human rights in Xinjiang.13 China’s campaign to sinicise the religion of millions of Uyghurs and other Muslim minorities has reached an alarming scale without any signs of improvement. Next to operating hundreds of internment camps where more than a million ethnic Uyghurs and other Muslims minorities are being detained, China’s pervasive control of Muslim communities in Xinjiang has severely limited the ability of Uyghurs to practice their religion – both in private and in public. This not only threatens the existence of Uyghur religious practice, but thereby also puts Uyghurs at imminent risk of losing their social, cultural and linguistic identity.

Indonesia – West Papuans

More than 87 percent of Indonesia's population of 263 million is Muslim, which makes Indonesia the country with the largest Muslim population in the world. Nevertheless, the country has enjoyed a long tradition of religious pluralism. This is also enshrined in Indonesia's constitution, of which article 29 provides that “[t]he State guarantees all persons the freedom of worship, each according to his/her own religion or belief”\(^\text{14}\). However, only six religions are officially recognised: Islam, Catholicism, Protestantism, Buddhism, Hinduism and Confucianism. Consequently, the Indonesian government has put laws and regulations in place that restrict the religious freedom of unrecognised religious groups. The two most far-reaching examples are the introduction of blasphemy laws and regulations that require a complex approval process for the construction of new houses of worship. Both of these policies have affected religious minority groups the most; with regard to the blasphemy laws, it has been argued that these are most frequently used to “target religious minorities alleged to have insulted Islam”\(^\text{15}\).

Despite Indonesia's long tradition of religious pluralism, the introduction of laws and regulations that limit the freedom of religion of its citizens has contributed to an increase in interreligious conflict. Most notably, Islamic hardliners and other intolerant groups have called for more conservative interpretations of Islam, thereby denouncing the legitimacy of non-Islamic religious groups. Although Indonesia's President, Joko Widodo, has officially attempted to distance his government from such hardline arguments, his government has generally refrained from condemning or undertaking action against interreligious tensions and violence. With regard to the complex approval process to build new houses of worship, requests from religious minority groups are often denied or ignored by provincial and local authorities. Most of all, this has disproportionately affected Christian minority groups living in Muslim-dominated areas. As they experience many difficulties to obtain a house of worship, Christian groups are often forced to practice their religion in unlicensed buildings. As this goes against official regulations, this has often incited further bigotry and even violence from local hardliners.

WEST PAPUANS

The described tensions between government policies, Muslim hardliners and religious


\(^\text{15}\) USCIRF, 2019 Annual Report, 184.
minority groups have intensified considerably in West Papua, an Indonesian province on the western border of Papua New Guinea. West Papua has suffered from a long history of military occupation, first as a Dutch colonial possession and since 1962 as part of the Republic of Indonesia. Although its inclusion into Indonesia followed a UN-sponsored plebiscite termed the *Act of Free Choice*, many West-Papuans have contested its outcome as only 1025 Papuans were handpicked by the Indonesian government, separated from their families and communities and eventually subjected to severe intimidation to support integration into Indonesia. When West Papuan independence movements emerged during the late 1960's to protest against this, the then-President Sukarno launched several brutal military campaigns aiming to violently oppress West Papuan calls for independence and force them to ‘become Indonesian’.

Despite this crackdown on West-Papuan calls for independence, the conflict between West Papuans and the Indonesian authorities remains active today. Although the conflict seems to be centred around ethnicity and self-determination, it has also expressed itself through the religious persecution of West Papuans, who are predominantly Christian but also include smaller groups of indigenous animists. The most far-reaching government policy to oppress West Papuans by means of religious persecution is its immigration policy, in which Indonesian authorities have actively encouraged and incentivised Muslims from other provinces to migrate to West Papua in order to create a Muslim majority in the province. These concerns were confirmed during a human rights fact-finding mission to West Papua, which found that:

Papuans have seen themselves pushed to one side by often more aggressive Indonesian migrants who have taken over land, the economy and cultural spaces. […] In all the places our delegation visited, Papuans criticised the seizure of their traditional lands. Much of it has been taken to provide living space for the Indonesian migrants and for the infrastructure needed to service a rapidly growing population. Large parcels of land are also being seized for economic development by Indonesian and multinational corporations.16

In addition, the report highlighted that tensions between Christian West Papuans and Muslim migrants have increased significantly as a result of Islamic proselytism and the

bias of authorities towards Muslim migrants in disputes with Christian West Papuans.

Furthermore, Christian West Papuans have also been targeted by non-state actors, most notably Islamic hardliner groups such as the Islamic Defenders Front (FPI) and the Indonesian Council of Ulema (MUI), Indonesia's highest Muslim clerical body. Such hardliner groups have reportedly established organised traffic of West Papuan youth with the aim to forcibly convert them to Islam. These groups approach West Papuan families, offering them free education for their children – as young as five – who are then placed in Islamic schools outside of West-Papua for ‘re-education’. Ultimately, the aim of the Islamic schooling of West Papuan youth is to send them “back to Christian-majority Papua to spread their muscular form of Islam”.  

Although religious conversion of any young child is illegal in Indonesia and the United Nations deems any transfer of a minor – even for ‘education’ – as trafficking, it has been reported that these practices enjoy quiet consent at high levels of Indonesian society. Ultimately, such forms of child trafficking and forced conversion can be seen as a direct assault on West Papuan Christianity.

