

Religious intolerance

Sources and usage

- 5.1 The primary source for this survey, and limited recording, of the violations of the spirit and practice of religious freedom and belief around the world is the material received during this inquiry. There is some degree of unity between this Chapter and the next two chapters because:
- some suggestions are made about the causes of these violations in Chapter 6, and
 - some of the same material is used in Chapter 7.
- 5.2 It was significant that, in some of this material, the word ‘persecution’ was used to describe what were called in other reports ‘violations’ of human rights. Two related, everyday uses of the word are ‘pursuit with enmity and ill-will’, and ‘subjection to penalties on the grounds of religious or political beliefs’.¹

Violations of religious freedom

- 5.3 This inquiry received a great deal of information on violations in many countries of the right to freedom of religion and belief. What follows is a broad interpretation of violations of freedom of religion and belief. It is necessarily a selection from that material, dealing with some countries

1 Taken from **The Concise Oxford Dictionary**.

from around the world, in no particular order and in varying detail, setting out violations in a range of nations, and against a range of groups.

- 5.4 This survey begins with examples of problems of freedom of religion and belief in Australia, relating to particular religious groups, before dealing with examples of violations of this freedom in some countries around the world. It also includes details of Australia's position on the situations in some nations, as well as the actions it has taken.²

Islam in Australia

- 5.5 The Committee notes that according to the latest census figures, Islam is the second largest religious group in Australia, with 1.1 per cent of the population. There is, however, a great deal of misunderstanding by other traditions of its beliefs and practices. It was pointed out by the Executive Council of Australian Jewry (ECAJ) that, although Australia might publicly espouse secular governance, it is still regarded by its near Eastern neighbours as a Christian nation. For example, Muslim festivals are not public holidays in Australia as are Christian festivals such as Easter.³
- 5.6 When the UN's Special Rapporteur on Religious Intolerance visited Australia in 1997, he expressed some concern about impediments to the establishment of places of worship for Muslims. These, 'in the past' at the time of his Report, included planning zone requirements that make it difficult to establish new places of worship, even in areas where there are concentrations of followers. Problems only occurred sporadically and were said to have been resolved through dialogue.⁴
- 5.7 Although no examples were given, it seems that there is opposition in some communities to the siting of Muslim schools, just as there is to some Christian schools. It was noted that some people find the call of the muezzin to the faithful for prayer irritating or disturbing.⁵
- 5.8 Islam was identified in one submission as a threat to Australia, and its many 'fanatic followers' as having 'the distinct potential for disruption and violence'.⁶

2 The Report of the US Commission on International Religious Freedom for 2000 found religious freedom under 'serious threat' in a number of countries. It contains detailed information on a range of nations. Its Executive Summary has been used below for the three nations, Sudan, the PRC and the Russian Federation, on which it focussed: see Exhibit No 53.

3 Rev Helen Summers, Transcript, 22 October 1999, p. 220, Mr Neil Ryan, Submissions, p. 165, Transcript, ECAJ, 15 October 1999, p. 104.

4 DFAT, Submissions, p. 263, Transcript, DFAT, 24 September 1999, p. 32, Exhibit No. 55, p. 7.

5 Festival of Light (SA), Submissions, p. 331-332.

6 Australian Ownership and Security Alliance, Submissions, p. 564.

Examples of problems for other religions

- 5.9 Further examples can be cited of problems encountered by other religions in Australia.
- 5.10 In his 1997 visit Report, the Special Rapporteur also drew attention to ‘a few isolated incidents’ against the Buddhist and Hindu communities in Australia. These were attributable to ‘ignorance fuelling manifestations of racism, encouraged by some isolated extremist political statements’.⁷
- 5.11 The submission from T Siva subramaniam, The Saiva Manram, dealt with the construction of a Hindu Tamil temple in Sydney.⁸
- 5.12 The Buddhist Discussion Centre, from Upwey in semi-rural Victoria, referred to some problems it had faced. These included reducing the intensity of night lighting in the Hall of Assembly, lest the Temple be accused of looking ‘like a circus’. Problems with car parking had been resolved with the written agreement of the local Shire to allow the paid use of its land.⁹

Persecution of Christians

- 5.13 According to one submission, the most insidious violation of human rights is the intrusion by an NGO into the affairs of other religions, and the unlawful interference by governments in Australia and elsewhere into religious affairs outside political jurisdiction since the Act of Separation.

With the rise of the Humanist religion, Christians have come under increasing persecution from abortionists, porn merchants, sex liberationists, radical feminists, homo-sexuals, alternative educationists, and left wing radicals.¹⁰

- 5.14 These ‘counter culture’ Humanists, the submission continued, have been pushing to vilify Christianity and to have all Christian based laws and community values removed as a rejection of, or discrimination against, Christian society. This submission stated that it was almost 1500 years since such ‘a persistent, organised persecution of Christians last blotted the human landscape.’¹¹

7 Exhibit No 55, p. 10, DFAT, Submissions, p. 263.

8 Submissions, pp. 644-646.

9 Submissions, pp. 790, 791.

10 The Community & Family Rights Council, Submissions, p. 138.

11 Underlining in the original.

- 5.15 This submission asserted that ‘the homo-sexual movement’ was at the forefront of the persecution of Christians, under false and fraudulent claims for gay rights, while systematically denying the rights of others.¹²
- 5.16 Finally, this one submission also asserted that Christians do not enjoy the same level of protection under the law. It states that television programs, such as ‘The Vicar of Dibley’ and ‘Father Ted’ ridicule and vilify Christianity and are extremely offensive to Christians. Those who broadcast or produce such programs were not prosecuted. A number of other examples were given of artistic and other matters which have caused offence to some Christians.¹³
- 5.17 Another submission stated that persecution of Christian individuals and communities was ‘rarely’ mentioned in newspapers. The author estimated that more than 100 million Christians had died for their faith in the Twentieth Century than in all previous ages. Some 250 million people faced ‘continual persecution’, and a further 400 million people experienced uncalled-for restrictions to their freedom of movement and expression. Child slavery was stated to be an associated form of ‘cruel harassment’. Such forms of persecution occurred in over 35 countries, with the leading offenders being Marxist-dominated states and countries ruled according to strict Muslim codes.¹⁴
- 5.18 The number of Christians allegedly persecuted was mentioned in another submission. Of the 750 million Christians in the world, 600 million were ‘under threat’ and 200 million of them were under ‘severe’ threat, so that there were many nations where freedom did not exist for Christians. In addition to those mentioned in the submission cited previously, it was also claimed that they are persecuted in different countries by military regimes, Buddhists and Hindus.¹⁵

Judaism in Australia

- 5.19 In its evidence, the ECAJ pointed out that, in the period from January 1990 to October 1999, there had been:
- ‘2248 incidents which the Human Rights Commission would define as acts of racist violence, of which 186 could be seriously

12 See also the submission from Mr Darryl Venz, Submissions, p. 227, on this point.

13 The Community & Family Rights Council, Submissions, p. 141. Underlining in the original.

14 Mr Neil Ryan, Submissions, p. 161. The Bible Society in Australia (NSW) stated that, this year, over 500,000 Christians would be put to death for their faith: Submissions, p. 1027.

15 Christian Solidarity (Australasia): Submissions, p. 634, Transcript, 24 September 1999, p. 56.

regarded as racist violence-things like serious property damage to synagogues, or assault.’¹⁶

- 5.20 The Council referred to the existence of anti-semitic organisations, and to the big increase in the number of ‘fringe groups’ in the mid-1990s. The use of the Internet had been important for such groups whose driving force, among other issues, is anti-semitism.¹⁷
- 5.21 The ECAJ noted that the size of the Australian Jewish community made it an insignificant group in the total population of this country. Its submission recognised that Australia had ‘an outstanding record’ in the promotion and preservation of freedom of religion and belief. At the same time, it had concerns about such things as the conflict between religious requirements and employment. It gave a number of examples, such as the holding of elections on the Jewish Sabbath, the gazettal of public holidays and the scheduling of school activities.¹⁸
- 5.22 The Council also noted that, at a number of public ceremonies, there has been a recognition that not all Australians are Christians, and drew attention to the ‘considerable advances’ in Christian understanding of Judaism. It agreed with a suggestion that the Parliament could have a role in demonstrating the breadth of the faiths represented in Australia. There are, however, features of life in Australia that lead the Council to doubt the truth of the characterisation of this country as a ‘Judaean-Christian’ one.¹⁹
- 5.23 In his 1997 visit Report, the Special Rapporteur also drew attention to isolated outbreaks of anti-semitism, attacks on synagogues and cemeteries. He mentioned the comment of ‘the Rabbi of Sydney’ that these attacks represented xenophobia and that, paradoxically, they were not expressions of intolerance in Australia.²⁰

Jehovah’s Witnesses

- 5.24 The Watchtower Bible and Tract Society of Australia, otherwise known as Jehovah’s Witnesses, noted that religious intolerance is widespread. They claim that this intolerance is exhibited by both secular authorities and by other religious groups, and much of it is therefore supported or instigated by other religions. Jehovah’s Witnesses claim they stay clear of politics,

16 ECAJ, Transcript, 15 October 1999, pp. 106, 95, 98.

17 ECAJ, Transcript, 15 October 1999, pp. 98, 100.

18 ECAJ, Transcript, 15 October 1999, p. 106, Submissions, p. 652.

19 ECAJ, Submissions, p. 653, Transcript, 15 October 1999, pp. 102-103, 104.

20 Exhibit No 55, p. 9, DFAT, Submissions, p. 263.

and do not try to use religious influence to manage governments, and it is their view that many other major and minor religions do.²¹

