

# Russia: Restrictions to religious freedom and freedom of expression in practice

## Construction of Pentecostal church hits snag: Application for a liturgical building rejected in Perm

By Dmitry Vladimirov

Russia Religion News (19.02.2018) / Gulliver (13.02.2018) – <http://bit.ly/2Ca07EL> – On 12 February, the Commission for Land Use and Construction rejected an application of the religious organization of the Missionary Center of Christians of Evangelical Faith “Youth with a Mission” for granting permission in a Zh-2 zone (medium-story residential construction) for the use of “liturgical buildings and structures” on a parcel of 1,900 square meters at the address 6 Superfosfatnaia St. in Ordzhonikidze district.

Moreover this was not the first time this happened: in late December 2017 members of the commission responded coolly to the idea of any religious construction in the middle of a planned residential district, and the question was postponed. Now the commission completely refused to satisfy the application.

As was explained at the session, previously a "Friendship" children's club was located here and the evangelicals acquired the territory and the remaining dilapidated (this was especially noted at the session-ed.) building in 2007.

The general opinion at the session was that this organization is a "dark horse," which had not provided any clear explanations of what would be built there in the event of a positive decision.

The result was that a majority of members declared that they opposed an "exotic" use of the territory within a residential district.

The chairman of the commission, a deputy head of the city administration, Viktor Ageev, advised the applicant to first obtain the support of the local population, and if this happens then theoretically it would be possible to return to the question. (tr. by PDS, posted 15 February 2018)

***Norwegian Jehovah's Witnesses try to prevent confiscation of house of worship***

Russia Religion News (13.02.2018) / SOVA Center – <http://bit.ly/2ok8EM1> – On 13 February it became known that a Norwegian organization of Jehovah's Witnesses turned to the city court of Petrozavodsk. The "Watchtower Bible and Tract Society of the Kingdom of Norway" had acquired a building on

Pervomaisk Prospect in 1998 and donated it in 2007 to Russian Jehovah's Witnesses, who transferred it to Finnish fellow believers in 2017.

The Norwegian organization insists that if the donation agreement of 2017 were to be ruled invalid, then the donation agreement of 1998 (sic-2007?) also should be found to be invalid, and that means that the Norwegian organization again becomes the owner of the building. The court admitted the "Watchtower Bible and Tract Society" of Norway to participation in the trial in the capacity of a third person. (tr. by PDS, posted 13 February 2018)

### ***Prosecutions for anti-religious statements***

Sova Center (13.02.2018) – <http://bit.ly/2EGqLH4> – In mid-January, the magistrate court in Sochi dismissed the criminal case against Viktor Nochevnov, previously convicted under Article 148 part 1 of the Criminal Code (insulting the feelings of believers) due to the statute of limitations. Nochevnov was sentenced to a fine of 50 thousand rubles in August 2017, but, in October, the district court annulled the verdict and sent the case for a new trial. The Sochi resident faced charges for sharing a series of cartoon images of Jesus Christ on a social network. We opposed the criminal prosecution against Nochevnov. In our opinion, the formula "insulting the feelings of believers", which has no legal meaning, should be removed from the Criminal Code altogether.

We learned in late January that, back in September 2017,

musician Daniil Sukachyov of Novgorod was fined 30 thousand rubles under Article 5.26 part 2 of the Code of Administrative Offenses (desecration of religious objects), and the district court confirmed the relevant decision of the magistrate in November. Sukachyov published on VKontakte a video set to the song of the Polish black metal band Batushka [Father], which used video of Orthodox worship, edited with addition of various superimposed effects (flames, smoke, etc.). We view the prosecution of the Novgorod resident as inappropriate – he did not create a video, but only posted it on the social network page; in addition, no actual religious objects were desecrated even in the process of creating the video.

### ***82% of Russians consider unacceptable jokes about the Church***

Interfax (19.02.2018) – <http://bit.ly/2FdVKXT> – Overwhelming majority of Russians (82%) believe it unacceptable to make jokes about the Church no matter what are the circumstances, the VTsIOM (the Russian Public Opinion Research Center) reports.

The poll showed that Russians also do not accept jokes about Russian history, the USSR, Russian Empire (70%), national peculiarities and traditions of various peoples (65%), Russian historical personalities who have passed away (64%), Russian military forces (62%).

Most part of respondents believe it acceptable to laugh at Russia's economic and social problems (53%) and acting authorities in general (54%).

The poll was held on February 9-10 among 2000 respondents.

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## **Iceland's mooted circumcision ban sparks religious outrage**

*Religious groups have condemned a bill in Iceland's parliament that would ban circumcision for non-medical reasons*

BBC News (19.02.2018) – <http://bbc.in/2sBv2WB> – The draft law would impose a six-year prison term on anyone guilty of “removing part or all of the [child's] sexual organs”, arguing the practice violates the child's rights.

Jewish and Muslim leaders however have called the bill an attack on religious freedom.

Iceland would be the first European country to ban the procedure.

The country is thought to have roughly 250 Jewish citizens and around 1,500 Muslim citizens.

*Why is the bill being introduced?*

MP Silja Dögg Gunnarsdóttir of the Progressive Party, who introduced the bill at the start of the month, said: "We are talking about children's rights, not about freedom of belief.

"Everyone has the right to believe in what they want, but the rights of children come above the right to believe."

Iceland passed a law in 2005 banning female genital mutilation, and supporters of this move have compared it to that law.

The latest bill (in Icelandic) says circumcision "involves permanent interventions in a child's body that can cause severe pain".

If it passes its first reading, the draft law will go to a committee stage before it can come into effect.

### ***What do religious groups say?***

The Nordic Jewish Communities issued a statement condemning the ban on "the most central rite" in their faith.

"You are about to attack Judaism in a way that concerns Jews all over the world," the open letter reads.