Most recently, tensions in West Papua have intensified dramatically against the backdrop of large-scale protests. These protests were sparked by the arrest and racial abuse of West-Papuan students in August 2019, but quickly spread both inside and outside West Papua as thousands took to the streets calling for an end to the discrimination and oppression of West Papuans. Moreover, pro-independence movements have seized the momentum to include the wider issue of freedom of West Papua from Indonesia in the demonstrations. In light of the Indonesian government’s efforts to violently suppress the growing protest movement, religious tensions have become increasingly visible as well. Sparked by police violence, Islamic hardliner groups have issued a call to arms to counter the demonstrations and protect Muslim migrants. Despite calls from several UN experts urging Indonesia to respect the human rights of West Papuans and to engage in constructive dialogue, the Indonesian government seems unwilling to give in to the protesters’ demands. Ultimately, the endurance of structural


18 Ibid.


20 Dateline Pacific, ‘Call for jihadis to go to Papua following Unrest’, Radio New Zealand (RNZ), 8 October 2019. Available at: https://www.rnz.co.nz/international/programmes/datelinepacific/audio/2018716621/call-for-jihadis-to-go-to-papua-following-unrest.
human rights violations – and violations of religious freedom in particular – continue to reflect the long history of marginalisation and oppression of West Papuans.

**Iran – Iranian Kurds | Ahwazi Arabs | Baloch**

The Islamic Republic of Iran is a theocratic state that is ruled according to the Jaafari (Twelver) school of Shi'a Islam. This is grounded in the constitution of Iran, which states that “the official religion of Iran is Islam and the Twelver Ja'fari school [...] and this principle will remain eternally immutable”.\(^{21}\) Although the constitution accords ‘full respect’ and permits the performance of religious rites to five other – mostly Sunni – schools of thought within Islam (Maliki, Hanafi, Shafi'i, Hanbali and Zaydi), Iran’s complete legal system is based on Jaafari Shi'a interpretations.\(^{22}\) Iran is governed under the doctrine of *Vilayat-e-Faghih* or governance of the jurist. Accordingly, Iran is ruled by a supreme leader – currently Ayatollah Ali Khamenei – who must be a religious scholar appointed by an assembly of experts. This assembly must be approved by the Guardian Council whose members are, in turn, appointed either directly or indirectly by the Supreme Leader. This characterises the environment of restricted political participation that typifies Iran.

As such, Sunni Muslims are not entitled to any high position in the government or eligible to run for the office of President. Only (male) Shi’as are eligible to run for the office of Presidency; article 115 of the constitution explicitly excludes Sunnis, who don’t have a “convincing belief in the fundamental principles of the Islamic Republic of Iran [Shi’ism]”\(^{23}\) from holding the office of the Presidency of the Republic. Moreover, no Sunnis have so far been appointed as ministers or worked at any Iranian embassy. A widely used practice which discriminates against Sunnis and other religious minorities is *Gozinesh* or selection. *Gozinesh* is an ideological test requiring candidates for some government jobs to demonstrate loyalty to Shi’a Islam and principles like the concept of *Vilayat-e Faghih*, a concept that Sunni Muslims do not adhere to. This effectively excludes Sunnis from employment in the Iranian government and, in some cases, within the private sector as well.

Most importantly, the discrimination against religious minorities is entrenched in

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23 Constitute, ‘Iran’s Constitution’. 
Iran’s legal system. In particular, the Islamic Penal Code (IPC) has been used to charge activists who advocate for human, cultural, ethnic or religious rights with notorious indictments such as *moharebeh* (‘waging war against God’) and *efsad-e-el-farz* (‘corruption on Earth’), which both carry the death penalty. As both these charges are very much open to interpretation by the judicial authorities, many human rights watchdogs have argued that they constitute a method to persecute peoples belonging to unrecognised religious minorities for practicing their religion or to crack down on activists who voice their dissent.

**IRANIAN KURDS**

The Kurdish population in Iran is estimated between 8 and 10 million, concentrated mainly in the country’s north-western provinces. These regions are often characterised by socioeconomic underdevelopment and high unemployment rates. In the face of Iran’s authoritarian character, many Kurds have called for a democratic and federal Iran where ethnocultural minority groups like the Kurds are accorded regional authority, allowing them to participate in political activities on an equal basis. In response, however, the Iranian government has cracked down on any political activism and independent political activity, arguing that these constitute offences against national security. As a result, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran noted that “Kurdish political prisoners charged with national security offences represent almost half of the total number of political prisoners in the Islamic Republic of Iran and constitute a disproportionately high number of those who received the death penalty and are executed”. Throughout 2018, a total number of 828 Kurdish citizens were arrested and charged with crimes relating to civic activism and participation in Kurdish political parties; in the first six months of 2019, this number already totalled 199. Furthermore, given the fact that Sunni Kurds are neither Shi’a nor Persian – the majority ethnic group in Iran – they face particular persecution and discrimination on the basis of both religion and ethnicity. In particular, the U.S. State Department’s 2017 International Religious Freedom Report noted that a large number of Sunni Kurdish prisoners has been executed under *moharebeh* charges. The most emblematic case is that of Ehsan Fatahian, a 28-year old Kurdish activist who was hanged for “propaganda activities against the regime” in 2009. The execution of Fatahian for his activism was followed by an outcry of various international human rights organisations who expressed their concern about the

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25 Ibid.
disproportionate use of *moharebeh* charges against political activists, especially against persons belonging to religious minorities. However, the persecution of Kurds in Iran has increased notably during recent years, which has manifested itself mainly through systemic repression by judiciaries and security personnel.

Targeting the distinct Kurdish culture as well, the Iranian government has set strict limits on the usage of Kurdish in Iranian Schools. In 2012, the Ministry of Education reportedly circulated a letter in schools in Kurdish-majority areas, prohibiting teachers and administrators in public services and education to use Kurdish.