5.25 Jehovah's Witnesses believe that discrimination seldom occurs in a vacuum and, to eradicate it, the climate for religious tolerance must first be improved. There has to be an international and unbiased source of information on religions, their beliefs and practices.²²

5.26 Most of the Christian Churches have as their basic creed the doctrine of the Trinity, and Jehovah's Witnesses think that this is diametrically opposed to the Bible's teaching. While they are not intolerant, they are unable to be united and pray with others because of this difference in teachings.²³

5.27 The submission from the Jehovah's Witnesses cited examples of the intolerant treatment of its adherents in various parts of the world, for example in Singapore and in France, and explained the views of Jehovah's Witnesses on such matters as military service, blood transfusions, medical treatment and adoption.²⁴

Laos

5.28 Amnesty International Australia drew attention to restrictions on religious freedom in states such as the People's Republic of China (PRC), Vietnam and Laos that appear to relate to the desire of those governments to control all forms of political activity. Religious freedom is therefore curtailed where it is seen as a threat to state control.²⁵

5.29 In June 2000, it was reported that the Lao Government had despatched a delegation to study how the 'official' church functions in China, with a view to introducing a similar system in Laos.²⁶

5.30 Australian Relief and Mercy Services (ARMS) is a small Christian charity working for the alleviation of poverty and assisting in meeting the needs of the poor and needy in Australia and overseas. While Christianity was practised in Laos before the coming of Communism, ARMS believes that the situation there is serious. Although the Laotian Government publicly states that there is freedom of religion in that country, ARMS stated that this is not the case. While church leaders were freed from 'internal camps'

21 Jehovah's Witnesses, Transcript, 15 October 1999, p. 124.

22 Jehovah's Witnesses, Transcript, 15 October 1999, p. 124.

23 Jehovah's Witnesses, Transcript, 15 October 1999, p. 137.

24 Jehovah's Witnesses: Submissions, pp. 726-782 (*passim*), Transcript, 15 October 1999, p. 124.

25 Submissions, p. 410.

26 **Far Eastern Economic Review**, 1 June 2000, p. 12.

in 1990, and some church properties were returned, harassment and persecution of Christians by government agencies has not stopped.

- 5.31 ARMS' submission states that the Laotian Government openly encourages Buddhism as the national religion and discriminates against Christians, using the excuse that Christianity is the religion of 'American subversives'.²⁷
- 5.32 According to Amnesty International, developments in Laos suggest a growing intolerance of individuals worshipping in churches that do not have state approval. This intolerance is particularly noticeable when these individuals have had contact with foreign organisations.²⁸
- 5.33 The Amnesty International submission quoted a case in which an individual was jailed and then detained for 'illegal' mapping activities resulting from his authorised work. He had also had authorised contact with foreigners, for an American church and was a peaceful member of a Christian community. Earlier, he had been officially warned about his Christian beliefs and activities.²⁹

Vietnam

- 5.34 The submission from DFAT noted that the Government of Vietnam is wary of the organisational potential of any association outside the ruling Party. This includes religious organisations, and it has taken action against clergy involved in such activities as unauthorised services and disaster relief, without prior official approval.³⁰
- 5.35 Vietnam's Constitution provides guarantees for various religious and political rights, including freedom of religion and belief. It also provides that 'it is forbidden to violate freedom of belief or religion, or to take advantage of it to act against the law or the policies of the State.' National security provisions tend to define offences so that peaceful expression of religious views could be interpreted as an offence.³¹
- 5.36 All organisations are required to gain State approval before undertaking any fund raising activities, conferences, educational or out-of-the-ordinary

27 Submissions, p. 584

28 Submissions, p. 410.

29 Amnesty International Australia, Transcript, 15 October 1999, p. 87. See Submissions, p. 411, for further examples.

30 DFAT, Submissions, p. 259.

31 DFAT, Submissions, pp. 258-259, Australians for a Free Vietnam, Submissions, pp. 468-469.

activities. Foreign religious organisations and evangelism remain banned.³²

- 5.37 DFAT asserted that there had been a general improvement in freedom of religion and belief in Vietnam, as the Government had moved towards regulation rather than prohibition of religion. Officially sanctioned religions are generally able to carry out their activities, within boundaries prescribed by the State, without serious hindrance. For example, relations with the Catholic Church had generally developed positively. While the appointment of a new Archbishop of Hanoi had been vetoed, the appointment of six new bishops had been approved.
- 5.38 Whether because their applications were rejected or because they resisted the process, religions that remain unregistered continue to face problems. The UN's Special Rapporteur on Religious Intolerance visited Vietnam in October 1998. He found that vagueness in the discretionary powers in the regulating legislation allowed the Government to interfere in religious activities that fully conformed to international law.
- 5.39 By contrast with this somewhat positive view, the Australia Vietnam Human Rights Committee (AVHRC) believes that the human rights situation in Vietnam, and the right of freedom of religion and belief in particular, was 'of extremely serious concern' to the international community. It also believed that the international community had a 'major responsibility' to ensure that this right was upheld for moral and humanitarian reasons, but also because of the implications for stability and prosperity in the region.
- 5.40 AVHRC drew attention to the domination by the Vietnamese Communist Party (VCP) of all aspects of life in Vietnam through the nation's Constitution. It stated that this fact negated many of the other Constitutional provisions. Thus, a large number of religious officials and believers had been arrested or harassed for their faiths. Genuine churches and religious organisations had been prohibited from operating. Church properties had also been confiscated, often under the disguise of public interest.³³
- 5.41 The AVHRC gave details of Decree No 26/1999/ND-CP, issued by the Vietnamese Government on 19 April 1999, which came into effect on 4 May 1999. While it reiterated the Government's commitment to religious freedom, DFAT noted that it had not resulted in any liberalisation of religion in Vietnam. The AVHRC believed that it

32 Submissions, p. 1041.

33 AVHRC, Submissions, pp. 291-292.

‘completely negated’ that freedom by the measures it enacted, including for example:

- the need for congregations, including ‘associations of collective religious life’, to receive State authorisation;
- the Government’s power to regulate every facet of day-to-day operations, including the right to enter religious life, once a religious organisation had been authorised;
- informing the Bureau of Religious Affairs about directives received from abroad;
- obtaining the Prime Minister’s authorisation for receiving foreign aid of a purely religious nature, and
- legitimising the confiscation of church property after 1975.³⁴

5.42 According to Australia’s then-Human Rights Commissioner, the view taken by Government of the Buddhist Church in Vietnam had to be seen against the long-standing political influence of monasteries there, ‘over a very long period’. The consequence of this was that the Government had adopted ‘a particularly harsh’ attitude to those traditions within Vietnamese Buddhism that tended to be more critical of official activities.³⁵

5.43 Thus, the Unified Buddhist Church of Vietnam (UBCV) is unregistered, as it has been refused recognition. It is not permitted to carry out any religious activities, although ‘routine’ religious services were usually tolerated. UBCV monks who refuse to work under the umbrella of the State-approved Buddhist Church have encountered harassment. Lay members of the UBCV are unlikely to come to the authorities’ attention because of religious beliefs.³⁶

5.44 DFAT stated that although the numbers in detention seem to be decreasing, the Church’s leadership is under ‘a considerable degree of pressure’ and its leaders, in some cases, are still under house or pagoda detention. The Special Rapporteur was refused permission to see the UBCV’s leader, the Venerable Thich Huyen Quang, during the October 1998 visit to Vietnam. The Church believed that it was under increased pressure because of official unease at its re-emerging profile, and the

34 AVHRC, Submissions, pp. 292-295 (*passim*). DFAT: Submissions, pp. 1039, 273-275, Transcripts: 24 September 1999, pp. 16-17, 28 February 2000, p. 254. It believed that this Decree ‘could be marginally less liberal’ than its predecessor: DFAT, Transcript, 24 September 1999, p. 16. See also Submissions, p. 569.

35 HREOC, Transcript, 6 March 2000, p. 276.

36 DFAT, Submissions, p. 1041.

declining influence of the officially sanctioned Buddhist Church of Vietnam.³⁷

- 5.45 The Australian Government maintained and updated as necessary a list of persons in Vietnam whose human rights are of concern. Representations are made regularly to the Government in Hanoi. The Venerable Thich Huyen Quang had been on this list since 1995, when it was asked that he be permitted to travel and conduct religious activities without obtaining permission from local authorities.³⁸
- 5.46 Australia continued to provide technical assistance directed at strengthening understanding of judicial concepts and institutions designed to protect human rights. For example, the DFAT submission pointed out, in 1997 AusAID sponsored a course in international human rights law, with the Ho Chi Minh Political Academy in Hanoi, for Party and Government officials. This was followed by a more intensive training course, held in Australia, with a select group of participants from that Academy's Centre for Human Rights Research. This project also provided a number of documents for the library in the Centre.
- 5.47 DFAT added that a planned, further phase of this assistance would involve:
- a study tour allowing staff from the Academy to inspect Asia-Pacific institutions for the protection of human rights;
 - the study of the domestic implementation of international human rights law;
 - the translation into Vietnamese of texts related to human rights, and
 - a joint research program to improve the practical skills of Academy staff in researching human rights issues, and in disseminating their results.³⁹
- 5.48 While the Cao Dai group continued to operate under close official monitoring, according to DFAT, its leaders did not consider that they faced serious restrictions on their religious activities. Australians for a Free Vietnam (AFFV) gave details of persecution of Cao Dai members, several of whose clergy have been gaoled for actions against 'national security'. It also listed Protestant pastors and Catholic priests who were under house arrest, surveillance or in labour camps.⁴⁰
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37 DFAT: Submissions, p. 1041, Transcripts: 24 September 1999, p. 17, 28 February 2000, p. 254.