Jewish campaign group Milah UK stated that comparisons with female genital mutilation are unwarranted, given that in the case of male circumcision there is "no recognised long-term negative impact on the child".

Imam Ahmad Seddeeq at the Islamic Cultural Centre of Iceland also criticised the move.

"It's... part of our faith," he said." It's something that

touches our religion and I believe that this is... a contravention [of] religious freedom.”

The Bishop of Reykjavik, Agnes M. Sigurðardóttir, warned Jewish and Muslim people could feel “unwelcome” in Iceland.

“The danger that arises, if this bill becomes law, is that Judaism and Islam will become criminalised religions,” she said. “We must avoid all such forms of extremism.”

### ***Is circumcision safe?***

By Michelle Roberts, BBC News Online health editor

BBC News (19.02.2018) – Although it is a relatively simple medical procedure, circumcision is not entirely risk free.

Doctors may recommend that a man or boy is circumcised if he has an unusually tight foreskin, known as phimosis, or suffers from recurrent infections of the foreskin and penis, known as balanitis.

There is also some evidence that men who are circumcised have a lower risk of contracting HIV from HIV-positive female partners.

It is not clear if circumcision reduces the risk of other sexually transmitted infections too, but studies suggest it may lower the chance of catching genital warts caused by a family of viruses called HPV.

The main risks of the surgery are bleeding and infection.

In the UK, the chance of these occurring is between one in 10 and one in 50.

## *How do other countries compare?*

Circumcision is legal throughout Europe, although the practice is becoming more controversial.

A court in Germany passed a local ban in 2012 after the circumcision of a four-year-old Muslim boy led to complications, with the judge saying it “permanently and irreparably changed” the body.

However, the German government later that year clarified the act is legal provided it is performed by trained practitioners.

The following year, the Council of Europe recommended countries take steps to ensure good medical and sanitary practices when performing a circumcision.

And in the UK in 2016, a court ruled that a Muslim father could not have his sons circumcised after their mother disagreed.

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**IRAN: ‘Returnees’ from Al  
Mustafa Int’l University for  
foreigners pose a danger to  
human and state security**



# abroad

HRWF (19.02.2018) – Foreign forms of controversial Islamic teachings introduced in various ways in Muslim majority countries threaten their traditional culture of tolerance and the peaceful relations between their various religious communities.

Iran attracts and trains foreign Shia theologians to export its theocratic model and Sharia practices which are incompatible with UN human rights standards.

Salafists and Wahhabis backed by Saudi Arabia and other states of the Arabic Peninsula are increasingly disturbing the homegrown peaceful Islam in Indonesia, the Maldives, and other countries in Central Asia.

The implantation of their Islamic universities and other educational institutions in such countries, in addition to the granting of scholarships for foreign education of imams and young students in theology, are part of their diversified strategies to export forms of Islam that are alien to local Islam, challenge the secular nature of some states and the separation of state and religion.

‘Returnees’ from universities such as Al Mustafa University in Iran pose a real danger to human and state security in their respective countries of origin.

Sentencing ‘returnees’ to prison terms, as it is the case in Azerbaijan or Kazakhstan, because they have been educated abroad in ‘suspicious universities’ is a violation of human rights. However it is the right of a state to protect its population against radicalization and foreign ideologies that promote segregation between Muslims and non-Muslims as well as between men and women, discrimination on such a basis, physical punishments, degrading and inhumane treatments, as it is the case in Iran, Pakistan or Saudi Arabia.

Hassan Dai's study entitled by "Iran's global network of Islamic schools public" published by the Iranian American Forum in 2016 highlights the extent of the strategy used by Tehran to export its theocratic system. In his paper, the author addresses the following issues:

- Foreign clerics in Iran and the creation of Al Mustafa
- Al Mustafa's network: Africa – Al Mustafa School in Congo
- Tuition and support for students and their families
- Number of students and graduates
- Al Mustafa's goal: export of Revolution
- Shiism
- Promoting hatred against Israel
- Al Mustafa, a recruiting pool of Quds force

*Human Rights Without Frontiers* is presenting below several excerpts from this paper that is available at <http://iranian-americans.com/irans-export-of-islamic-fundamentalism-al-mustafa-global-training-centers-2/>.

### ***Summary***

In February 1979 Ayatollah Khomeini and a group of clergymen attached to him, seized the power in Iran. From the onset, Khomeini's regime utilized all the means and tools in its disposal to establish and fortify its brand of fundamentalism in Iran and export it throughout the Islamic world.

For the past 37 years, the Iranian regime has pursued a two-faceted strategy to export its revolution; in one hand, it has created and supported radical armed groups across the Middle East, on top of them the Lebanese Hezbollah. On the other hand, various "Cultural" and "religious" organizations were created in Iran to disseminate the regime's ideology in the Islamic world.

Al Mustafa international university founded in 2007 is one of the most important among these organizations. Funded and controlled by the Iranian regime, Al Mustafa trains foreign

Shia clerics, scholars and missionaries. Its main campuses are in Iran and has more than one hundred seminaries, Islamic schools and religious centers around the world. The Iran's Supreme Leader Ali Khamenei is the highest authority of Al Mustafa University.

Al Mustafa has currently over 40.000 students, half of them studying in University campuses in Iran. There are nearly 10.000 female students and 3500 teaching staff.

Since 2007, nearly 30.000 clerics and Islamic scholars have graduated from Al Mustafa branches, a good portion of them have been hired by the university as teaching staff or missionaries sent to different countries around the globe.

Al Mustafa's vast global network and its growing army of clerics and missionaries is a formidable tool to generate grassroots support in foreign countries for the Iranian regime's ideology, its foreign policy, its position in the Islamic world and its quest to dominate the Middle East. Al Mustafa is also a recruiting pool for the Revolutionary Guards' Quds Force or other Iranian Institutions responsible for terrorism or military activities abroad.