**AHWAZI ARABS**

The Ahwazi Arabs are one of the largest minority groups living in Iran and are
predominantly settled in the Al-Ahwaz province, which is located in the south-west of Iran. Although the region is rich in natural resources and produces up to 95 percent of Iran's oil and gas, there exists a disproportional socioeconomic gap between Ahwazi Arabs and the ethnic majority Persians. This is largely due to aggressive Persian nationalism, which has left many Ahwazi living in abject poverty and has excluded them from the educational sector. Similar to human rights activists from other ethnic groups, those Ahwaz who advocate for better living conditions face constant oppression from the Iranian government through arbitrary arrests, torture, enforced disappearances and (extrajudicial) executions.

Although around 70 percent of Ahwazis are Shi‘a Muslims, the 25 percent that identifies as Sunni Muslim suffer from religious persecution because they – just like Iranian Kurds – are neither Persian nor Shi‘a Muslims. The Iranian regime has placed far-reaching restrictions on the practice of religion of Sunni Ahwazis and has also persecuted Sunni Ahwazis under the principle of *moharebeh*, leading to their arrest, detention and sometimes even execution. Especially Ahwazis who have converted from Shi‘ism to Sunnism are targeted by harsh prison sentences or are given the death penalty. Next to being charged with *moharebeh*, common accusations levelled against Sunni Ahwazis are ‘acting against the state religion’, ‘working for a foreign power’, ‘promoting Wahhabism’ or ‘being a member of a separatist group’.26 Following an upsurge of political protests in November 2018, Iranian authorities waged a sweeping crackdown against Ahwazi Arabs, arresting hundreds of peoples in the Khuzestan province. Weeks after these arrests, Amnesty International reported that at least 22 of the approximately 600 who were arrested had been secretly executed.27

**BALOCH**

Today, about twenty percent of ethnic Baloch lives in south-eastern Iran in the area known as West-Balochistan or Sistan-Baluchestan – the country's poorest and most underdeveloped province – while the rest of the Baloch people mainly live in Pakistan and Afghanistan. The majority of Baloch Iranians are Sunni Muslims, although there are also small communities of Shi‘a and Zikri Muslims. Accordingly, many Baloch face religious persecution and intersectional discrimination. The repression of Iran's regime particularly targets Baloch expressions of culture and religion, in particular expressions of religious

26 Ibid.

freedom and self-determination. As Sunni Muslims, Baloch in Iran experience a wide range of human rights violations, which has intensified against the backdrop of a Baloch movement calling for self-rule within a federal Iran or as an independent Balochistan together with the Baloch regions of Pakistan and Afghanistan.

As such, Sunni Baloch suffer from arbitrary arrests, torture, enforced disappearances, and are imprisoned and executed on political and national-security related charges. The case of Emaddedin Mowla-Zedi, a Baloch rights activist, is exemplary. In January 2018, Mowla-Zedi was sentenced for 10 years in prison on charges of ‘acting against national security’; during the process, he was also accused of ‘being a member of ISIS’ and ‘membership of Jeysho-al-Adl’, a semi-armed Sunni group in Iran’s Balochistan region.\textsuperscript{28} The changeability of the accusations, although all related to national security, indicate how the judicial system uses the vague wording and broad interpretation of Iran’s Penal Code to persecute activists who belong to religious minorities.

Iranian authorities have also cracked down on Baloch Shi’as who converted to the Sunni branch of Islam by arresting Sunni converts for either preaching Sunni teachings or attending study groups. In a 2018 report which addressed the violations against ethnic and religious minorities in Iran, various human rights organisations documented that especially in Baloch areas, the Iranian regime has sent large numbers of Shi’a missionaries during the holy month of Ramadan in an attempt to convert Sunnis.\textsuperscript{29}

\textbf{Iraq, Iran, Syria – Assyrians}

\textbf{ASSYRIANS}

Assyrians, who are predominantly Christian, have long constituted a religious minority in their ancestral homelands – which are spread out over northern Iraq, northern Iran, south-east Turkey and eastern Syria – since the rise of Islam in the region. As a religious minority group, Assyrians have faced systematic discrimination and repression with violence increasing over the past two decades against the backdrop of the Iraq War in 2003. In more recent years, Assyrians have been targeted for their religious identity since the Islamic State of Iraq and Syria (ISIS or Daesh, its Arabic acronym) established itself in

\textsuperscript{28} Ceasefire Centre for Civilian Rights (CCCR) et al., \textit{Rights Denied: Violations against ethnic and religious minorities in Iran} (March 2018), 19.

\textsuperscript{29} CCCR et al., \textit{Rights Denied}.
northern Iraq in mid-2014. The presence of ISIS turned out to be devastating for Christian Assyrians, who suffered from forced conversions, the religious *jizya* tax, kidnappings, rapes and killings. Although the situation improved slightly after ISIS was ousted from the region, conditions for Assyrians remain troubling as they continue to be targets of oppression based on their religion by the political bodies of Iraq, Syria and Iran.

In late 2014, when ISIS occupied the Nineveh plains considered to constitute the original Assyrian heartland, Assyrian Christians were given an ultimatum: convert to Islam, pay the discriminatory *jizya* tax exclusively levied on non-Muslims or face execution. As a result, hundreds of thousands of Assyrians fled the area, most of them from the city of Mosul.30 Those who decided to stay suffered from brutal repression and violence. After this mass exodus of Assyrians, ISIS continued to attack Assyrian identity by destroying Assyrian cultural and historical heritage, such as artefacts and ancient structures. The mass violence directed against Christians by ISIS has been widely recognised to constitute genocide. In February 2016, the European Parliament unanimously voted in favour for a resolution in which it recognised that the mass murder of Christians and other religious minorities by ISIS amounts to crimes against humanity and genocide.31 Just a month later, the United States House of Representatives unanimously adopted a similar resolution.32 Even after the expulsion of ISIS from most parts of Syria and Iraq in late 2017, Assyrians have been hesitant to return, as they continue to be targets for renewed religious persecution.