38 DFAT, Submissions, pp. 1016, 1042.

39 For details of this assistance, see DFAT, Submissions, p. 1042.

40 DFAT: Transcript, 28 February 2000, p. 254, Submissions, p. 469.

- 5.49 The Hoa Hao Buddhist sect was officially recognised in May 1998, as the 60th anniversary of its founding was officially sanctioned in June 1998 and an official Hoa Hao committee was formed.⁴¹
- 5.50 A submission from the Hoa Hao Congregation in Australia, Victorian Chapter, gave details of arrests and imprisonments. It believed that the objective of the Government was the eradication of Hoa Hao Buddhism. It also pointed out that official actions violated the VCP's own policies, announced at a religious conference in Hanoi in June 1998.⁴²
- 5.51 The Vietnamese Community in Australia (VCA) drew attention to actions by Vietnamese authorities before and after a ceremony in March 2000 to commemorate the death of the Hoa Hao's founder. These had included imprisonment, as well as measures taken to discourage attendance.⁴³
- 5.52 While it favoured the establishment of a 'human rights commission' in Vietnam, the VCA was aware that such a body could only be as effective as its staff and any constraints placed upon its operations.⁴⁴
- 5.53 The VCA asserted that, despite official Australian expressions of concern about religious freedom in Vietnam in 1999, the Vietnamese Government had stepped up its suppression. Its submission included a number of specific and costed recommendations, and provided detailed information on such matters as:
- murders, imprisonment and harassment for religious belief;
 - confiscation, destruction, abuse and non-return of Church properties;
 - puppet churches, and
 - the operation of Decree 31 / CP, issued in April 1998.⁴⁵
- 5.54 One attachment to the VCA's submission provides names and details of 145 prisoners and those detained in their houses. Another lists the confiscated, destroyed or abused Church properties, while a third included the text of Decree 26 / 1999 / ND-CP.⁴⁶
- 5.55 The Australian Human Rights Commissioner believes that the treatment of Christians in Vietnam had not been as restrictive as in China, but that

41 DFAT, Transcript, 28 February 2000, p. 254.

42 Submissions, pp. 1020, 1022, 1023.

43 Submissions, p.1031.

44 VCA: Transcript, 22 October 1999, p. 171, Submissions, p. 1032.

45 Submissions, pp. 484-492 (*passim*). See also VCA, Transcript, 22 October 1999, pp. 169, 167.

46 Submissions, pp. 522-536, 537-542, and 543-550, respectively. Much of this information was later supplemented: see VCA, Transcript, 22 October 1999, pp. 167.

did not mean there was freedom of religion. According to DFAT, the Protestant Churches in Vietnam were faring less well than the Catholic Church. In particular, authorities in the north west of the country remain opposed to the spread of evangelical Protestantism among the ethnic minorities.⁴⁷

- 5.56 The relationship between the Vatican and the Vietnamese Government seemed to have been moving towards the resumption of diplomatic ties. DFAT believed that official relations with the Catholic Church in Vietnam had improved since the appointment of four bishops in 1999.⁴⁸
- 5.57 The VCA expressed the view that, although Hanoi had allowed a Catholic Archbishop to be appointed in April 1999, it had actually worked to undermine him and keep him in check. A so-called Catholic Patriotic Association had been created to infiltrate and create divisions within the Church. This was seen as part of an official 'game of divide and rule', of creating conflict and causing problems within each religion in Vietnam.⁴⁹

China

- 5.58 The Chinese Constitution grants citizens the right to freedom of religion. Religious practice is governed by a set of regulations promulgated in 1994, and its administration is coordinated by the Religious Affairs Bureau of the State Council. Five religions, are recognised by the authorities: Buddhism, Taoism, Islam, Protestant Christianity and Catholicism. Traditional folk religions also appear to be tolerated in the countryside. There are considerable variations in administrative practices, and the degree of disruption inflicted, from province to province and even from county to county.⁵⁰
- 5.59 Chinese statistics claim that the number of religious believers in the country has been rising steadily, and that there are now 100 million. Most of these practice a form of Buddhism or Taoism. While reports of suppression of these religions are rare and devotees are able to practice their beliefs, the situation for other faiths varies.⁵¹
- 5.60 Religious practice is subject to legal regulation in China, and all religious organisations and places of worship are required to register with the

47 Transcripts: HREOC, 6 March 2000, p. 276, DFAT, 28 February 2000, p. 254.

48 Transcript, DFAT, 28 February 2000, p. 254.

49 Transcript, VCA, 22 October 1999, pp. 167, 173.

50 DFAT: Submissions, pp. 276, 1037, Transcript, 24 September 1999, p. 12. Transcript, HREOC, 6 March 2000, pp. 276-277.

51 DFAT, Submissions, p. 276.

Ministry of Civil Affairs and the Religious Affairs Bureau. Religions must have a fixed place of worship, a minimum number of believers, an income from 'legitimate sources' and a capacity to manage their own affairs. They are expected to associate themselves with official umbrella groups. Where religions comply with the authorities' rules and regulations, they are able to pursue their beliefs.⁵²

- 5.61 Churches that are not registered, or where there is a reluctance or refusal to register, are subjected to greater scrutiny than those that do register. DFAT stated that 'significant numbers' of some Christian groups, both Protestant and Catholic, had declined to register because they feared that this was the first step towards government control. These groups are often called 'underground' churches, and their smaller congregations 'house' churches because they hold meetings or services in houses or unregistered places of worship. In Guangdong Province, there have been raids and other actions against house Christians.⁵³
- 5.62 The US International Religious Freedom Report for 2000 stated that Government violations of religious freedom in China had 'increased markedly' in the last year. For example:
- house churches suffered increased repression;
 - bishops, priests and pastors were arrested;
 - repression of Tibetan Buddhists expanded, and
 - a new Reting Lama was announced in Tibet, defying the Dalai Lama's position.⁵⁴
- 5.63 This US Report concluded that the PRC's practices violate the provisions of UDHR and the ICCPR, because it imposed undue restrictions on the manifestations of beliefs and bans several beliefs altogether. It has recommended that the US Congress only grant Permanent Normal Trade Relations status to China after there has been 'substantial improvement' in respect for religious freedom there.⁵⁵
- 5.64 DFAT commented that, in countries such as China where the economy is growing rapidly, growth towards religious tolerance is uneven. Examples were given, such as restrictions on Catholics wanting to retain links with

52 DFAT: Transcript, 28 February 2000, p. 243, Submissions, p. 1037.

53 Transcripts: DFAT, 28 February 2000, p. 242, 24 September 1999, p. 12, Submissions, p. 1037.

54 Exhibit No 53, p. 3.

55 Exhibit No 53, pp. 3, 1.

Rome, the crackdown on evangelical Protestants, particularly unregistered congregations, and action against Muslims in Xinjiang Province.⁵⁶

- 5.65 Actions against Tibetan Buddhists and Islam stem from associations with separatist movements. DFAT's submission noted that: 'Evangelical and doomsday cults which have emerged in the country in the past few years are generally not tolerated as the Chinese authorities see them as preying on uneducated rural dwellers and disrupting social stability.'⁵⁷
- 5.66 There is a State-sponsored Protestant Church in China which, in principle, includes all believing Protestants. It is estimated that there are about 25 million Protestants in China. The issue for them tends to be the refusal of some groups to register. While the degree of official disruption varies, there was some evidence presented to the Committee that authorities are more lenient with small gatherings out of the public eye. There have been reports of increased interference with some Protestant church leaders, such as Pastor Li Dexian in Guangzhou. Other leaders of unregistered churches have been left to give services in private homes with little interference.⁵⁸
- 5.67 In September 2000, it was reported that Chinese authorities had laid criminal charges against 85 of the 130 Christians arrested during an illegal service in Central China. Those detained were members of the China Fangcheng Church, one of the largest house churches. Three Taiwanese-American evangelists, from California on a short-term mission, were also arrested and deported soon afterwards.⁵⁹
- 5.68 There are nominally two Catholic Churches in China: one loyal to the State, the patriotic Catholics, the other also loyal to the State but receiving spiritual guidance from Rome. It is estimated that there are about 3.2 million registered Catholics, with perhaps 10 million loyal to Rome. The boundaries between them are quite fluid so that, for example, there have been cases of bishops being recognised by both bodies, just as there are underground bishops who do not wish to make any accommodation with the State. Bishops consecrated and priests ordained by the Vatican without the approval of the Chinese Government suffer varying degrees
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56 DFAT, Transcript, 24 September 1999, p. 5.

57 DFAT: Submissions, p. 276, Transcript, 28 February 2000, p. 243. There are estimated to be 11 million Muslims in China, almost entirely in the western border regions. Some of the separatist activity there in the past few years has been violent and suppressed with equal violence. DFAT was unsure whether this was the result of the religious or the separatist activities. See paragraphs 5.84-5.93 for consideration of freedom of religion and belief in Tibet.