### ***Number of students and graduates***

Al Mustafa does not report the exact number of its students in Iran or in foreign branches. However, by examining Al Mustafa's current and old website available in web archives, news reports or the declarations by the University's executives, we reach the approximate numbers of 40.000 current students of which 10.000 are women. Half of Al Mustafa's students are in Iran campuses. The University has had 30.000 graduates and employs 3500 teaching staff.

For example, Alireza Aarafi, Al Mustafa's President declared in August 2014 that 40.000 people study at the University. In February 2016, the head of "Information Science" department at Shiraz University gave an interview and detailed the number of

foreign clerics studying in Iran and declared that 20.000 foreigners study at Al Mustafa campuses in Iran. In a speech on February 2015, President of Al Mustafa declared that 30.000 students had graduated since 2007.

Al-Mustafa has a distinct department for its female students called "Bent-ol-Hoda High Education Institution" with campuses in Ghom, Isfahan and Mashhad. According to an August 2013 report 9000 female students were studying in Al Mustafa, of which 6500 students in foreign branches. According to Hojatoleslam Safouraei, president of Bent-ol-Hoda, the new campus under construction in Ghom will open in the summer of 2016 with a capacity for 2000 female students.

### ***Al Mustafa's goal: export of Revolution***

Al Mustafa's vast global network and its growing army of clerics and missionaries is a formidable tool for the Iranian regime to export its brand of Islam and generate grassroots support for the Iranian regime's ideology and assist its quest to dominate the Islamic world.

In his speech to Al Mustafa students and staff on October 25, 2010 in Qom, the Supreme Leader explained the Iranian mandate to spread "pure Islamic thoughts" and liberate the Islamic nation from the jug of global arrogance led by the United States. He emphasized the role that Al Mustafa plays in carrying out this mission: (English translation by Khamenei's official website)

"The first lesson that the Islamic Revolution and the auspicious Islamic Republic taught us was that we should think beyond our borders and turn our attention to the vast arena of the Islamic Ummah. Our magnanimous Imam taught us that our attention should be focused on the great Islamic Ummah. Although Iran was extremely frustrated under the pressure of tyranny and colonialism during the rule of Shah, was being crushed by the pressure, and it needed to be saved but, the

essential pressure and historical aggression was focused on the Islamic Ummah.

For several centuries, the great Islamic Ummah, which has been in one of the most strategic locations in the world, was suffering from weakness, defeat, backwardness, colonialism and material and scientific poverty due to the interference of superpowers, greed of powerful governments and belligerence of the arrogant powers. The attention of our Islamic Revolution was focused on the Islamic world. Its attention was focused on helping the Islamic Ummah get rid of the arrogant powers' hand of oppression and aggression. We learned this from our Imam, and this has been the clear path of the Islamic Republic up until now. Part of the great work is what you are doing. You have gathered here from nearly one hundred countries in order to become familiar with the pure teachings of Islam."

On February 8, 2016, Al Mustafa's vice President declared: "Export of revolution has always been one of the most important goals for the Islamic Republic. Al Mustafa plays a role in preparing the ground and attain this goal. Al Mustafa has used the Islamic soft power in the region and prepare the ground for Iran's hard power (military) to be present in the Middle East and successfully oppose the global arrogance."

Similarly, the dean of language and culture department at Al Mustafa has also declared that "our goal is the export of revolution." In February 2015, the Supreme Leader's representative in Isfahan emphasized that "Al Mustafa has taken effective steps for the export of our revolution."

### ***Al Mustafa, a recruiting pool for Quds force***

Since the start of civil war in Syria and the Iranian military intervention to save the Bashar Assad regime, there have been numerous reports about Al Mustafa's students killed in Syria funerals held in Iran for them In March 2016, one of Al Mustafa's directors declared that "some of the fighters

deployed to Syria are the University's students and clerics."

Alireza Tavassoli, the chief commander of Fatemiyon, the Afghanis division of revolutionary guards fighting in Syria who was killed in 2014, was one of Al Mustafa's clerics.

The Iranian revolutionary Guards employs different tactics to recruit new members or fighters for Syrian war. Each years, hundreds of thousands of very young Iranian students are organized in tours labeled as "Caravans of light" (Rahian -e- Noor) and sent to the old Iran-Iraq war battle field where the martyrs are venerated and the cult of martyrdom is promoted. The preachers remind the visitors that the war with Iraq was in fact part of the fight against global arrogance, a fight that continues today. The visitors are told that the martyrs are alive and watching them and asking them to join this holly war against the US and its surrogates.

Iranian regime uses the same tactic to recruit among Al Mustafa students or graduates. Each year thousands of Al Mustafa students from Iran campuses or branches outside Iran are sent to these battle field. This is a report on 700 Al Mustafa students visiting the battle fields and, another report about a 250 students and families. In this report by Iranian press, an Argentinian graduate of Al Mustafa who is teaching at the University branches, is taking a group of Latin American students to the battle fields to "venerate the Martyrs of war between Islam and global arrogance".

As a result of Al Mustafa's ideological teaching and financial incentives provided to the students, a good part of Al Mustafa clerics gradually become unconditional supporters of Iranian regime. It is not surprising that many of them are sent to Syria and other places to assist the Quds force. Al Mustafa students in Iran are also ordered to participate in state-organized rallies such as the protest against Charlie Hebdo magazine for drawing Muhammad cartoon or the rally against Bahrain government.

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# **Fisheries agreement with Morocco is an instrument of soft power for EU**

By Willy Fautre, Human Rights Without Frontiers

Euractiv (16.02.2017) – <http://bit.ly/2BZH3sV> – At the end of the last UN Universal Periodic Review (UPR) of Morocco's human rights record in May 2017, Rabat agreed to implement a number of recommendations and has since opened legislative debates on several issues.