The Assyrian Universal Alliance indicated that Assyrians in post-ISIS Iraq continue to perceive broken trust in its political bodies, intense suffering and serious security concerns.33 Assyrian Christians continue to be easy targets for religious persecution, as Assyrian individuals and families now find themselves in an isolated position in Iraqi society. Although Assyrians are recognised within the political representative system in Iraq, where five seats in Parliament are reserved for Christians, many Assyrians have shared their widespread concerns regarding voter intimidation and electoral manipulation

perpetrated by several external groups.\textsuperscript{34} In addition, Assyrians continue to face direct discrimination and oppression based on their religion. As paramilitary and militia forces continue to fight in the region, Assyrians are disproportionately affected, resulting in the ongoing seizure of land and the loss of livelihoods.

The situation for Assyrians in Syria has not been much different. During the presence of ISIS in Syria, Assyrian Christians were suffering from brutal violence and repression, leaving an open wound in the Assyrian communities in Syria. In post-ISIS Syria, Assyrians continue to face discrimination and forced displacement from the al-Assad government – which has spent considerable energy on empowering Shi'a groups – as well as from Kurdish groups in the \textit{de facto} autonomous region of Al-Hassakah.\textsuperscript{35} All this has resulted in forced displacement, a loss of livelihood and the ongoing suppression of the Assyrian culture and language in Syrian society.

In Iran, while Christianity is not explicitly banned, Assyrian Christians face restrictions as non-Muslims are not permitted to hold senior government, intelligence or military positions.\textsuperscript{36} Moreover, Assyrians also face direct repression from the Iranian government, which closely monitors Christian pastors and imposes legal restrictions on the construction and maintenance of Christian religious buildings.\textsuperscript{37} The number of arrests of Christians in Iran increased significantly in 2018. One of the most emblematic cases of this is the case of Victor Bet-Tamraz, an Assyrian Christian pastor who was arrested during private Christmas celebrations, after which he was sentenced to ten years in prison on spurious charges of “forming a group composed of more than two people with the purpose of disrupting national security”. In January 2018, Bet Tamraz’ wife was sentenced to five years in prison, also on ambiguous national security charges. In July 2018, their son Ramil was given a prison sentence of four months for “spreading propaganda against the system [through] membership of illegal house churches”. As Iran has rapidly intensified its arrests of Christians, cases such as that of the Bet-Tamraz family have become increasingly common.

Ultimately, the diminishing population of Assyrians who refuse to leave their ancestral homelands in Iraq, Iran and Syria has long suffered from the systematic violations of their religious freedom. Even after the expulsion of ISIS from Iraq and Syria,

\textsuperscript{34} Assyrian Policy Institute, \textit{Iraq’s Stolen Election: How Assyrian Representation Became Assyrian Repression} (November 2018), 8.
\textsuperscript{35} Assyrian Confederation of Europe, \textit{2018 Human Rights Report}, 31
\textsuperscript{36} Ibid., 41.
the ruling governments of both countries have clearly failed to address the widespread
discrimination against Assyrian Christians. Indeed, the governments of Iraq, Iran and Syria
are themselves often important actors in the religious persecution of Assyrians.

Laos – Hmong

The Lao People’s Democratic Republic (LPDR), better known as Laos, is an authoritarian
state ruled by a one-party communist government. Despite the fact that the Laotian
constitution states that all Laotians “have the right and freedom to believe or not to
believe in religions”\textsuperscript{38}, the Laotian government – in line with its authoritarian rule – has
created policies that place heavy restrictions on the freedom of religion in the country.
Although there is no official state religion and the Laotian government officially
acknowledges Buddhism, Christianity, Islam and the Baha’i faith, there have been strong
indicators that Buddhism is promoted through state institutions. As a consequence, all
other religions are often perceived as challenges to state control and therefore treated
with suspicion and repression.

This highly repressive environment is illustrated most clearly by Decree 315, which is the
most recent decree in a series of policies and regulations that have created a restrictive
legal space in which religious groups have to operate.\textsuperscript{39} It mandates an extremely
restrictive approval process through which nearly all religious activities are regulated,
therefore making religious activity in Laos subject to strict government control.
Accordingly, approval from the Ministry of Home Affairs (MOHA) is required for religious
assembly, the construction of houses of worship and the establishment of new
congregations, among other things.\textsuperscript{40} Paradoxically, however, as governance is rather
decentralised in Laos, conditions for religious freedom vary by village, district and
province. This has created an environment in Laos that is conducive of the systematic
discrimination, oppression and persecution of religious minorities, both at the hands of
government agents and fellow community members.

HMONG

The Hmong constitute an indigenous people who are originally from the ChaoFa region in

\textsuperscript{38} Constitute, ‘Lao People’s Democratic Republic’s Constitution of 1991 with amendments through 2003’. Available

\textsuperscript{39} USCIRF, 2019 Annual Report, 206.

\textsuperscript{40} Ibid.
Northern Laos. Because of their distinctive ethnicity, language, culture and religion, the Hmong distinguish themselves from the rest of the Laotian population. In the aftermath of the Vietnam War, during which the Hmong were recruited by American security forces, the Hmong were branded as a dangerous anti-government group by the Pathet Lao Communist political movement and the subsequent Lao People’s Revolutionary Party. Ever since, the Hmong have been targeted by a government campaign of systematic discrimination and military violence. Accordingly, the Hmong disproportionately suffer from arbitrary arrests, enforced disappearances, abject poverty, inequalities and lack of access to healthcare and education.⁴¹ These are accompanied by severe limits on cultural and religious freedoms. Generally, the Hmong can be divided into three religious groups: Christianity, Shonglueism (those who follow the Hmong spiritual leader Shonglue, whom they refer to as the Mother of Writing) and Shamanism (a religious practice centred on spiritual worlds). As only very few Hmong adhere to Buddhism, many of them suffer from systematic religious persecution which is predominantly directed at those who adhere to Christianity and Shonglueism.

