Mongolia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

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The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. However, the law limits proselytizing.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Some religious groups faced bureaucratic harassment from local governments or were denied registration.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice, including pressure on persons who converted to Christianity.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 604,247 square miles and a population of 2.7 million. Buddhism is closely linked with the country's cultural traditions. When the government ended bans on all religious practices in 1990, Buddhist activity increased. Local scholars claimed that more than 90 percent of citizens subscribed to some form of Buddhism, although practice varies widely. Lamaist Buddhism of the Tibetan variety was the traditional and dominant religion.

Ethnic Kazakhs, most of whom are Muslim, are the largest ethnic minority. They constitute approximately 5 percent of the population nationwide and 80 percent of the population of the western province of Bayan-Olgiy. The Mongolian Muslim Association estimated that there are 120,000 Kazakh Muslims, and 30,000 Khoton Muslims, largely in the province of Uvs. Muslims operated more than 40 mosques and seven Islamic student centers, and there were an estimated 3,000 students of Islam. An Islamic cultural center and mosque was under construction in the capital of Ulaanbaatar. The mosques and Islamic centers received financial assistance from religious organizations in Kazakhstan, Turkey, and the Gulf States.

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

account for the remaining 1 percent. Some citizens practiced shamanism, often in tandem with another religion, but there were no reliable statistics on their number.

At the beginning of 2010, there were 511 registered places of worship, 254 of which were Buddhist, 198 Christian, 44 Muslim, seven shamanistic and five Baha'i, and three uncategorized. In the first half of 2010, the State General Registration Office registered 37 churches, 20 mosques, and three shaman temples. Evangelical Christians estimate there are 250 unregistered evangelical churches throughout the country.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. However, the law limits proselytizing. Some religious groups seeking registration also faced burdensome bureaucratic requirements and significant delays. The constitution explicitly recognizes the separation of church and state.

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

Religious groups and nongovernmental organizations (NGOs) must register with local and provincial authorities as well as the General Authority of State Registration (General Authority) to function legally. Because registrations were only valid for 12 months, religious institutions must renew their registrations annually with up to six different government institutions across local and national levels. The Ulaanbaatar City Representative Hural registered 25 religious organizations and extended the permits granted to 105 pre-existing religious organizations in Ulaanbaatar between July 1, 2009, and June 30, 2010.

Registrations and renewals allowed the government to vet applications, as well as to supervise and limit the number of places of worship and clergy. Some organizations also reported that the government has used the process to extract favors from the religious organizations in exchange for continued legal status.

A religious group must provide the following documentation to the General Authority when applying to register: a letter requesting registration; a letter from the city council or other local authority granting approval to conduct religious services; a brief description of the organization; its charter, documentation of its founding, a list of leaders, financial information and brief biographic information on the person wishing to conduct religious services, and the expected number of worshippers. Although the General Authority possesses the ultimate authority to approve an organization's application, approval was largely without incident. In practice local legislative bodies adjudicated the applications and administered a separate local registration process, particularly when groups sought to operate in rural areas. The Ulaanbaatar City Council and other local legislative bodies required similar documentation prior to granting approval to conduct religious services.

The government granted religious visas for individuals who intended to stay in the country more than 90 days, but the application process was lengthy. Forty-four religious visas were granted during the reporting period.

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

The law forbids the spread of religious views by "force, pressure, material incentives, deception, or means which harm health or morals or are psychologically damaging." Foreigners who entered on work visas were not allowed to undertake

religious activities during their work hours. Organizations involved in providing child care, welfare, or child protection services may not promote religion or religious customs counter to the child's "national traditional religion." The law also prohibited the use of gifts for religious recruitment.

Religious organizations were required to pay property taxes and social security. NGOs, including religious organizations, were not required to pay income tax, but some religious organizations outside the capital were apparently unaware of this provision and paid income taxes. All non-diplomatic individuals and organizations, including religious organizations, were required to pay customs duties and value added tax on nonfinancial goods from abroad, including food, clothing, and medical donations.

By law all foreign organizations must hire a certain number of nationals for every foreign employee. The mandatory percentage of national employees varies from 60 to 95 percent, depending on the industry. The law applied to both religious and secular organizations. Certain religious organizations have had difficulty obtaining visas because they did not meet their quota of national employees.

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

Restrictions on Religious Freedom

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

The Muslim community in Ulaanbaatar reported difficulties in attaining registration and land acquisition for proposed mosques in the provinces of Darkhan-Uul and Khovd. They reported no problems, however, with the ongoing construction of the Muslim cultural center and mosque in Ulaanbaatar.