Trade relations and human rights have been interrelated in many resolutions of the European Parliament and have been on the agenda of civil society advocacy.

The EU as a soft power has often used its commercial agreements with third countries to promote human rights and good practices in a number of areas. Before Morocco's next UPR in four years, the EU will have the opportunity to monitor the progress, or lack thereof, in the field of human rights and European standards.

The EU-Morocco Partnership provides a particular opportunity to the EU to play a major role in Morocco's future and to develop European human rights standards in the country on various issues such as freedom of association and assembly, freedom of expression, women's and children's rights and domestic violence, where improvements are needed.

In 2012 EU exports to Morocco were worth about €7 billion and imports from the Kingdom just over EUR 9 billion, making the EU a major trade partner.

In the short term, there will be concrete opportunities for the EU to articulate political dialogues, economic agreements and human rights.

On 8 February, the Morocco-EU Joint Parliamentary Committee met in Strasbourg to monitor the work done in relation with the European Neighbourhood Policy (ENP) launched in 2003 on various issues: security, migration, human development, the fight against radicalism, economic and trade cooperation, and the relation between the EU and the African Union. Follow up meetings are scheduled.

An important area of cooperation is agriculture. On 31 January, Morocco and the EU initialed in Brussels a document strengthening their partnership under the farm agreement already binding the two parties. In 2016, the EU imported more than €3 billion worth of agricultural products from Morocco.

Another area of strategic cooperation between the two parties will concern the fisheries as the existing agreement will come to an end in July.

Fisheries are a main source of employment in Morocco. With its 3500 kilometers of coastlines (500 km on the Mediterranean coast and 3000 km on the Atlantic), the country has huge potential economic activity, export and income. With a production of 1.3 million tons in 2014, Morocco is the largest maritime fisheries producer in Africa and it occupies the 25th position in the world, according to the UN Food and Agriculture Organization.

Fisheries represent 2.3% of the GDP of the country and the sector creates direct employment for 170 000 fishermen and indirect employment to an additional 500 000 people, according to the FAO which estimates that 3 million people in Morocco depend on fisheries for their livelihoods.

According to the last EU evaluation report on the Protocol to the Sustainable Fisheries Partnership Agreement, the estimates



of the socio-economic impact of this agreement already show substantial benefits for the local population, especially in the southern regions of Dakhla-Oued Eddahab and Laayoune-Boujour-Sakia El Hamra (also called Western Sahara).

On the EU side, it is noteworthy that about 120 European vessels from 11 EU countries have access to the Kingdom's fishing areas: France, Germany, Ireland, Italy, Latvia, Lithuania, Netherlands, Poland, Portugal, Spain and UK. The European Commission and the Council as well as all major EU Member States support the renewal of the partnership.

The renewal of the EU-Morocco Fisheries Agreement will benefit the social and economic rights of all the Moroccans as well as social stability as it will constitute a sustainable factor contributing to local employment. If it were not renewed, tensions might affect the relations between the EU and Morocco. Moreover, the EU, as a soft power, might lose major leverage to induce positive changes in Morocco and improvements of civil and political rights. Such an asset should not be put at risk.

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# Turkey: The systematic persecution of religious minorities

By The Hon. B. Theodore Bozonelis

Order of St Andrew the Apostle/ Archons of the Ecumenical Patriarchate (14.02.2018)

– <http://www.publicorthodoxy.org> – Despite the world-wide recognition of the status of His All-Holiness Ecumenical Patriarch Bartholomew as the spiritual leader of all Orthodox Christians, the government of Turkey will give no legal standing and status to the Ecumenical Patriarchate, the historical Holy Center of Orthodox Christianity at the Phanar, in Istanbul. The lack of legal standing and status in essence nullifies property and other fundamental civil rights in Turkey for the Ecumenical Patriarchate which precludes its full exercise of religious freedom. The Ecumenical Patriarchate cannot own in its name the churches to serve the faithful or the cemeteries to provide for their repose. Since it lacks a legal standing, the Ecumenical Patriarchate is powerless to pursue legal remedies to assert property rights or even seek to repair deteriorating property without government approval.

Instead and in lieu of legal standing, Turkey has established a system of minority (community) foundations for Orthodox Christians and other non-Muslim religious minorities to hold properties supervised and controlled by the Turkish government's General Directorate of Foundations. The

Directorate regulates all the activities of religious community foundations which include approximately 75 Greek Orthodox, 42 Armenian and 19 Jewish foundations. The 1935 Law on Religious Foundations, and a subsequent 1936 Decree, required all foundations, Muslim or non-Muslim, to declare their properties by registering the same with the General Directorate of Foundations.

Through its controls, the government of Turkey has nationalized and/or declared certain Greek Orthodox and other religious minority foundations as non-functioning with no right of appeal. This resulted in the systematic seizure of thousands of properties of Christian and other non-Muslim religious minorities in the years that followed, including thousands of income producing and valuable properties of the Ecumenical Patriarchate. In 1936 the Ecumenical Patriarchate, its churches and institutions, owned approximately 8,000 properties. In 1998, 2,000 remained and today fewer than 500 properties are owned by minority foundations loyal to the Ecumenical Patriarchate, most of which are churches, cemeteries, or other properties which produce no income.

With Turkey seeking accession to the European Union, it sought to improve the property restrictions on non-Muslim religious minority foundations. In this regard, the 1935 Law on Religious Foundations was amended during the years of 2002 to 2008 to allow religious minority foundations, with restrictions, to acquire properties and apply for the return of confiscated properties. Within this historical context, Turkey's then Prime Minister, Recep Tayyip Erdogan (now President), also announced by Decree, not parliamentary law, on August 27, 2011, that 162 recognized minority foundations may apply to regain religious properties declared and registered in 1936 and confiscated from them by the state or they could seek compensation. The Decree provided that applications to regain properties generally had to be made within 12 months—by August 27, 2012— and regulations for

implementation were adopted October 1, 2011.