Within Christianity, the Laotian government officially recognises three denominations: the Lao Evangelical Church, the Catholic Church and the Seventh-Day Adventist Church. As the personal doctrine and beliefs of many Hmong Christians often includes certain animist traditions, they often choose not to join recognised religious institutions but instead hold services in unregistered house churches. As this contradicts official regulations, government officials perpetrate systemic abuses against Hmong Christians in an effort to control their religious practices. The Congress of World Hmong People (CWHP) reported that in December 2017, in the Nonghai township of the Vientiane province, six Hmong men were arrested by government authorities, after which they were detained for one month. They were ordered to renounce their faith or face ‘consequences’. Such ‘consequences’ generally include the destruction of local church buildings, the forced eviction from their villages, the confiscation of their land titles or even lengthy jail sentences. The scope of such violations of religious freedom is probably larger than commonly reported, as the Laotian government heavily controls virtually all media outlets.⁴²

Those Hmong who adhere to Shonglueism, called the Hmong ChaoFa, are suffering from the most severe and violent persecution. Since April 2016, the Laotian government

⁴¹ For a more exhaustive list, see UNPO and Congress of World Hmong People (CWHP), Joint Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the 3rd Universal Periodic Review of the Lao People’s Democratic Republic (July 2019).

⁴² USCIRF, 2019 Annual Report, 207.
has initiated a sustained military incursion against the ChaoFa Hmong, who have been forced into hiding in the jungle in the Phou Bia region in northern Laos. Having rapidly militarised the jungle region, the Laotian military has used extreme violence seeking to eradicate these Hmong from the territory. Estimating the number of Hmong who are in hiding in the jungle to be between 2000 and 4000, the CWHP frequently reports cases of disappearances, physical abuse and killings of Hmong people. These reports have indicated that the military makes use of tanks, heavy artillery and even chemical weapons to target locations where Hmong are believed to be in hiding or foraging for food. This extremely violent persecution of the Hmong ChaoFa has resulted in the deprivation of their most basic living conditions; many are suffering from severe starvation and significant healthcare problems, such as physical injuries and infectious diseases.

Ultimately, Hmong people in Laos adhering to non-recognised religions are facing

43 For a timeline of these reports, see UNPO, ‘Timeline: Hmong’, 29 April 2019. Available at: https://unpo.org/article/19682.
severe persecution. In line with many other repressive governments discussed in this report, the Laotian government frames the Hmong people as a dangerous anti-government group, which is then used as the political legitimisation to persecute the Hmong. One of the many facets of this often-violent oppression is the violation of their religious freedom as most Hmong in Laos do not adhere to Buddhism, the ‘state-supported’ religion. The religious persecution of Hmong people is not only a top-down policy but occurs frequently at the community level as well, therefore constituting a troubling issue that extends to all layers of Laotian society.

Pakistan – Baloch | Sindhi

Although Article 2 of the Pakistani Constitution states Islam to be the official state religion, it also states in its preamble that “adequate provision shall be made for the minorities to freely profess and practice their religions and develop their cultures”. While ‘adequate provision’ is very much open to interpretation, Article 20 explicitly provides that Pakistani citizens have the right to practice their religion, including the right to establish, manage and maintain their religious institutions. Despite these provisions, Pakistan has developed an increasingly discriminatory legal structure, exemplified by its harsh blasphemy laws. These blasphemy laws criminalise (speech) acts that insult a religion or religious beliefs. Although they apply to every Pakistani citizen, persons belonging to a religious minority fall victim to these laws at a disproportionately higher rate. Moreover, as no proper evidence of blasphemy is required, this has created an accommodating environment for religious hatred against religious minorities. As Pakistan is 96 percent Muslim, of which 85 to 90 percent identifies as Sunni Muslim, religious groups such as Shi'a Muslims, Christians and Hindus are largely unrepresented in Pakistani society – not only demographically but also socio-economically and politically.


45 USCIRF, 2019 Annual Report, 73.

46 Ibid, 75

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BALOCH

The Pakistani province of Balochistan, situated in the south-west of the country, is home to a variety of religious minorities, including Hindus, Christians and Ahmadi and Shi’a Muslims. These religious minority groups often face significant repression, being subject to issues such as physical violence and the misuse of Pakistan’s blasphemy laws. Most notably, these religious minorities are suffering from sectarian violence. The Human Rights Commission of Pakistan (HRCP) indicated in its 2017 report that there had been a surge in the number of violent extremist forces who are “bent on creating an exclusive [Sunni] Islamic identity for Pakistan”.48 Although terrorist organisations like the Pakistani Taliban are banned in the country, the Pakistani government has allowed these groups to target Hindus, Shi’as and Zikris with impunity. This has created an environment in Balochistan that is conducive to hate speech and religious intolerance.49

The Balochistan National Party (BNP) has identified the same troubling situation, stating that religious minority communities are facing increasing sectarian violence from religious extremists. Next to operating with impunity, the BNP considers these extremists to be supported by the Pakistani security agencies. It identifies the origins of the problem in the late 1990s, when “sectarian scholars from Punjab started ‘visiting’ district headquarters and towns in the Balochistan province”. They started addressing crowds during public gatherings, voicing inciting hate speech directed at religious minority groups in Balochistan. Soon after, during the early 2000s, this hate turned into widespread violence directed at persons belonging to religious minorities. Mainly originating from its capital Quetta, expressions of religious hatred and bigotry – often accompanied by violent killings – quickly spread through the Balochistan province by means of public speeches, religious gatherings, wall chalking and pamphlets. In addition to direct violence against minority groups, kidnapping for ransom money and forced conversions of women and children are common practices of extremist groups in Balochistan.