A church broadly frequented by members of the local ethnic Chinese community was unable to obtain registration in Ulaanbaatar during the reporting period.

Authorities in Tuv Province, near Ulaanbaatar, continued to deny registration to Christian churches during the reporting period. There were no churches registered in the province. Nonetheless, according to a Tuv religious leader, there were more than 30 unregistered evangelical churches operating. One church that was denied registration during the reporting period sued provincial authorities in 2009. The Supreme Court found that the Tuv Province legislature's denial of registration to the church was illegal. Nevertheless, the provincial legislature continued to defy the Supreme Court decision. The legislative speaker wrote to the church explaining that registration was not granted due to the church's alleged enticement and proselytizing of citizenry and the involvement of foreigners. The church rejected both claims and filed another lawsuit demanding registration. The legislature's legal basis for citing foreign involvement was unclear and not yet defined.

A Protestant church in the city of Erdenet with 100 members reported repeated problems with re-registration over the past several years with local officials. Church leaders reported five other registered and 22 unregistered churches facing similar registration problems in Erdenet as well. They stated that city officials frequently denied them permits to meet in public places.

Unregistered religious institutions were often able to function in practice. Some institutions reported harassment by authorities and were unable to sponsor foreign clergy for visas. Unregistered churches allegedly experienced harassment

by frequent visits from local tax officers, police, and other agencies. One organization reported an instance of tax authorities demanding that a church pay taxes on the social services it provided to citizens, citing the services as a type of taxable benefit. Registered churches also reported harassment by local authorities who demanded that they present official documentation, rosters of church members, and, in some cases, pay bribes. As businesses and other nonreligious organizations have also reported on similar treatment, it is not clear if such action is due to the religious affiliation of the given organizations or to broader corruption-related concerns.

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

A Ministry of Education directive banned religious instruction in public schools. Monitoring remained strict, especially in the capital area. The government may revoke the request of a religious group for an extension of registration if the group violates the ban or the ministry may recommend that employers fire teachers who teach religion in the classroom. The General Authority reported that there were multiple instances of inappropriate instruction, citing administrative officials at a university in the Bayanzurkh District of Ulaanbaatar who exhorted students to attend Sunday Christian religious services.

During the reporting period Tov Aimag's legislature cited statutes on spreading religious views when they refused to uphold the Supreme Court's decision and register a local church.

The law forbids those who entered on work visas from undertaking religious activities during their work hours. Those under these visas sometimes proselytized during their free time, after their working hours. Officials in the Immigration Agency in turn reportedly called and threatened organizations sponsoring such individuals' visas, complaining about their extracurricular religious activities. As a result more than one sponsoring organization withdrew their offers of visa sponsorship.

During the reporting period, the Immigration Agency did not report expelling any foreign religious workers. During the previous reporting period, 70 were reportedly expelled. In February 2009 Ulaanbaatar police detained a local lawyer who represented religious workers facing deportation for four hours. No charges were issued but, according to the lawyer, he was fined, given an administrative penalty, and warned not to represent foreign religious workers in the future. Immigration officials also tried unsuccessfully to revoke his law license and asked his employer to fire him. The lawyer appealed the police fine, and the Supreme Court ruled in his favor. Nevertheless, the police have disregarded the Supreme Court's judgment.

Recently one orphanage run by an American non-profit organization was shut down through Mongolian court proceedings for allegedly violating prohibitions on promoting religions counter to the children's traditional national religion and other charges. The orphanage oversaw up to 29 children, who were allegedly raised by the director as Christian, with traditional Christian names. While the case is ongoing, the children have been removed from the orphanage's care and placed in other institutions.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice during the reporting period. On a number of occasions, Christian groups reported that foreign Christians in Ulaanbaatar were victims

of assault or other crimes, although it was not clear whether the crimes were religiously motivated, directed at them for xenophobic reasons, or simply an every-day crime.

Some officials criticized instances of Christian charity work as the alleged use of material incentives to attract potential converts to their religion.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. During the reporting period, U.S. embassy officials discussed religious freedom with government officials at the local, provincial, and national levels. This dialogue served to articulate a number of U.S. government concerns, particularly registration difficulties Christian groups and others experienced. Embassy officials encouraged the National Human Rights Commission to enhance its efforts to protect religious freedom. The embassy maintained contact with local representatives of the UN High Commissioner for Human Rights and the UN Development Program to discuss religious freedom. Embassy officials also met frequently with religious leaders across the country.

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