58 DFAT: Transcripts, 24 September 1999, p. 12, 28 February 2000, p. 242, Submissions, pp. 1037-1038.

59 See *The Age*, 6 September 2000, p. 17, *The Australian Financial Review*, 19 September 2000, p. 10.

of official hindrance. The consequence of this situation is that there is no single pattern of treatment of those who are loyal to Rome.⁶⁰

- 5.69 The Australian Catholic Social Justice Council (ACSJC) pointed out that the issue between the patriotic Catholics and the Catholic Church in China was an important one. It raised issues of Church law, such as the succession of bishops and who has the authority to appoint them.⁶¹
- 5.70 In its Report on Religious Freedom for 2000, the US State Department expressed a view that respect for religious freedom in China had deteriorated in the previous year, as the persecution of several religious minorities increased. It drew attention to variations between regions in their supervision of religious activities, and it said that there were 'credible reports' of religious detainees being beaten and tortured. Restrictions appeared to have increased on members of minority groups, such as Tibetan Buddhists, Falun Gong, and Protestants and Catholics not belonging to the official churches.⁶²
- 5.71 Another recent report referred to a resurgence of religious activity in China in the past two decades, in both the official and unofficial religions. While a recent Chinese Government White Paper stated that the country had over 200 million religious adherents, the article referred to earlier noted the alleged beating and torture of an 82-year old priest, and the continued jailing of an 81-year old bishop who has already been in jail for 35 years.⁶³
- 5.72 These reports, together with continuing allegations of harassment of members of house churches, imprisonment of bishops and priests, etc., make it difficult to accept the Chinese Government's view that religion is entering a 'golden age' in China.⁶⁴
- 5.73 In its submission, the Bible Society in Australia (NSW) drew attention to a change from the focused and often brutal pursuit of Communism in China, especially during the Cultural Revolution of the 1960s and 1970s. The unmerciful treatment and persecution given to those who threatened atheism or Communism ignored the dignity of people and freedoms valued in countries like Australia. It believes that this is not now the policy of the Chinese Government, which is not only allowing an

60 DFAT: Transcripts: 24 September 1999, pp. 12, 13, 28 February 2000, p. 242, Submissions, p. 1037. It is not possible to verify numbers of believers.

61 ACSJC, Transcript, 15 October 1999, p. 80. See also Exhibit No 53, p. 3.

62 Exhibit No 64, p. 3.

63 *The Australian Financial Review*, 19 September 2000, p. 10. See paragraph 5.67.

64 *ibid.*

increasing degree of freedom of religion but, to a degree, assistance to religious bodies.⁶⁵

- 5.74 The Society gave details of its work in China, including the production of 2.97 million Bibles and other Christian publications in a 12-month period. It noted that Christianity is expanding there daily, with an estimated one million new Christians per year, 18 theological colleges and many Bible colleges, both registered and unregistered. Although Christians are still in a minority in China, this is a significant change from 20 years ago when no Bibles were being produced, no churches were open and there were no theological colleges.⁶⁶
- 5.75 Religious freedom has been on the agenda in all the sessions of Australia's annual bilateral human rights dialogues with China. These began in 1997 and, within this framework, concerns are raised about the treatment of religious adherents in China. Inquiries are made about their situations by means of lists of individual cases causing particular concern. Those so listed have included Tibetan abbots, monks and nuns, and Catholic bishops.⁶⁷
- 5.76 The Chinese generally responded the following year, at the next session of the dialogue process. The Australian Government has now initiated a different way of raising individual cases. Because it sometimes took a full year to obtain the information sought at each dialogue session, cases of particular concern will be grouped thematically and raised throughout the year. Early responses are sought on individuals' situations and welfare. At each session of the dialogue, DFAT will also pass to Chinese authorities a consolidated list of all the names raised with them during the previous year.⁶⁸
- 5.77 In the past, Australia has co-sponsored the UN's resolution in favour of human rights in China. Because of the importance the current Australian Government places on the dialogue process, it has not co-sponsored or voted on this UN resolution since 1997.⁶⁹

65 Submissions, p. 1027.

66 Submissions, p. 1028. See also Exhibit No. 49.

67 DFAT: Transcript, 28 February 2000, p. 242, Submissions, p. 277.

68 DFAT, Transcript, 28 February 2000, pp. 242, 248-249

69 Submissions, p. 1038, House of Representatives, *Hansard*, 17 August 2000, pp. P17577-17578. See also **The Age**, 20 April 2000, p. A10.

Falun Gong in China

- 5.78 The movement known as Falun Gong has achieved considerable public attention in China and internationally in recent years. While the Committee was unsure whether Falun Gong meets the definition of a religion, the treatment of its followers in China was of interest to this inquiry: its focus was into freedom of belief, as well as of religion.
- 5.79 Falun Gong is defined by its adherents as ‘an ancient cultivation system of improving one’s mind and body’, aiming to cultivate the heart/ mind/ inner nature. According to its literature, it has five sets of exercises including meditation and, while these are ‘exceptionally powerful’, they are simple and easy to learn. This ‘unique system’ was first introduced to the public in China by its founder in 1992. The organisation estimates that more than 100 million people in over 30 countries now practice Falun Gong. They claim to experience benefits such as relief of stress, peace of mind, enhanced health and energy levels.⁷⁰
- 5.80 In July 1999, China’s Ministry of Civil Affairs declared that the ‘Falun Dafa Research Society’ and the ‘Falun Gong’ organisations under its leadership were illegal and should be banned. According to the Ministry, the features that make it a cult and not religious are:
- its hierarchical structure;
 - its practice of mind control;
 - its fabrication of heretical ideas;
 - the collection of money from its followers;
 - its organisational structure, and
 - its extreme opposition to the rest of society.⁷¹
- 5.81 An official Chinese document on the subject states that the campaign against Falun Gong should be launched in strict accordance with the law. It argues that the majority of practitioners, deceived and victimised because they did not know of its heretical nature, have now broken with the movement, that they have suffered physically and mentally from its mind control, but that they should not be condemned and spurned as cult members. They should be persuaded patiently, learn from their mistakes,

70 Exhibit No 52. Adherents of Falun Gong in Australia use the term ‘Falun Dafa’.

71 Exhibit No 51, pp. 24-38 (*passim*). This commentary, from the official organ of the PRC Government the **People’s Daily** of 28 October 1999, is part of a larger official compilation on this subject. Throughout this material, inverted commas are placed around the words ‘Falun Gong’.

discern Falun Gong's true features, break with it resolutely and cooperate with the authorities to prevent it from reappearing.⁷²

- 5.82 DFAT stated that the Australian Government regarded Falun Gong as a movement, not as a religion, and had not made any statements about its doctrines or practices. It considered that debate on this question deflected attention from the real human rights issues involved in official Chinese treatment of Falun Gong. Banning its activities raises serious concerns about internationally guaranteed freedoms, including freedom of speech, assembly and association, set out in international instruments signed by China.⁷³
- 5.83 Considerable concern has been expressed about this situation by Australian adherents, particularly as it is claimed that large numbers in China have been imprisoned, some for long periods, as a result of publicly demonstrating their beliefs. Some Australian adherents have also gone to China to join in these demonstrations and, in the period from November 1999 to March 2000, 16 were detained and then deported. It is also understood that some of these individuals repeatedly returned to China to 're-offend'.⁷⁴

Tibet

- 5.84 DFAT stated that, by any definition, the religious situation in Tibet remained 'unsatisfactory'. As a general principle individual Buddhists can worship freely, but there is a high degree of State interest and control over the hierarchy. The question of the interface between religion and politics becomes crucial in Tibet because of the reincarnations of Buddha and, particularly, His Holiness the Dalai Lama and the Panchen Lama.⁷⁵
- 5.85 The Australia Tibet Council (ATC) pointed out that the Dalai Lama is not simply a religious leader, but a national leader. There is a unique linkage between Tibetans and their religious rights, and between their cultural, social and educational rights.⁷⁶
- 5.86 The Australian Government has raised with the PRC in general terms its concerns about cultural and religious freedoms, and specifically encouraged the opening of 'substantial dialogue' with the Dalai Lama. DFAT stated that there does not seem to have been any movement in this

72 Exhibit No 52, pp. 37-38.

73 DFAT: Transcript, 28 February 2000, p. 241, Submissions, p. 1037.

74 DFAT, Transcript, 28 February 2000, pp. 241, 243. See also Exhibit No 53, p. 3.

75 DFAT, Transcript, 24 September 1999, pp. 5, 14.

76 ATC, Transcript, 15 October 1999, p. 143.

direction. The Tibet Information Office in Australia (TIO) also believes that there is no such dialogue at present.⁷⁷

- 5.87 The-then Australian Human Rights Commissioner, Mr Chris Sidoti, also suggested that the future of human rights in Tibet, even the future of the people as a cultural and ethnic community, lies in the short term with some negotiation and a settlement between the Chinese Government and the Dalai Lama.
- 5.88 Early in 2000, the third-ranked lama in the hierarchy, the Karmapa Lama, ‘escaped’ from Tibet to India. Mr Sidoti saw this as a public statement of the Karmapa Lama’s assessment of the protection of religious freedom in Tibet, and of the capacity of Tibetan Buddhism to undertake the essential worship and study of its scriptures. He saw the Karmapa Lama’s actions as a ‘worrying development’ because they reflect an assessment that there could not be an accommodation with Chinese authorities to allow expression of religious beliefs and the necessary religious studies to be undertaken in Tibet.⁷⁸
- 5.89 In its submission, the TIO stated that, prior to China’s invasion in 1949, Tibet was a predominantly Buddhist country. There were also believers in the indigenous, pre-Buddhist religion, as well as a few thousand Muslims and some Christians. Freedom of religion was respected.⁷⁹
- 5.90 The TIO submission states that Chinese religious policies in Tibet are subtle but formulated in such a way as to be fundamentally detrimental to the survival of Tibetan culture, itself inseparable from religion. Measures such as the strict implementation of teaching Chinese in all schools, use of Chinese as the official language, phasing out the teaching of Tibetan at Lhasa University and high schools are all aimed at separating this culture from its Buddhist roots. It should be noted that this claim is disputed by the Chinese Government.⁸⁰
- 5.91 The measures adopted by China are seen to be aimed at denying future generations of Tibetans any access to their religious teachings which have been recorded and preserved in their language for centuries. The TIO submission calls this ‘the final genocidal act’ against Tibetan religion and culture. Finally, it sees human rights abuses in Tibet as symptoms of a deeper political problem. Until this political issue can be resolved