Of the 162 recognized minority foundations, more than 70 Greek Orthodox foundations claimed and timely submitted applications for more than 1200 properties in issue. Of these applications, more than 300 were accepted, and some 900 were rejected. Of the applications that were accepted, few resulted in the actual transfer of title and few were income producing properties. Although disputed by Turkey, religious minorities reported that administration by the General Directorate of Foundations was slow and arbitrary as even accepted applications were not always processed. The August 27, 2012 submission deadline also did not allow sufficient time to submit the required volume of paper work for most of the property applications. This was further complicated by the fact that local Turkish Government offices did not timely respond to requests for title documents which prevented processing within the deadline.

In addition, the Decree is limited. Properties not declared by religious minority foundations under the 1936 law are not covered. Also, certain religious institutions, including Catholic churches, do not have foundations or a legal status and are not covered. Most important, it does not address the properties of seized religious minority foundations that the government took over because of its claim of lack of foundation management or charitable purposes. Further, under the Decree, the determination of compensation, when in issue, is not made by an independent body but rather by the government.

Accordingly, despite Turkey's claims that the value of properties returned to all non-Muslim religious minorities exceeds one billion dollars, the application procedures in reality proved to be more form over substance. In the end, it was not just the number of properties returned to foundations loyal to the Ecumenical Patriarchate or other religious minority foundations that mattered, but the quality of

properties returned. If properties are not income producing, they cannot be properly maintained. In this regard and of most importance, the Turkish government continued to delay or allow the election of religious minority foundation board members to manage the properties. Without functioning religious minority foundations, the return of property is meaningless because the properties, under existing Turkish law, cannot be managed effectively. Turkish law also restricts the eligibility of Orthodox Christians who wish to serve as religious minority foundation board members to manage the foundations. Clergy are not allowed to serve. With the significant decline in population of Orthodox Christians eligible to be elected board members, the religious minority foundations will not be able to sustain returned properties. With the lack of legal standing and status, the government then has the ability to declare the property abandoned and seize the same without compensation.

While Turkey points to the fact that its Sunni Muslim majority religion also lacks a legal personality, the Sunni Muslims are treated in a more favorable manner. For all practical purposes Sunni Muslims have a "legal status" exercised through The Diyanet or Directorate ( Presidency ) of Religious Affairs of the government which is all Sunni Muslim, and in effect controls the exercise of religious freedom in Turkey. The Diyanet administers mosques which must be all Sunni and oversees all its religious training schools. It obtains billions of dollars from the government to function. Imans and other religious employees are paid by the government. Without any such financial support combined with the lack of a legal status, non-Muslim religious minorities, including the Ecumenical Patriarchate and Turkey's Alevi Muslim minority, have difficulty in exercising religious freedom without sufficient foundation properties to produce income. The General Directorate of Foundations in its administration has limited the financial viability of religious minority community foundations.

The European Court of Human Rights (ECHR) has been an alternative avenue to pursue Christian and other non-Muslim religious minority property rights in Turkey. For example, after extensive litigation, the Ecumenical Patriarchate obtained a ECHR Judgment in 2008 for the return of the Prinkipos (Buyukada) Orphanage Building. The Judgment produced in November 2010 a deed title for the property in the name of Rum Patrikhanesi, Patriarchate of the Roman Greeks, the official name for the Ecumenical Patriarchate used by the government of Turkey. The deed title as issued and accepted by the Turkish courts in the name of Rum Patrikhanesi in effect created a de facto legal status. It established a legal argument to further the cause of obtaining official recognition of a legal personality for the Ecumenical Patriarchate and all religious minorities.

Also, in March 2011, Turkey implemented a ECHR Judgment of March 2009 which returned property rights to the Greek Orthodox minority foundation, Kimisis Theodokou Greek Orthodox Church, on the island of Tenedos (Bozcaada).

Further, a significant ECHR case was settled in 2013 whereby the General Directorate of Foundations returned the historic former Ayia Foka Greek Elementary School building in Istanbul to the foundation despite the fact that it was utilized as the offices of the government's European Union Ministry.

However, the government of Turkey has refused to recognize these developments as confirming legal status and has failed to register additional properties in the name of the Ecumenical Patriarchate. The lack of legal status persists. This is in stark contrast to Turkey's international and national human rights obligations.

Turkey is a member of the United Nations, Council of Europe, NATO, Organization for Security and Cooperation in Europe (OSCE) and in 2005 began formal accession negotiations to join the European Union. Moreover, by virtue of its membership in

all these organizations, Turkey has taken on binding obligations to protect the rights of religious minorities.

As a participating state in OSCE, Turkey has obligations under Article VII of the Helsinki Accords to guarantee and protect the rights of national minorities. The Concluding Document of the 1989 Vienna Meeting of the organization requires participating states to protect the rights of religious communities. As a member of the Council of Europe, Turkey has ratified the European Convention on Human Rights and Fundamental Freedoms. Article 9 of the Convention requires Turkey as a member state to protect freedom of religion, including the right to manifest religion in worship, teaching, practice, and observance, subject only to limitations as necessary in a democratic society in the interests of public safety, for the protection of the public order, health or morals, or for the protection of the rights and freedoms of others.

In the Treaty of Lausanne of 1923, Turkey guaranteed freedom of religion to its non-Muslim religious minorities. Articles 40 and 42 granted non-Muslim religious minorities autonomy and legal status.

“All facilities and authorisation will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any necessary facilities which are guaranteed to other private institutions of that nature.” (Article 42, para. 3).