Religiously motivated sectarian violence has been directed particularly at Hazara Shi’a Muslims. Targeted killings and suicide bombings by groups such as the Islamic State (ISIS), the Pakistani Taliban and Lashkar-e-Jhangvi (LEJ) have had devastating consequences for the Hazara community. In the face of this, the HRCP estimated that more than 70,000 Hazaras have moved out of Quetta alone to escape the violence.50

50 Ibid., 83.
Commenting on the targeted violence against the Hazara community in Balochistan, the chief justice of Pakistan stated that these attacks were “tantamount to wiping out an entire generation”. 51 Those Hazaras who decided to stay in Quetta have been forced into the ghetto-like neighbourhoods of Alamdar Road and Hazara Town, where their community presents an easy target for suicide bombings and killings. The HRCP estimated that over 2,000 Hazaras have been killed over the past 14 years, resulting in a prevailing situation of precariousness. 52

Next to violence at the hands of religious extremist groups, the Pakistani government itself has also acted to oppress religious minorities in the Balochistan province. In April 2019, after members of the Hazara community staged a sit-in to protest against ongoing suicide bombings, the Pakistani government affirmed its commitment to end the targeted violence. 53 However, authorities imposed strict ‘security measures’ in two residential neighbourhoods in Quetta. By means of these security measures, the neighbourhoods are surrounded by concrete walls topped by barbed wire; entry is strictly controlled and after 8pm there is a curfew for everyone. 54 These ghetto-like neighbourhoods restrict the everyday lives of Hazaras in multiple ways, as they are virtually cut off from the rest of the city.

Besides the spike in violence directed against the Hazara community in Balochistan, other religious minority groups are also facing oppression, discrimination and violence. In December 2017, two suicide bombers attacked a Christian church in Quetta during an ongoing service, killing nine and wounding over 50 others. 55 In August 2015, six Zikris were killed when two gunmen stormed a prayer session, leaving seven others wounded. 56 Such targeted attacks have affected religious minorities throughout Balochistan, indicating the problematic scope of religious intolerance in the region. As the Pakistani government has refrained from stepping in, it is virtually giving blanket license to the oppression and violence directed against religious minorities in Balochistan.

52 National Commission for Human Rights Pakistan, Understanding the Agonies of Ethnic Hazaras (February 2018),
Pakistan’s blasphemy laws are indicative of this. According to the HRCP, these laws “have been grossly abused with many people lodging false complaints to settle their personal vendettas”. As such, by means of its blasphemy laws and other legislation the Pakistani government is not only turning a blind eye to violence against religious minorities, it is indirectly supporting it.

SINDHI

Sindh forms Pakistan’s most south-eastern province. Although it joined Pakistan under the understanding of the 1940 Lahore Resolution of the All-India Muslims League, according to which Sindh was to be recognised as a sovereign and independent entity, it was relegated to a colonial status within Pakistan, resulting in the systematic oppression of its population, especially its religious minorities. Accordingly, many Sindhis nowadays feel that the oppression and discrimination they face is often allowed by state officials. Because many Hindus and Christians – the largest religious minority groups in the

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province – suffer from poverty and social alienation in Sindh, they continue to be particularly vulnerable to oppression. Especially Hindus, who are often associated with Pakistan’s neighbour India, suffer from socioeconomic marginalisation. In the Sindh province, the most systemic problem is that of the forced conversion of young Hindu and Christian girls into Islam and forced marriage. These girls are often abducted, forced into marriage, and subjected to rape. The World Sindhi Congress (WSC) found that every month, more than 20 girls are abducted, and over 25 girls are being forcibly converted. While there are different methods used to forcibly convert Hindu and Christian girls, this is commonly done by means of bonded labour and/or forced marriage. In the case of forced marriage, around 1,000 Christian and Hindu young girls and women are converted to Islam each year, after which they are forcibly married off to their abductors or rapists. After forcible marriage and conversion, these girls and women are often prohibited from contacting their families. Those who manage to visit their homes are treated as traitors of their faith, implying persecution and even death sentences. Religious institutions in Pakistan play a key role in these practices, as the Barchundi Sharif, Sarhandi Pir and Barchundi Pirs – who are reportedly backed by the Pakistani government – often support conversions of Hindu girls into Islam by issuing the necessary documents.

Most bonded labourers are persons belong to Sindh’s Hindu minority, who are often forced into jobs that Muslims in Pakistan refuse to take. Mainly because of their economic vulnerability, many Hindus are enslaved during which their labour is used as a form of debt payment. There have also been cases in which Hindus were enslaved simply because of religious hatred. These forced labourers work physically demanding jobs, where they are usually suffering from physical and/or sexual violence as well. A joint report by the Unrepresented Nations and Peoples Organization (UNPO) and the WSC, submitted to the United Nations on the occasion of Pakistan’s third Universal Periodic Review (UPR) in 2017, identified three factors that sustain this trend: social acceptance of bonded labour because of the traditional authoritarian and hierarchical rural society, vulnerability of religious minorities due to socioeconomic marginalisation and the political influence of abusive landlords.