77 DFAT, Submissions, p. 276, Transcript, TIO, 24 September 1999, pp. 14, 42.

78 Transcript, HREOC, 6 March 2000, p. 277.

79 Unless specified otherwise, material in this Section was taken from Submissions, pp. 215-218.

80 Transcript, ATC, 15 October 1999, p. 150.

peacefully, the human rights of its people will be abused under different pretexts, as they have been for the past 50 years.⁸¹

5.92 It was claimed that the most severe, specific restrictions included:

- banning of public discourses by religious teachers;
- restrictions on the number of nuns and monks in each monastery;
- restrictions on entry to monasteries and nunneries;
- tampering with recognition and the credentials of religious teachers;
- banning possession of photographs of the Dalai Lama;
- management of monasteries by Chinese-appointed officials;
- compelling nuns and monks to attend re-education sessions on the patriotic education program to eradicate the people's faith in their religion and their religious leader;
- expulsion of nuns and monks from monasteries as a result of the Chinese re-education campaigns, and
- requiring nuns and monks over 50 years old to leave their monasteries and return to their villages.⁸²

5.93 A report by the International Commission of Jurists (ICJ) quoted in the ATC's submission also noted that, in 1997, China labelled Tibet's Buddhist culture 'a foreign culture' in order to assist the indoctrination of Tibetans in socialist ideology, and the process of national and cultural extermination. This is a culture that has flourished in Tibet since the Seventh Century AD.⁸³

Hong Kong

5.94 In June 1997, this Committee tabled a report titled **Hong Kong: The Transfer of Sovereignty**. The Committee expressed concerns about prospects for religious freedom in the Hong Kong Special Administrative Region (HKSAR) after its return to the PRC. In particular, there were concerns about the Societies Ordinance, the Public Order Ordinance and the cooption of religious bodies to legitimise the political process.

5.95 DFAT advised that there have not been any reports of restrictions on freedom of religion since the return of the HKSAR to China. For example,

81 Transcript, TIO, 24 September 1999, p. 35.

82 Transcript, TIO, 24 September 1999, pp. 35, 36-37.

83 Submissions, p. 557.

the Hong Kong Government did not restrict the activities of Falun Gong, in spite of actions taken in China itself. The Pope did not visit Hong Kong because of the Vatican's recognition of Taiwan, a foreign affairs rather than a religious matter. There are continuing concerns about the use of the Public Order Ordinance to deal with any move towards democracy and free public expression of views.⁸⁴

- 5.96 DFAT has advised that Churches and other mainstream organisations have been exempted from registering under the Societies Ordinance. This colonial legislation was designed to control criminal societies. Similarly, in future, churches will not need to appoint a representative to be involved in the selection of a chief executive for the HKSAR.⁸⁵
- 5.97 In its submission, the ACSJC asserted that the changes that have taken place since 1 July 1997 have been subtle but have worrying implications. It sees Hong Kong is an example of a situation in Australia's region where all citizens do not enjoy full freedom of religion. Some of these issues in the HKSAR are not seen as directly religious, but have those implications because the authorities are not happy with any base of loyalty other than their own ideology.⁸⁶
- 5.98 The ACSJC also expressed concern that restrictions on the freedom of religion and belief on the mainland will eventually be imposed in the HKSAR. It referred to such matters as the existence in China of the underground Church loyal to the Pope, vis-a-vis the State-sanctioned Church, the 'one child policy' and forced abortions.⁸⁷

India

- 5.99 The ACSJC suggested that, in some respects, Hinduism was a creation of Western observers. The Council saw it as an 'ism' that was almost placed in India by those observers. In the post-colonial situation, it said that there has been a desire to assert the identity of Hinduism.⁸⁸
- 5.100 Hinduism was described, in the submission from International Developing Youth Dignity, as 'possibly the most unworldly and yet most racially violent of all Asian religions and beliefs.' The more fundamentalist Hindu groups fear an active, proselytising Christian effort in parts of India. The submission from Christian Solidarity (Australasia)

84 Transcripts: DFAT, 24 September 1999, p. 14, ACSJC, 15 October 1999, pp. 78-79.

85 Transcript, DFAT, 24 September 1999, pp. 14-15.

86 ACSJC: Submissions, p. 803, Transcript, 15 October 1999, pp. 67, 78.

87 Submissions, p. 803.

88 Transcript, ACSJC, 15 October 1999, p. 69.

specifically identified Hinduism as a source of persecution of Christians in India. Amnesty International quoted India as an example of a country where religion has been abused for political ends: there has been state-sanctioned, or state tolerated, abuse of Christians in the expression of local politics.⁸⁹

- 5.101 In the south of India, because of the dowry system and the difficulty of arranging marriages for daughters, there is encouragement for very young women to enter the religious life. It is not clear how many would be pressured at ages as young as only 10 or 12 years old.⁹⁰
- 5.102 The murder of an Australian Protestant missionary and his two sons in the State of Orissa in 1998, and the murder of an Italian Catholic priest in the same area in 1999, caused 'widespread community outrage' in India. Successive Indian Governments have made statements abhorring religious violence, and it seems that when problems occur they arise from local rather than national issues.⁹¹
- 5.103 Most of those who change religions in India do so from lower caste Hindu backgrounds to either Christianity or Buddhism. Conversion to Christianity causes problems in local communities, related to inducements that may have been offered, because the converts take themselves outside the caste system. As Buddhism is still included in the Indian Constitution's definition of Hinduism, converts to Buddhism do not encounter the same problems.⁹²

The influence of Islam

- 5.104 With the exception of Israel, Islam has dominated life in the Middle East, broadly defined, and some North African countries for centuries. This makes the acceptance of new faiths with both cultural and theological challenges difficult. Some countries are governed by Islamic Law and, in some, laws provide for freedom to practise provided public order is not breached. The practice of proselytising by non-Muslims is prohibited in most Islamic countries, and those accused can suffer extreme penalties in a

89 International Developing Youth Dignity, Submissions, p. 392, Transcript, HREOC, 6 March 2000, p. 277; Christian Solidarity (Australasia), Submissions, pp. 634, 636, Transcripts: Christian Solidarity (Australasia), 24 September 1999, pp. 56, Amnesty International, 15 October 1999, p. 84.

90 Transcript, ACSJC, 15 October 1999, p. 75.

91 DFAT: Submissions, p. 270, Transcripts: 24 September 1999, p. 20, 28 February 2000, p. 253. Humanist Society of Queensland Inc, Submissions, p. 960.

92 Transcript, DFAT, 28 February 2000, p. 253.

few States. Religious minorities suffer varying degrees of officially sanctioned religious discrimination in the region.

- 5.105 Islam is divided between adherents of the majority Sunni stream and the Shi'ite branch. The latter broke away for deep reasons of politics, emotion and theology, and can be distinguished from the majority by belief in the special role of the Prophet Muhammad's cousin Ali and his descendants.⁹³
- 5.106 DFAT noted that there are signs that may point towards some gradual improvement in the adoption of human rights principles in this region. A number of States had ratified the ICCPR and the ICESCR, and a number of others had also ratified some of the other major conventions.⁹⁴

Egypt

- 5.107 While most Egyptians are Sunni Muslims, about ten per cent of the population, about six million people, are members of the Coptic Orthodox Church. There are also small numbers of other Christians and a very small Jewish group. Islam is the State religion and a principal source for legislation. The Constitution provides for freedom of belief and the practice of religious rights, and non-Muslims are generally able to practice their beliefs without harassment. The DFAT submission notes that some Copts have alleged that Government forces do not fully protect the rights and property of Christians.⁹⁵
- 5.108 The Australian Coptic Association stated that Copts in Egypt are 'severely persecuted' in different ways, and 'discriminated against by state policies, practices and the legal framework'. There is particularly severe persecution of Muslims converting to Coptic beliefs. The cultural identity of the Copts is suppressed by insertion of texts from the Quran and Islamic traditions in the curriculum, most of which offend Christians. The Egyptian history curriculum ignores the Copts and their culture, regarding it as heathen.⁹⁶
- 5.109 The State-controlled media promotes hostile attitudes to Christians by broadcasting fanatical radio and television programs in which Christians are shown as infidels and demanding that Islamic rules apply to them. As a result, tensions have grown between Muslims and Christians, and there has been an increase in terrorist attacks against Christian churches and property.