With the lack of legal standing on property rights for the Ecumenical Patriarchate and other non-Muslim religious minorities, these rights have not been respected by Turkey. History has also shown that the Ecumenical Patriarchate itself has been further deprived of other significant properties by virtue of its religious identity.

During the time of the Treaty of Lausanne negotiations, the Turkish delegation demanded that the Ecumenical Patriarchate be removed from Turkey as it symbolized the last remnants of an international Christian and Greek religious presence in Turkey. Further, at that time, a bill was introduced in the government of Turkey to establish a so-called Turkish National Orthodox Church to counter the Ecumenical Patriarchate. This attempt to create a Turkish National Orthodox Church with government support was led by a since excommunicated village priest known as "Papa Eftim," who in 1922 proclaimed a "Turkish Orthodox Patriarchate" with no authority, recognition or congregation.

The status of the Ecumenical Patriarchate to be recognized and remain in Turkey was finally settled by the Treaty of Lausanne in 1923 and reaffirmed by a League of Nations Settlement in 1930. However, this unrecognized priest, with Turkish government support, had seized in the interim Ecumenical Patriarchate churches and properties in the Galata region of Istanbul that his family descendants continue to hold to date. The Ecumenical Patriarchate has repeatedly called upon the government of Turkey to return the churches and properties unlawfully seized but to no avail.

Further complicating religious freedom, property and fundamental rights for Christian and other non-Muslim religious minorities is the recent political unrest in Turkey. In July 2016, an attempted coup against the government of Turkey took place by an alleged faction of the military which Turkey blamed on Fethullah Gulen, a Muslim cleric and his followers. The government called on Turkish citizens to flood the streets and thwarted the coup. Thereafter, Turkey called for the extradition of Fethullah Gulen who now resides and is based in the State of Pennsylvania. A massive government crackdown occurred, that resulted in an estimated 9000 police fired, 6000 military arrested, 3000 judges suspended, 21,000 teachers suspended, and 1500 university deans ordered to



resign. Turkey ordered a 3-month state of emergency followed by the government shutdown of 45 newspapers, 16 television channels, and 15 magazines.

As the above significant events unfolded in Turkey, false and derogatory articles were reported in Turkey and Greece seeking to tie His All-Holiness Ecumenical Patriarch Bartholomew to Fethullah Gulen and the failed coup. The intent was to disparage the Ecumenical Patriarchate and further inflame an anti-Christian climate in Turkey. Although the Ecumenical Patriarchate is committed to the resolution of all issues of religious freedom and property rights peacefully and within the existing government in Turkey, the false reporting threatens the progress to seek additional property rights and religious freedom for Orthodox Christians and other religious minorities.

In April 2017, Turkey's Constitutional Referendum vote approved calls for 2019 elections that will replace Turkey's parliamentary system with an all-powerful presidency and abolish the office of prime minister. The result will likely be to cement the absolute control of President Erdogan and his political ruling party. With absolute control coupled with Sunni Muslim dominance, Alevi Muslims, Christian, and other religious minorities fear further restrictions on religious freedom.

Turkey should embrace the historical roots of Christian heritage and other faiths in its lands. It should look upon His All Holiness Ecumenical Patriarch Bartholomew, and all religious minority leaders, and their institutions, for their accomplishments and their desire to live in peace with equal property and fundamental rights. Turkey seeks to join the European Union and has binding obligations to ensure religious freedom for the Ecumenical Patriarchate and other religious minorities that must be enforced. However, the recent political movement in Turkey toward Sunni Muslim uniformity in the government, education, and institutions throughout the

country is cause for concern. The need continues for world-wide diplomatic efforts from other countries to exert political pressure on Turkey to require the government to comply with its binding human rights and religious freedom obligations. Legal standing and status for the Ecumenical Patriarchate and other religious minorities that will provide meaningful property rights is the first step.

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## **France: Muslim leader urges Macron not to meddle too much in French Islam**

By Julie Carriat

Reuters (14.02.2018) – <http://reut.rs/2EI6vnu> – A leading representative of French Muslims urged Emmanuel Macron not to meddle in the organization of France's second-largest religion, days after the president said he would try to

redefine relations between Islam and the state.

The rebuke came from the leader of an organization set up 15 years ago in a bid to defuse concern about radical preachers and foster a more homegrown form of Islam that would fit better with France's traditional separation of church and state affairs.

"Everyone must stick to their role," Ahmet Ogras, president of the French Council of the Muslim Faith (CFCM), told Reuters in an interview.

"The Muslim faith is a religion and, as such, takes care of its own household affairs. The last thing you want is the state to act as guardian," said Ogras, a Frenchman of Turkish descent who has led the CFCM since mid-2017.

Macron, elected last May after a runoff victory over far-right leader Marine Le Pen, said in a Feb. 11 newspaper interview he planned to revisit the way Islam was overseen.

"What I'd like to get done in the first half of 2018 is set down markers on the entire way in which Islam is organized in France," he told the Journal du Dimanche. The priority would be to "bring back what secularism is all about".

Traditionally Catholic France is home to the largest Jewish and Muslim communities in Europe, with the latter estimated at five million out of a population of 67 million.

The official rule is strict separation between religion and state, with the former considered a strictly private matter. The rule that has been used to justify bans on the wearing of Muslim veils by public service employees as well as any wearing of fully concealing head-to-toe veils in public places.

Macron has been under pressure to deal firmly with radical preachers and mosques since a wave of attacks in which

Islamist militants killed more than 230 people in France since 2015.

Emergency search-and-arrest powers introduced in the wake of the November 2015 attacks that killed 130 people in Paris have since been made permanent under tougher security legislation. Several mosques have been shut and imams expelled.