One of the most important reasons for the large-scale occurrence and acceptance of forced conversions of Hindu and Christian girls is the accommodating environment that

60 UNPO and WSC, Forced Conversion.
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Regional and national governments have created, as religious minorities do not receive protection from state institutions and lack access to justice. The WSC has indicated that local politicians and police officers are often complicit in forced conversions by deliberately refraining from investigating such cases, often turning a blind eye to reports of abductions, rape and forced conversions. Moreover, the police will often refuse to record a ‘First Information Report’ or falsify the information, hence denying families the chance to take their case any further. Both the lower and higher courts of Pakistan have failed to follow proper procedures in cases that involve accusations of forced marriage and conversions. This has also been noticed by the Human Rights Commission of Pakistan (HRCP), which found that “the Sindh Child Marriage Restraint Act 2013 has not been enforced effectively and the state’s response to forced marriages has been mixed”. Furthermore, in cases where forced marriage and conversion are officially investigated, the girl or woman involved is largely left in the custody of her kidnapper throughout the trial process, where she is subject to further threats to force her into denying her abduction and rape and claiming that the conversion was without coercion.

Next to forced conversions and marriages, direct violence against religious minorities by extremist groups has troubled the Sindh province, which has traditionally been known for its religious tolerance and peaceful coexistence. In Sindh’s Tharpakar district, pamphlets were distributed ahead of elections, urging Muslims to abstain from voting for non-Muslims. The pamphlets described Hindus as infidels and added that voting for a Hindu candidate was the same as going against Islam. Although the distribution of such hate-inciting pamphlets constituted an offence under Pakistani law, government authorities failed to undertake action. Furthermore, the UNPO reported in 2018 that as many as 20,000 new madrassas (Islamic religious schools) opened in Sindh during the preceding years, where intolerance and bigotry towards non-Muslims was openly expressed.

Russia – Crimean Tatars

Repression of religious activities in Russia has increased dramatically over the past decades. According to article 28 of the constitution of the Russian Federation, “everyone shall be guaranteed freedom of conscience and religion, including the right to profess individually or collectively any religion or not to profess any religion, and freely to choose,

62 UNPO, Member Profile: Sindh (January 2018), 3.
possess and disseminate religious and other convictions and act in accordance with them. In reality, however, the Russian government has practiced a policy of favouritism, viewing independent religious activity as a threat to its control of social and political stability. This has been exemplified by the implementation of laws that restrict religious freedom, such as the 1996 religion law and the 2002 law on combating extremism. The 1996 religion law empowers officials with the authority to prohibit activities of religious groups or ban them altogether. In the case of the indigenous Crimean Tatars, the Russian government has mainly used its anti-extremism laws to target Crimean Tatar political dissidents and critics.

CRIMEAN TATARS

Violations of religious freedom endured by the indigenous Crimean Tatars stem from the occupation of their ancestral homeland of Crimea by Russia. Ever since Russia annexed the peninsula in 2014, which has been considered illegal, Crimean Tatars have been subjected to extensive oppression, mostly based on religious grounds. This religious persecution is part of broader human rights violations in Crimea that are disproportionately directed against Crimean Tatars. Accordingly, of the almost 100 Ukrainian political prisoners who are unlawfully detained by Russia, over 60 are Crimean Tatars, who constitute no more than 15% of the population of the Crimean Peninsula. The majority of Crimean Tatars that have been prosecuted are political activists opposed to the 2014 annexation. However, despite most opposition to the annexation of Crimea being political and ethnic in nature, Russian authorities have based the persecution of Crimean Tatars mainly on religious grounds.

Russian anti-extremist legislation, which follows vague and contradictory definitions of ‘extremism’, has been used in a sustained campaign aimed at excluding ‘non-traditional’ religious groups and suppressing political opposition. According to the Milli Mejlis, the elected executive body of the Crimean Tatars, by far the greatest number

64 USCIRF, 2019 Annual Report, 81.
66 USCIRF, 2019 Annual Report, 86.
67 Ibid.
of arrested Crimean Tatars have been accused of alleged involvement with the Islamist Hizb ut-Tahrir organisation, which Russia has banned as a terrorist organisation without providing any evidence of links with terrorism or other forms of violence. Moreover, as Hizb ut-Tahrir is legal in Ukraine, under Ukrainian law prosecution based on involvement with this group would not be possible. Applying the label of ‘extremism’ to Hizb ut-Tahrir, the Russian government frequently uses accusations of membership of this organisation to arrest ethnic Crimean Tatar activists in occupied Crimea. Those Crimean Tatars that have been detained for alleged involvement with Hizb ut-Tahrir have been considered to be political prisoners and prisoners of conscience by various human rights groups, such as the Human Rights Centre Memorial. Although sentences of alleged Hizb ut-Tahrir members have always been disproportionately severe, this situation has worsened dramatically after new legislation was passed that could result in punishments up to life sentence.

The case of Server Mustafayev is illustrative of the widespread persecution of Crimean Tatars. Server Mustafayev is an ethnic Crimean Tatar human rights defender and the coordinator of Crimean Solidarity, a civil society organisation that provides assistance to the Crimean Tatar community, mostly to the families of imprisoned activists who opposed Russian occupation of Crimea. On 21 May 2018, masked policemen entered Server Mustafayev’s home, searching the place during which Server Mustafayev was denied access to a lawyer. Server Mustafayev was arrested and is now facing up to 10 years in prison on charges of ‘membership of a terrorist organisation’. The Milli Mejlis reported that on 27 March 2019, mass searches were carried out in as many as 25 homes in Crimea, most of them belonging to activists of Crimean Solidarity; 20 Crimean Tatars were arrested under charges of membership of Hizb ut-Tahrir. Following these arrests, the Kharkiv Human Rights Protection Group (KHPG) reported that the Russian Federal Security Service (FSB) had planted ‘prohibited literature’ as evidence against them.

Such human rights violations against Crimean Tatars have also been recognised by the United Nations. In a 2018 report on the human rights situation in occupied Crimea,

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the Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that Crimean Tatars are “disproportionately affected by police raids and prosecuted under terrorism and extremism-related offences in proceedings falling short of human rights standards”.