93 Encyclopedia Britannica, Vol 22, p. 11.

94 Submissions, p. 1039.

95 Submissions, pp. 280, 1039.

96 Unless specified otherwise, material in this Section was drawn from Submissions, pp. 710-711.

- 5.110 Egyptian authorities have ignored the use of force by fundamentalist groups to impose conversion to Islam in some villages. Government silence about the actions of fundamentalists has put pressure on Christians to embrace Islam and obtain the considerable benefits under the application of Sharia Law. Muslims who convert to Christianity are subjected to 'the most barbaric treatment' from the police and the State security service.⁹⁷
- 5.111 Obstacles are placed, by the military and local authorities, in the way of obtaining the necessary Presidential Decree to build or repair churches. Copts do not have equal rights to recruitment and promotion for senior government and military positions.
- 5.112 This submission asserts that every year the Egyptian Government permits the kidnapping, rape and forcible conversion to Islam of 'hundreds of Coptic girls', including minors.
- 5.113 In its submission, the Coptic Orthodox Church, Diocese of Melbourne, drew attention to what it saw as a 'clearly...emerging trend in Egypt of hostility and persecution against the Coptic Christian minority.' It referred to 'an entrenched and institutionalised' psyche of discrimination in Egypt that it believed rendered the Copts 'significantly more vulnerable' to attacks like that against the village of El Kasheh (or Al-Kosheh) in Upper Egypt.⁹⁸
- 5.114 In May 1999, four police officers were found not guilty of mass detention and torture of more than 1000 innocent Christians in this village. The DFAT submission further asserted that these police were rewarded, and suggested that these events were not so much religious persecution as systemic misbehaviour by police.⁹⁹
- 5.115 DFAT stated that there had been inter-communal violence in Egypt at the end of December 1999/early January 2000, in which 20 Christians had died and a number of both Muslims and Christians had been injured. This violence appeared to have been caused by a commercial dispute, and the Government will investigate the incident and pay compensation to those involved.¹⁰⁰

97 Transcript, Christian Solidarity (Australasia), 24 September 1999, p. 56.

98 Submissions, p. 1105.

99 Submissions, p. 280.

100 DFAT: Transcript, 28 February 2000, pp. 255-256, Submissions, p. 1038.

- 5.116 DFAT provided information that, in March 2000, the Prosecutor-General announced that 135 people, 97 Muslims and 38 Christians, had been indicted as a result of this violence in the El Kasheh region.¹⁰¹
- 5.117 The Australian Catholic Social Justice Council drew attention to the concept of the utopian, just state founded by the Prophet. It suggested that the rise of fundamentalism in Egypt was in response to the repeated failure of other forms of government to improve the lot of the people.¹⁰²

Iran

- 5.118 In its submission, DFAT noted that human rights were a continuing cause of concern in Iran and, while there have been improvements in some areas, progress is still to be made in others. It was suggested that in a number of ways this country was emerging from fundamentalism as shown, among other things, by some of the changes since the election of the moderate President Khatami in 1997.
- 5.119 Two rounds of elections were held in February and May 2000 for the 290 seats in the Parliament, the Majles, the sixth in the history of the Islamic Republic of Iran. While the fifth Majles was dominated by conservatives opposed to the President's reform agenda, at these latest elections moderate and reformist candidates swept the conservatives from power. The results were seen as further evidence of the strength of popular support for the President. They gave the Majles the potential to provide legislative backing for reforms. Religious minorities are expected to benefit in the longer term from wider reforms likely to reduce interference in the private lives of all Iranians.¹⁰³
- 5.120 With conservative control entrenched over internal security, defence and some media functions, the road for reform remains difficult. Nevertheless, DFAT assessed the election results as strengthening the prospects for continuing reform, with potential secondary benefits for religious minorities.¹⁰⁴
- 5.121 There is now the possibility of a formal Iran-Australia dialogue on human rights. There are, however, three main issues of concern for freedom of religion and belief in Iran:
- persecution of converts from Islam;

101 Submissions, p. 1038.

102 Transcript, ACSJC, 15 October 1999, p. FADT 68-69.

103 Submissions, p. 1040.

104 Submissions, p. 1040.

- persecution of refugees, and
 - the arrest and subsequent trial of 13 Jews.¹⁰⁵
- 5.122 Evidence was presented to this inquiry of a pattern of persecution of ordinary Iranian Christians who were converts from Islam. It was alleged that Iran was engaged in a 'relentless pursuit' of suppression of such converts, and that there had been an escalation of incidents of persecution. It was pointed out that refugees who had returned to Iran after applying for asylum or refugee status were also persecuted.¹⁰⁶
- 5.123 As a result of the Revolution of 1979, Jews in Iran were granted privileges and had been able to live a secluded life there, centred on 56 synagogues. Many have prospered as doctors and lawyers. The arrest of 13 Jews in 1999 on charges of espionage, and the subsequent conviction of ten of the group, led people from outside Iran to argue that this group had been subjected to religious persecution.¹⁰⁷
- 5.124 The Executive Council of Australian Jewry saw this situation as a group of Jewish persons potentially facing the death penalty on 'a self-evidently fabricated charges of treason.' It saw this as a direct product of Iran as a regime which did not acknowledge democratic freedoms, and so was able to act against religious minorities with impunity.¹⁰⁸
- 5.125 Iranian officials stated that the protections provided by their Constitution would apply in this case. In spite of repeated assurances to Australian representations that the trial would be held in public, the trial was closed and the confessions of eight of the accused were televised.¹⁰⁹
- 5.126 There have also been concerns over the treatment of Baha'is in Iran. DFAT noted that Baha'is had been arbitrarily detained, arrested and denied the right to education. The Community in Australia observed that the violations of the religious freedom of the people in Iran had also led to the violation of many of their other internationally protected human rights.¹¹⁰
- 5.127 DFAT also noted that a member of the Baha'i faith was executed in Iran in 1998, and a number of others had received death sentences. There were also raids on the homes of about 500 people associated with the Baha'is
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105 Transcripts: DFAT, 24 September 1999, p. 18, Prof Bouma, 22 October 1999, p. 190, DFAT, 28 February 2000, p. 251-252.

106 Mr Daniel Parsa, Submissions, p. 609. See also Exhibit No. 22.

107 See **The Guardian Weekly**, April 20-26 2000, p. 4, **The Australian**, 3 July 2000, p. 14.

108 Submissions, p. 654.

109 DFAT, Transcript, 28 February 2000, p. 251, **The Guardian Weekly**, April 20-26 2000, p. 4, **The Australian**, 3 July 2000, p. 14.

110 Submissions, pp. 272, 714-715.

open learning. Australia has co-sponsored a resolution in the UN about human rights in Iran.¹¹¹

- 5.128 In addition to the situation in Iran, it should be noted that Baha'is are banned in Indonesia. On the other hand, Baha'is have been allowed to build a place of worship in Haifa in Israel, something it was alleged Christians and Muslims would not have been allowed to do.¹¹²

Sudan

- 5.129 DFAT's submission advised that under the Sudanese Constitution Islam is the religion guiding the great majority of the population, and that it is also the basis for the laws, rules and politics of the nation. Every individual is, however, free to adopt other revealed religions, and religious freedom is guaranteed by the State and its laws. While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy by Muslims punishable by death. Of a population of about 30 million people, 70 per cent are Muslims, 25 per cent hold animist beliefs and about five per cent are Christians.¹¹³
- 5.130 DFAT quoted the UN's Special Rapporteur on Religious Intolerance about actions of the Sudanese authorities that amount to 'Islamization and Arabization'. Christians, animists and Muslims who do not follow the official line suffer restrictions on their religious freedom or are exposed to discrimination, even persecution, in other areas of their lives. Forced abduction and conversion to Islam of children from the south of the country is a matter of particular concern.
- 5.131 During his visit to Sudan in September 1999, the Special Rapporteur noted with concern that the activities of Christians, in particular, continued to be restricted. He also received allegations of harassment and arrest for religious belief.¹¹⁴
- 5.132 There has been a civil war in the south of Sudan for more than 15 years, with the predominantly Arab and Islamic north pitted against the predominantly Christian and animist south. Early in 2000, there were

111 DFAT: Transcripts, 24 September 1999, p. 17, 28 February 2000, p. 248.

112 DFAT, Submissions, p. 277, Transcript, Mr Ali Kazak, 24 September 1999, pp. 52-53.

113 Submissions, p. 1040. Unless specified otherwise, material in this Section was taken from Submissions, p. 279.

114 Submissions, pp. 1040-1041.

reports that NGOs and humanitarian organisations had been expelled from the south and had to be gone by the end of February.¹¹⁵

- 5.133 In 1996, a political charter based on citizenship, not religion, was adopted and since then there have been some positive changes for religious freedoms. The Special Rapporteur considered that international pressure had been one of the reasons for this change.
- 5.134 Amnesty International Australia pointed out that the Sudanese regime is 'extremely active' in arguing that Amnesty International is anti-Islamic, as are the UN's bodies and its Special Rapporteurs.¹¹⁶
- 5.135 In its submission, the Festival of Light (SA) asserted that the Sudanese Government had 'officially declared war' on Christians. They are being crucified, kidnapped and often sold into slavery, and some children are sent into re-education camps and forced to participate in the war against Christians. It stated that over one million people are reported to have died under these conditions.¹¹⁷
- 5.136 In the US International Religious Freedom Report for 2000, Sudan is designated as a 'country of particular concern'. It noted that, while the civil war has many causes, two religious factors are important:
- the effort by the Government in Khartoum to extend Islamic Law to the Christians and believers in traditional religions in the south, and
 - the Government's efforts to impose its interpretation of Islam on all other Muslims.¹¹⁸

Indonesia

- 5.137 The Indonesian Constitution recognises five religions: Islam, the dominant belief in the nation, Catholicism, Protestantism, Buddhism and Hinduism. Observance of traditional beliefs is also permitted, but without the same status as the five that are officially recognised. There are impediments to the practice of unrecognised religions such as Jehovah's Witnesses, Baha'i, Confucianism and some non-orthodox Islamic sects.¹¹⁹