Macron's declarations in the Feb. 11 newspaper interview suggest he is considering a profound reorganization of the way in which the Islam faith is funded and its preachers schooled.

Back in 2003, Nicolas Sarkozy, interior minister at the time and president from 2007 to 2012, engineered an agreement among the country's main Islamic groups to create the CFCM.

The idea was to have a council to speak for Muslims similar to the way the French Bishops' Conference speaks for Catholics or the Consistory speaks for Jews.

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# **BELGIUM: Giving up control of Brussels mosque, Saudi Arabia sends a signal**

By Alissa de Carbonnel, Stephen Kalin

Reuters (12.02.2018) – <http://reut.rs/2o800hJ> – Saudi Arabia has agreed to give up control of Belgium's largest mosque in a sign that it is trying to shed its reputation as a global exporter of an ultra-conservative brand of Islam.

Belgium leased the Grand Mosque to Riyadh in 1969, giving Saudi-backed imams access to a growing Muslim immigrant community in return for cheaper oil for its industry.

But it now wants to cut Riyadh's links with the mosque, near the European Union's headquarters in Brussels, over concerns that what it preaches breeds radicalism.

The mosque's leaders deny it espouses violence, but European governments have grown more wary since Islamist attacks that were planned in Brussels killed 130 people in Paris in 2015 and 32 in the Belgian capital in 2016.

Belgium's willingness to put its demands to oil-producing Saudi Arabia, a major investor and arms client, breaks with what EU diplomats describe as the reluctance of governments across Europe to risk disrupting commercial and security ties.

Riyadh's quick acceptance indicates a new readiness by the kingdom to promote a more moderate form of Islam – one of the more ambitious promises made by Crown Prince Mohammed bin Salman under plans to transform Saudi Arabia and reduce its reliance on oil.

The agreement last month coincides with a new Saudi initiative, not publicly announced but described to Reuters by

Western officials, to end support for mosques and religious schools abroad blamed for spreading radical ideas.

The move towards religious moderation – and away from the extreme interpretation of Islam’s Salafi branch that is espoused by modern jihadist groups – risks provoking a backlash at home and could leave a void that fundamentalists try to fill.

But Saudi Arabia’s recent moves on religion are seen by Belgian diplomat Dirk Achten, who headed a government delegation to Riyadh in November, as a “window of opportunity”.

“The Saudis are disposed to dialogue without taboos,” he told Belgium’s parliament last month after the mission was hastily put together after the assembly urged the government to break Saudi Arabia’s 99-year, rent-free lease of the mosque.

But he also cautioned: “Some do not, or barely, admit that this form of Salafism leads to jihadism.”

### ***DETAILS BEING FINALISED***

Details of the mosque’s handover are still being negotiated but will be announced this month, Belgian Interior Minister Jan Jambon told Reuters.

The diplomatic contacts, led by the countries’ foreign ministers, were intended by Belgium to prevent what Jambon called an “exaggerated response” from Saudi Arabia – indicating the Belgian government had sought to ensure there was no diplomatic backlash.

This, he said, was “under control” following a visit to Belgium last month by Saudi Foreign Minister Adel al-Jubeir.

Before Saudi Arabia took control in the late 1960s, the Grand Mosque was a disused relic of the Great Exhibition of 1880 – an Oriental Pavilion.

Saudi money converted it to cater to migrants from Morocco invited to work in the country's coal mines and factories. It is run by the Mecca-based Muslim World League (MWL), a missionary society mainly funded by Saudi Arabia.

Concerns about the mosque grew as militant groups such as Islamic State started recruiting among the grandchildren of those migrants, many of whom say they still feel they do not belong in Belgian society, opinion polls show.

Belgium has sent more foreign fighters to Syria per capita than any other European country. Belgian officials now suggest the Muslim Executive of Belgium, a group seen as close to Moroccan officialdom, should run the Grand Mosque.

Although the Saudi government has denied any role in the Sept. 11, 2001 attacks against the United States which killed more than 3,000 people, 15 of the 19 airplane hijackers who carried them out were from Saudi Arabia and linked to late Al Qaeda leader Osama bin Laden, the plot's Saudi-born mastermind.

Bin Laden was a follower of Wahhabism, the original strain of Salafism which has often been criticized as the ideology of radical Islamists worldwide. Yet many of Islamic State's positions are far more radical than Wahhabism, the ultra-conservative branch of Islam dominant in Saudi Arabia and founded by 18th century cleric Mohammed ibn Abd al-Wahhab.

A classified report by Belgian security agency OCAD/OCAM in 2016 said the Wahhabi branch of Islam promoted at the mosque led Muslim youth to more radical ideas, sources with access to the report said.

"The mosque has influence to spread this hateful 'software'," a senior Belgian security source said. "Nobody paid attention for decades."

Belgium's parliament said what it preached was "a gateway or even a predisposition to a more combative Islam that is

violent", calling in October for an end to the Saudi lease.

The same month, immigration minister Theo Francken tried to expel the Grand Mosque's Egyptian imam of 13 years, calling him "dangerous", but a judge reversed that decision.

But Belgian security sources say there is no proof imams at the Grand Mosque preached violence or have had links to attacks.

Some who went to fight in Syria had studied there but men are more prey to recruiters for militant groups online and on the streets of underprivileged boroughs such as Molenbeek, in Brussels, where some of the Paris attackers lived, they say.

Tamer Abou El Saod, who was appointed director of the Grand Mosque in May, says there are problems over the way it is perceived but denies it espouses a fundamentalist version of Islam. He says he is ready to work with Belgian officials.

"There are changes happening already and there are even more changes coming in the very near future," he told Reuters.

### ***"EUROPEAN ISLAM"***

Belgian leaders say they want the mosque to preach a "European Islam" better aligned with their values – a familiar refrain across Europe following the Islamic State attacks of the last few years.