Moreover, in June 2018 it noted that the number of registered religious organisations has fallen by 45 percent compared to the pre-occupation period. Accordingly, the UN has repeatedly urged Russia to end its violations of Crimean Tatars’ religious freedom.

Ultimately, the systematic persecution of Crimean Tatars under extremism laws can be regarded as a concerted effort by Russian authorities to suppress political activism in occupied Crimea. In this sense, religious persecution of ethnic Crimean Tatars not only violates their religious freedom but also serves as a political tool to deny other fundamental human rights such as their freedom of speech, assembly, and their right to be free from arbitrary arrest, detention or exile.

**Vietnam – Khmer Krom**

Article 24 of the Vietnamese constitution states that “everyone shall enjoy freedom of belief and of religion; he can follow any religion or follow none. All religions are equal before the law. […] The State respects and protects freedom of belief and of religion.”

Accordingly, Vietnam ostensibly supports religious diversity, allowing different religious groups to practice their religion without interference or discrimination. However, the Vietnamese government has installed several (legal) measures to restrict the freedom of religion of its citizens, in particular pertaining to persons belonging to religious minority groups. According to article 14(2) of the constitution, “human rights and citizen’s rights shall only be restricted in imperative circumstances for the reasons of national defence, national security, social order and security, social morality, and the health of the community.” This provision has been readily exploited by the Vietnamese government to override human rights, including religious freedom. It has acted on this by adopting the

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72 United Nations General Assembly, A/C.3/74/L.48

73 Ibid.


75 Ibid.
Law on Belief and Religion, which went into effect on January 1, 2018. Although the Vietnamese government has defended the law by stating it aims to help protect religious freedom, in practice it acts as a method of excessive state interference in religious practices as it requires religious groups to register with state authorities and to report on their religious activities. Multiple human rights organisations, such as Human Rights Watch, Amnesty International and the Vietnam Committee on Human Rights have expressed their concerns about the law, arguing that it places “unacceptable restrictions on the right to freedom of religion or belief and other human rights”. This strict government interference in religious affairs has affected religious minority groups – who are often not recognised by state authorities – the most.

KHMER KROM

The Khmer-Krom, who are the indigenous peoples of the Kampuchea-Krom region covering the Mekong Delta and its surrounding areas, have centred their community on a strong belief in Buddhism for over a thousand years. By 1975, the two most prevalent Khmer-Krom Buddhist associations were the Khmer Theravada Buddhist Association and the Buddhist Khmerara Nikay. However, after the Vietnamese invasion of Kampuchea-Krom the dynamics of Buddhism in the region changed significantly. The Khmer-Krom Buddhist associations were disbanded, forcing the Khmer-Krom Buddhist monks from these associations to join the Patriotic United Buddhist Association (PUBA) under the umbrella of the Vietnam Buddhist Sangha (VBS), which traditionally has strongly ties with the Vietnam Fatherland Front Central Committee (FFCC), a committee of the Vietnamese Communist Party. This close relationship between the Vietnamese Communist Party and the VBS as the sole representative of Vietnamese Buddhism has led to the repression of the Khmer-Krom in Kampuchea-Krom, which is under strict religious, political and even military governmental control.

There remain more than four hundred Khmer-Krom Buddhist temples and over ten thousand Khmer-Krom monks in Kampuchea-Krom. Despite these large numbers, the Khmer-Krom people are not allowed to have an independent Buddhist association free from governmental interference. Traditional methods of worship have been altered, monks have been stripped of the right to perform religious rituals autonomously and are

even restricted from using the traditional Khmer language. Any means of protest to regain the right to religious freedom has been quelled by the government and framed as ‘disturbing the Vietnamese society’ and ‘involving with anti-Vietnamese government activities’ – both punishable offenses under the Vietnamese Penal Code. The Khmer Kampuchea-Krom Federation (KKF) reported that the VBS claimed to have replaced the traditional language on almost all Khmer-Krom temples’ stamps with Vietnamese words. According to the KKF, the Vietnamese government has also assumed nearly total control over the appointment of the Abbots – the head of an abbey of monks – and committee members of the Khmer-Krom temples, only nominating candidates who are under strict government control. All this illustrates the way in which the Vietnamese government controls how the Khmer-Krom practice their religion, thereby creating an environment of distrust within the Khmer-Krom temples and communities.

Next to strict government control of the religious practices of the Khmer-Krom, the Vietnamese government also directly cracked down on Khmer-Krom religious leaders, human rights defenders, peaceful activists and other government critics. In March 2018, the Venerable Lieu Ny, a Khmer-Krom monk advocating for the cultural and linguistic rights of the Khmer-Krom, was extensively questioned about his activities. From 2013 to 2017, Venerable Lieu Ny had been imprisoned after trying to flee from the oppression of the Vietnamese government, which unsuccessfully tried to pressure him to defrock Venerable Thach Thuol for teaching the Khmer language to Khmer-Krom children. Venerable Lieu Ny was charged with the offense of ‘fleeing abroad to act against the Vietnamese government’.

Defrockings have been a common method used by the Vietnamese government to control and monitor the religious practices of the Khmer-Krom people. Apart from violating the religious freedom of the Khmer-Krom, these defrockings also carry serious social consequences for the affected monks, as reported by Human Rights Watch. Since being defrocked constitutes a very serious moral transgression for Khmer-Krom monks, they experience the process as extremely degrading, so severe that it even leads to self-immolation. Defrocked monks often lose the social support and education that was previously provided by the monasteries. Being deprived of their socioeconomic status in society, these monks are then forced to support themselves in different ways while trying to continue their Buddhistic education elsewhere.

77 USCIRF, 2019 Annual Report, 135.
79 Ibid.
A Khmer-Krom monk during a protest. Source: The Khmer Times