115 Submissions, p. 1038, Transcripts: Amnesty International, 15 October 1999, p. 92, 28 February 2000, p. 255.

116 Transcript, Amnesty International, 15 October 1999, pp. 91-92.

117 Submissions, p. 334.

118 Exhibit No 53, p. 2.

119 Unless otherwise specified, material in this Section was drawn from DFAT, Submissions, pp. 277-278.

- 5.138 Because belief in one Supreme God is the first of the tenets of the Pancasila, or 'five principles', in the Preamble to the 1945 Constitution. Atheism is not permitted. There is no obligation to practice a religion but an individual's choice is officially documented, eg, on identification cards. This tolerance has meant that Indonesia has avoided, at least until recently, fundamentalist beliefs.
- 5.139 The Indonesian Government promotes tolerance among recognised religious groups. Proselytising, especially in areas or among groups dominated by another recognised religion, is discouraged as potentially disruptive. Much of what has happened in Indonesia since former President Soeharto resigned in May 1998 must be seen against the background that, for the 33 years of his regime, ethnic and religious problems were ignored.¹²⁰
- 5.140 Attacks on religious activities are a feature of the social and economic tensions which have been a feature of life in many parts of Indonesia since 1997. It has been suggested that many of these attacks have been deliberately fomented for political purposes. Places of worship for minority groups appear to have been targeted during some riots, in spite of appeals for harmony and tolerance from senior political figures. Serious anti-Christian and anti-Chinese violence has occurred, reflecting a powerful mixture of religious, ethnic, socio-economic and political tensions.
- 5.141 Similar mixed causes appear to be responsible for anti-Muslim violence in West Timor, where mosques and property belonging to minority Muslim groups have been attacked.
- 5.142 The trans-migration program, during the former Soeharto regime, caused religious as well as cultural problems. Moving devout Muslims from Madura to Kalimantan or Muslims to West Timor, where there is a strong Christian minority, did not always lead to easy interactions with those local groups. It seems, however, that there was a deliberate campaign to alter the Christian-Muslim balance in the Malukus by means of the transmigration program.¹²¹
- 5.143 Reports indicate that the most frequent scenes of religious clashes in Indonesia in 2000 were in its Maluku Provinces. Until recently Muslims and Christians, who are numerically equal in those islands, had coexisted. They have now separated into homogenous neighbourhoods. Since

120 **Far Eastern Economic Review**, 6 July 2000, p. 21.

121 See Transcript, ACSJC, 15 October 1999, p. 70, for a brief account of the fate of Christians in a devout Muslim area of Kalimantan.

January 1999, the total number of dead in the Maluku has reached 4000 people.

- 5.144 DFAT also noted that, in the Maluku, disturbances over the last eighteen months had been inter-communal. In East Timor, by contrast, the intrinsic problems had been political with religious differences adding 'something of an edge.' In the Maluku, the changing circumstances of the populations of both areas and religious tensions had contributed to the violence that has occurred. It also seems that, because of religious divisions, elements within the Indonesian military (mostly Muslim) and the police (mostly Christian) had interests in fostering conflict.¹²²
- 5.145 While the conflict was more serious in the middle of 2000, there are concerns about the welfare of Christians, such as those from the village of Waai, who were forced to flee their village to escape Muslim mobs. Incidents in July-August 2000 were linked to the arrival of thousands of members of an armed Muslim group known as 'Laskar Jihad', or Force for the Holy War.
- 5.146 It has also been reported that there has been an escalation in the number of attacks on churches in Indonesia, 'almost always initiated by Muslim extremists'. In the decade from 1955 to 1965, there were two such attacks, 46 in the period from 1965 to 1974, 89 from 1975 to 1984. In the decade from 1985 to 1994, there were 132 such attacks, with an average of more than 13 attacks per year. The present average is 52 attacks per year.
- 5.147 As well as its role in investigating disturbances, the Indonesian National Commission on Human Rights, Komnas HAM, has a role in promoting human rights values. It works within the bureaucracy to try to ensure that officials are aware of the range of human rights values, including freedom of religion and belief. Over the past two years, the Commission's efforts have been hampered by a lack of resources combined with the number and range of issues for investigation. Adoption of a National Action Plan for human rights in Indonesia is seen as a positive development.¹²³

122 Transcripts: DFAT, 24 September 1999, p. 6, ACSJC, 15 October 1999, p. 70, DFAT, 28 February 2000, p. 245, HREOC, 6 March 2000, p. 274. See 'Intolerance engulfs Indonesia' in **The Australian Financial Review**, 20 May 2000, p. 31, for some background to the problems in the Maluku. See the **Far Eastern Economic Review**, 15 June 2000, p. 10, for a report that there was 'compelling evidence' that some military elements had been facilitating or turning a blind eye to attacks by Islamic militants on Christian villages in northern parts of the island of Halmahera, in North Maluku Province. The **Far Eastern Economic Review**, 6 July 2000, pp. 20-22, also dealt with these issues in some detail. See also Exhibit No 60, p. 5.

123 Transcripts: DFAT, 24 September 1999, pp. 7, 31, Amnesty International, 15 October 1999, p. 4, DFAT, 28 February 2000, pp. 246-247.

- 5.148 At the Fourth Meeting of the Asia Pacific Forum of National Human Rights Institutions, held in Manila in September 1999, Komnas HAM proposed to undertake work on religious intolerance. A working group was established to prepare a detailed proposal for consideration and action by the Forum's members.¹²⁴

Pakistan

- 5.149 DFAT suggested that freedom of religion and belief in Pakistan should be seen against the background of a general deterioration in all aspects of life there over the past few years. Thus, problems of religious intolerance are part of a broader picture.¹²⁵
- 5.150 DFAT believes that there is an unfortunate history of religious intolerance and violence in Pakistan against the Christian minority, and against rival Muslim sects. Attacks against Christian communities seem to be part of a wider and disturbing increase in sectarian violence, particularly in the Punjab. In spite of suggestions that the police are involved in fomenting the violence, Government actions in investigating incidents of violence, and in compensating and reconstructing damaged property, appear to be relatively speedy and positive.¹²⁶
- 5.151 The ACSJC suggested that some of the religious problems in Pakistan arose from two major causes. It was created as a Muslim nation, but the failure of religion as a unifying force was 'more than adequately demonstrated' when its eastern region seceded to form Bangladesh in the early 1970s. Secondly, ethnicity was seen to be a stronger national bond than religion, hardly surprising given the power of the Punjabi majority and other powerful minority groups. The rise of an assertive Islam is seen as a response to the combination of these two factors.¹²⁷
- 5.152 The Ahmadis are a minority Muslim sect, founded in 1889, with about three million adherents in Pakistan, and a total of 20 million in 158 other countries. They regard themselves as Muslims. Their situation is a cause of concern to DFAT, as a number of the community have been sentenced to life imprisonment for preaching their faith.¹²⁸

124 DFAT, Submissions, p. 1043. See Transcripts: DFAT, 24 September 1999, p. 32, HREOC, 6 March 2000, p. 271. See paragraphs 4.63-4.64 for information on the Forum.

125 Transcript, DFAT, 24 September 1999, pp. 6, 19.

126 Submissions, pp. 270-271.

127 Transcript, ACSJC, 15 October 1999, pp. 69-70. See also Transcript, Christian Solidarity (Australasia), 24 September 1999, p. 56.

128 Transcript, Ahmadiyya Association, 15 October 1999, pp. 155-156, 157, DFAT, Submissions, p. 271.

- 5.153 What is seen as State-sponsored persecution began in 1974 with an amendment to the Constitution, declaring that the Ahmadis were not Muslims. In 1984, an ordinance forbade them to express their Islamic faith, use Islamic phrases and terminology, or to propagate their faith. Because of the use of separate electorates for non-Muslims, Ahmadis have been disfranchised as they can neither vote as Muslims nor, without renouncing Islam, as non-Muslims. They are in fact treated as heretics.¹²⁹
- 5.154 Thus, Ahmadis have no political representation and face discrimination in the courts, education, employment, business. Freedom of the press has been used against them. Because Islamic or Sharia law applies, discriminatory laws such as the Anti-Terrorism Act of 1997 and the Blasphemy Law in particular are being used to harass both Ahmadis and Christians in Pakistan.¹³⁰

Israel

- 5.155 About 82 per cent of the population of Israel is Jewish, with the remainder made up of Muslims, Christians, Druze and members of other religions. The law states that every person is entitled to freedom of religion, and the Government respects this right. Each recognised religious community has legal authority over its members in matters of marriage and divorce. Proselytising is allowed, although there have been legislative efforts in recent years to place limits on this activity.
- 5.156 Mormons are specifically prohibited from converting Israelis by agreement between that religion and the Government. Evangelical Christians and other religious groups have complained that the police have been slow to investigate incidents of harassment.
- 5.157 Many Jews object to the exclusive control exerted by Orthodox religious authorities over marriage, divorce and burial. Disputes continue between Orthodox and Reform and Conservative Jews over the legitimacy of conversions and marriages conducted by the latter. There are also disputes about religious practices, in particular the right of male and female Reform Jews to pray together at the Western Wall in Jerusalem. The Israeli Government continues to mediate in these disputes between these branches of Judaism.¹³¹

129 Ahmadiyya Association: Submissions, pp. 38-39, 910, Transcript, 15 October 1999, pp. 155, 161.

130 Ahmadiyya Association: Submissions, pp. 39-40, 910-912, Transcript, 15 October 1999, pp. 156, 159.

131 DFAT, Submissions, p. 1039.

- 5.158 During this inquiry, there were a number of accusations of religious intolerance against Israel, including:
- demolition of Palestinian Christian and Muslim villages;
 - destruction of mosques and desecration of Muslim graveyards;
 - massacres in and raids on mosques, ill-treatment of copies of the Quran and confiscation of libraries in mosques;
 - denial of the right to worship in a mosque in Hebron;
 - the continued refusal to allow Palestinian Muslims and Christians to reach their holy places in Jerusalem, even on significant occasions such as Easter;¹³²
 - racist teachings in school textbooks;¹³³
 - support, arms and protection for religious extremists from the Israeli Government,¹³⁴ and
 - racist laws such as the Law of Return and the Land Acquisition Law.¹³⁵
- 5.159 The Head of the General Palestinian Delegation in Australia stated that discrimination by Israel takes place ‘on a daily basis’. Until it withdraws from all the 1967 occupied territories and Palestinians, Christians and Muslims are allowed to enter their Holy City to worship, the peace process in the Middle East will not address Israel’s discrimination against its non-Jewish populations.¹³⁶
- 5.160 In a private submission, Mr Asem Judeh supported many of these views. He believed that, because Israel is a Jewish state, it did not give rights to other religions. In particular, because they are not Jews, there is discrimination against Palestinians in every facet of their lives.¹³⁷
- 5.161 In his submission, Mr Judeh asserted that according to UNHRC, Israel violated almost every article of the ICCPR. He also referred to:¹³⁸

132 Transcript, Mr Ali Kazak, 24 September 1999, pp. 48-50 (*passim*).

133 Mr Ali Kazak: Transcript, 24 September 1999, pp. 51-52, Submissions, p. 45.

134 Mr Ali Kazak: Submissions, p. 45, Transcript, 24 September 1999, p. 54.

135 Mr Ali Kazak: Submissions, pp. 46-47, Transcript, 24 September 1999, p. 54.

136 Mr Ali Kazak: Transcript, 24 September 1999, p. 51. The Christians’ Israel Public Action Campaign Inc (CIPAC) disagreed ‘with almost every statement’ made in Mr Kazak’s evidence: see Submissions, pp. 900-907 (*passim*). In a subsequent letter to the Committee, Mr Kazak confirmed the views included in his Submission and those he expressed at the public hearing on 24 September 1999.