But it is unclear who will operate the sprawling mosque complex, which receives about 5 million euros (\$6 million) a year through the MWL which has for decades promoted a hardline interpretation of Islam at dozens of institutions worldwide

The MWL has recently adopted a more conciliatory tone. In just over a year since being appointed, its secretary-general, Mohammad bin Abdul Karim al-Issa, has met with Pope Francis and taken a public stance against Holocaust denial. Issa told Reuters in November the organization's new mission was to



annihilate extremism.

For Saudi Arabia, the mosque is a chance to prove it is turning over a new leaf after years of accusations it turned a blind eye to – if not actively endorsed – extremist ideology.

Crown Prince Mohammed has already taken some steps to loosen ultra-strict social restrictions, scaling back the role of religious morality police, permitting public concerts and announcing plans to allow women to drive this summer.

The changes, however, may be too late since most militant groups that emerged at some point from Saudi networks have grown independent, says Stephane Lacroix, a scholar of Islam in Saudi Arabia.

“That this is going to solve the problem of radical Islam because if the Saudis change, everything’s going to change: It’s not the case,” he told Reuters.

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# FRANCE: Court says man who had sex with 11-year-old girl must face rape charges

*A French court said Tuesday that a 29-year-old man on trial for having sex with an 11-year-old girl must face rape charges, declaring itself incompetent to rule in the highly controversial case.*

France24 (13.02.2018) – <http://bit.ly/2F56o00> – The man went on trial earlier Tuesday for sexual assault rather than rape in a case that triggered an outcry after prosecutors judged that the sex was “consensual”, despite the girl’s young age.

France does not treat sex between an adult and a minor as rape unless there is proof that force was used, and the government has vowed to introduce an age of consent.

The local court in the Paris suburb of Pontoise said after a day of closed-door hearings that the man should be put on trial for rape, pushing the decision to a higher court.

The girl’s family were outraged by the initial decision not to try him for rape, and their lawyer Carine Diebolt hailed Tuesday’s ruling as “a victory for the victims”.

“There is no question of consent when we’re talking about a

child of 11 years," she had told reporters before the trial opened.

She has asked for the case to be adjourned and a rape charge to be applied, insisting that the child was shocked, intimidated and threatened by the defendant.

The father of two children, then aged 28, approached the girl in a public area of a housing estate in Montmagny northwest of Paris.

She performed oral sex in an elevator on the way to his apartment where they had penetrative sex.

His lawyer, Marc Goudarzian, cast doubt on the girl's testimony and insisted his client thought the girl was 17 because she had passed puberty. "She wasn't born yesterday," Goudarzian added.

In November last year, a man was acquitted of rape after having sex with an 11-year-old after a jury found no evidence that she had been forced into the relationship.

And in another widely publicised case in November, a teacher was given a suspended jail sentence, not a prison term, for having sex with a 14-year-old pupil.

President Emmanuel Macron, who is married to his former schoolteacher, has proposed a new law that would make 15 the age of consent.

More information: [Ages of Consent in Europe](#)

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## **TANZANIA: President Magufuli supports polygamy to end prostitution**

CAJ News (12.02.2018) – <http://bit.ly/2nYvsSc> – The Tanzanian President, John Magufuli, is encouraging men to practise polygamy and reduce prostitution in the East African country.

Speaking in the commercial capital, Dar-es-Salaam, he disclosed government will be giving some incentives to men that married more than one wife.

The leader argued promiscuity was also fuelled by imbalances around population in a country with 40 million women and 30 million men.

“Our women are crying every day due to lack of men to marry and support them economically hence they engage in prostitution,” Magufuli said.

“So please try to work hard and be productive so that you can help our women by marrying two or more wives provided you are able to provide for their basic needs,” he told thousands of men attending a conference.

Prostitution is illegal but quite widespread in Tanzania.

Poverty, lack of job opportunities, culture and the disintegration of family unit are blamed for the trend.

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## **China: Tibetan Monk Arrested During Visit From India, Jailed on Unknown Charge**

Radio Free Asia (09.02.2018) – <http://bit.ly/2EsAeS4> – A Tibetan monk missing since traveling from India more than a year ago to visit his family in Sichuan has been found jailed by China on an unknown charge, Tibetan sources say.

Tashi Choeying, a monk enrolled at the Ganden Jangtse monastic college in South India, vanished after being taken into custody by police on Nov. 21, 2016, a Tibetan living in exile told RFA's Tibetan Service, citing contacts in the region.

"He had returned to pay a visit to his family and relatives in Tibet, and one month after he arrived there, the local authorities suddenly arrested him without giving any reason," RFA's source said, speaking on condition of anonymity.

"He was held incommunicado until the end of 2017, when a fellow inmate was released from a prison in Dartsedo and was able to take a message to Choeying's family, letting them know that he was being held in custody," the source said.

Only then did Choeying's family learn that he had been handed a six-year prison term on Nov. 21, 2017, after being convicted

on an unknown charge, he said.

Choeying, aged 37 and a native of Tawu (in Chinese, Daofu) county in Sichuan's Kardze (Ganzi) Tibetan Autonomous Prefecture, had traveled to his home town on a valid travel document issued by the Chinese embassy in India, the source said.

"But he was illegally held by the Chinese authorities without charge for a year, and then was given his sentence," he said.

Sources close to Choeying say that during his stay in India he may have spoken to the media about self-immolation protests challenging Chinese rule in Tawu and other Tibetan areas of China, and this may have resulted in his arrest, RFA's source said.

"Everyone who knows him says that he is a good-mannered monk with impeccable integrity. He is a very kind and patriotic person with a deep love for his people and Tibet's language and culture," he said.

Sporadic demonstrations challenging Beijing's rule have continued in Tibetan-populated areas of China since widespread protests swept the region in 2008.

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