137 Transcript, Mr Asem Judeh, 22 October 1999, p. 236.

138 Submissions, p. 84.

- exclusion from full participation as Israeli citizens because Palestinians are not allowed to undertake military service;
- humiliating procedures, such as closed schools, curfews, ID cards, since the 1967 occupation of the Palestinian Territories;
- denial of free access to Jerusalem;
- difficulties for Christians and Muslims in gaining access to their Holy Places;
- deprivation of the right to learn for Palestinian children;
- restrictions on the amount of water supplied to Palestinians;
- demolition of homes and illegal settlements, and
- use of Australian tax payers' money in Israeli human rights violations.¹³⁹

- 5.162 In response to accusations that, in Israel, racism is institutionalised by a variety of laws that make Jews a privileged class within, the ECAJ explained the purposes of some of Israel's laws. In relation to the Law of Return, for example, it observed that other countries applied ethnic rather than religious definitions to provide the opportunity for speedier acquisition of citizenship.¹⁴⁰
- 5.163 The Council pointed out that political parties have been outlawed in Israel because of their harassment of or attitude towards the non-Jewish population. In the 11 years before 1999, over 200 new mosques had been built and opened so that, where there were only 80, there are now 'close to 300 mosques in Israel.'¹⁴¹
- 5.164 Finally, the ECAJ noted that, when Jerusalem was under Jordanian administration, every speech given on Friday at the Al Aksa Mosque was read and censored. Regardless of how hostile or provocative they are, such speeches have not been censored since 1967 and each Friday's speeches are available on the Internet in English. Among other things, this is 'a very high level of recognition' of religious freedom and, the Council concluded, it shows how seriously Israel takes this matter.¹⁴²

139 Submissions, pp. 84-93 (*passim*).

140 Transcript, ECAJ, 15 October 1999, pp. 109-110.

141 Transcript, ECAJ, 15 October 1999, p. 108.

142 Transcript, ECAJ, 15 October 1999, p. 113.

The Russian Federation

- 5.165 The current Constitution of the Russian Federation provides for freedom of religion and, while this is generally observed by the Government, there are a number of areas of concern.¹⁴³
- 5.166 One of these is a new law on ‘freedom of conscience and religious associations’, adopted in Russia in 1997. It replaced an earlier, progressive 1990 Law which had included simpler registration procedures. This new Law is complex, with many ambiguous provisions. All religious organisations had to register by the end of 1999, and the provisions are described as ‘onerous and intrusive’. In general terms, the 1997 Law limited the rights, activities and status of religious groups that have been in Russia for less than 15 years.¹⁴⁴
- 5.167 It created two broad categories for religious organisations, ‘organisations’ and ‘groups’, with different levels of legal status and privileges. Organisations have the legal status of a juridical person, and have rights and privileges including tax exemptions and rights to proselytise, establish religious schools, publish religious material and host foreign religious workers.
- 5.168 To qualify as a ‘local organisation’, a religious community must have been operating in Russia for at least 15 years. A ‘centralised organisation’ can be established by a religious community that has at least three functioning branch organisations in different regions. Once a community has been established as a ‘centralised organisation’, it can open further branches or affiliate with other groups that do not meet the 15 year rule.
- 5.169 The lesser ranked ‘groups’ have more restricted rights. While they are permitted to worship, they do not have the legal status of a juridical person. They cannot own property, publish literature, receive tax exemptions, proselytise, invite foreign preachers to the country, or conduct religious ceremonies outside their own buildings.
- 5.170 When the deadline for registration expired, a large number of religious communities had still to register at federal or local levels, or both. There were a number of reasons for this situation, including the complexity and vagueness of the Law and subsidiary regulations, slow consideration of registrations at both levels, conflicts in some areas between local and federal laws, as well as delays by some communities in registering.¹⁴⁵

143 DFAT, Submissions, p. 1015. Hereafter, for simplicity, ‘Russia’ will be used.

144 DFAT, Submissions, p. 273, Exhibit No 53, p. 4.

145 DFAT, Submissions, p. 1015.

- 5.171 It has been reported that registering at the local level is particularly difficult and the Constitutional guarantee of religious freedom is not always observed, with some administrations using this Law to discriminate against certain religious communities. These authorities are alleged to have denied registrations and sought the liquidation of unpopular religious communities, in some cases by using panels of 'experts' to examine the beliefs and activities of targeted groups. In response to criticisms, the Russian Government has stated that the Law would be applied in a 'liberal manner', but local authorities have still proved to be difficult.¹⁴⁶
- 5.172 The negative impact of the 1997 Law appears to have been somewhat reduced by Federal authorities, and by a decision of the Russian Constitutional Court in 1999. While the Court upheld the principles of the Law, it also ruled that religious organisations registered before it was passed would not have to re-register, but could retain their status. Local branches of 'centralised' religious organisations registered in Moscow, and represented in at least three of Russia's 89 constituent parts did not have to prove that they had been in the country for at least 15 years.¹⁴⁷
- 5.173 It seems that this Law causes great difficulties for faiths that have not been able to gain the necessary legal personality. It leaves the Russian Orthodox Church in a very privileged position, as other long-established churches, such as the Catholic, Jewish and Muslim faiths, are only established as groups in the second level under the 1997 Law.¹⁴⁸
- 5.174 Regional officials seem also to have discriminated against, harassed and interfered with the activities of minority religious groups, such as Protestants, Catholics and Muslims. Some members have been expelled for propagating their beliefs. One-third of Russia's regions have enacted regulations on religious activities more restrictive and discriminatory than the 1997 Federal Law.¹⁴⁹
- 5.175 This new Law has been opposed by churches such as the Baptist, Catholic and Pentecostal congregations within Russia. They have argued that it

146 DFAT, Submissions, p. 1016, Exhibit No 53, p. 4.

147 Exhibit No 53, p. 4, DFAT, Submissions, p. 1016. The deadline for registration was extended to 31 December 2000, but the same decree required the liquidation of all non-registered groups: see Exhibit No 53, p. 4.

148 Transcripts: DFAT, 24 September 1999, pp. 21-22, Jehovah's Witnesses, 15 October 1999, pp. 136, 139. See also the submission from Mr Anatolij Onishko, pp. 426-427.

149 Exhibit No 53, p. 4, DFAT, Submissions, p. 1016.

contravenes provisions of the Constitution guaranteeing freedom of conscience and equality to all citizens, regardless of creed.¹⁵⁰

- 5.176 While Jehovah's Witnesses have been accepted as a religion under the new Law, attempts have been made to close meetings and disrupt religious activities. Clergy of the more traditional faiths support and vigorously advocate such measures. Several false accusations have been brought against members of the Moscow congregation. A civil prosecution seemed to be placing non-orthodox religious views on trial, rather than adhering to the rule of law or allowing freedom of religious belief in Russia.¹⁵¹
- 5.177 There are also a number of active fascist and anti-semitic organisations in Russia which 'promote, rationalise and conduct' attacks on members of its Jewish community. In particular, there has been an attempted murder and a foiled attempt to detonate a bomb during a service in a synagogue. There are continuing concerns about the response of Russian authorities to such outbreaks of anti-semitism.¹⁵²
- 5.178 A letter to the US Congress from then-Acting President Putin, in March 2000, referred to protection of the rights of all citizens, regardless of nationality and religion, as a key Constitutional principle. It said that any manifestation of anti-semitism is regarded as an unacceptable expression of aggressive nationalism. This letter also noted steps by Russian authorities to counteract religious and political extremism, and expressed readiness to cooperate in this field.¹⁵³
- 5.179 The US International Religious Freedom Report of 2000 focussed its attention on Russia because:
- it has influence in the region;
 - the condition of religious freedom there could deteriorate significantly in the near future, and
 - US foreign policy could have an impact on promoting religious freedom there.¹⁵⁴
- 5.180 This US Report accepted that the situation in Russia is 'dramatically better than during the Soviet period', and that the Government had taken some

150 DFAT, Submissions, p. 273.

151 Transcript, Jehovah's Witnesses, 15 October 1999, p. 125.

152 ECAJ, Submissions, p. 654, DFAT, Submissions, p. 1016.

153 DFAT, Submissions, p. 1016.

154 Exhibit No 53, p. 4. With Sudan and the PRC, it was the third country on which the Report focussed.

positive steps to promote religious freedom. Nevertheless, it saw the 1997 Law as a ‘significant step backward’, one that placed restrictions on smaller, new and foreign religious communities.¹⁵⁵

155 Exhibit No 53, p. 1.