

MONGOLIA 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The national constitution, laws, and official policies specifically provide for the protection of religious freedom, but, in practice, central and local governments imposed numerous restrictions that affected members of minority religious groups. The degree of respect for and protection of religious freedom continued to vary among provinces. The law prohibits proselytizing by deceptive, pecuniary, or coercive means. The government inconsistently applied procedural rules for the registration and oversight of religious groups, particularly those run by foreigners, with reported instances of bureaucratic harassment from local governments. The government failed to process some registrations (which religious organizations must have to operate legally) and denied visas for members of these groups.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Observers reported the growing influence of Christian groups worried some citizens who considered Christianity a “foreign” religion whose growth could erode respect for the country’s culture. There were some cases of harassment of Christians. Muslim institutions, with their deeper historical roots in society, generally fared better.

U.S. embassy officials discussed religious freedom with government officials at the local, provincial, and national levels, including during meetings with high-level officials in the Ministry of Justice, parliamentarians, and provincial political leaders. Embassy officials met frequently with religious leaders across the country and invited Buddhist, Christian, and Muslim leaders to embassy events.

Section I. Religious Demography

The U.S. government estimates the total population at 2.9 million (July 2013 estimate). Buddhism remains closely linked with the country’s cultural traditions, with 53 percent of citizens self-identifying as Buddhist, according to the 2010 national census, the most recent statistics available. In the census 38.6 percent of citizens self-identified as atheists. Local scholars assert that more than 90 percent of the population subscribes to Buddhism, although they acknowledge that the degree of practice varies widely. Lamaist Buddhism of the Tibetan variety is the traditional and dominant religion.

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According to the census, Muslims constitute 3 percent of the population nationwide and 80 percent of the population of the primarily ethnic Kazakh western province of Bayan-Olgii. The Mongolian Muslim Association, however, states there are approximately 130,000 Kazakh Muslims (mostly in Bayan-Olgii) and 20,000 Khoton Muslims residing primarily in the province of Uvs.

There is a small but growing population of Christians. According to the 2010 national census, 2 percent of the population is Christian. A 2011 government nationwide study indicates 4.7 percent of the 2,500 individuals surveyed are Christian. The majority of Christians are Protestant. Members of The Church of Jesus Christ of Latter-day Saints (Mormons) and very small communities of Roman Catholics and Orthodox Christians make up the rest.

Some citizens practice shamanism, often in tandem with another religion. The 2010 national census estimates 2.9 percent of the population practices shamanism, widely viewed as a traditional form of healing. According to a 2011 government survey of 2,500 people, 6 percent of those surveyed self-identified as shamanists, and 8.6 percent responded they practiced shamanism alongside Buddhism.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies generally protect religious freedom, and the constitution explicitly recognizes the separation of religion and state. Although there is no state religion, the law asserts 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.

Religious groups and nongovernmental organizations (NGOs) must register with local and provincial authorities, as well as with the General Authority of State Registration (General Authority), to function legally. National law does not stipulate the duration of a registration's validity, and local authorities set rules to determine the valid duration of registrations at their own discretion. Religious groups must renew their registrations (in most cases annually) with up to six different government institutions across local and national levels. A religious group must provide the following documentation to the General Authority when applying to register: a letter requesting registration; a letter from the citizens' representative assembly or other local authority granting approval to conduct religious services; a brief description of the group; the group's charter;

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documentation of the group's founding; a list of leaders; financial information; a declaration of assets (including a building, if the group owns one); lease or rental agreement (if the group does not own a building); brief biographic information of individuals wishing to conduct religious services; and the expected number of worshippers.

Religious groups are required to pay property and social security taxes. NGOs, including religious groups registered as NGOs, are not required to pay income tax.

By law all foreign organizations must hire a certain ratio of nationals to every foreign employee hired. The government determines foreign labor quotas annually. In 2013, the mandatory percentage of national employees ranged from 25 percent to 95 percent, depending on the industry. All industries not specified in the annual quota list (including most religious groups, which have no separate category) fall under the 95 percent quota. The Catholic Church is an exception. Whereas most religious organizations have the status of local NGOs, the Catholic Church has international status and thereby qualifies for a quota of 75 percent Mongolian staff. Any unlisted group with fewer than 20 Mongolian employees is only allowed one foreign worker.

National law limits proselytizing. The law forbids spreading religious views by "force, pressure, material incentives, deception, or means which harm health or morals or are psychologically damaging." Groups involved in providing childcare, child welfare, or child protection services may not promote religion or religious customs counter to the child's "national traditional religion." The law prohibits the use of gifts for religious recruitment.

The law prohibits foreigners from advertising, promoting, and practicing "inhumane" religions that could cause damage to the national culture. This provision is understood to refer to religious activities that violate basic human rights. There have been no reports of anyone being charged under this provision. Foreigners seeking to conduct religious activities must apply for religious visas. Only officially registered religious groups can sponsor applicants for religious visas. Foreigners who enter on other classes of visas are not allowed to undertake activities that advertise or promote religion (as distinct from personal worship, which is permitted). Under the law foreigners "engag[ing] in business other than one's purpose for coming" constitute grounds for deportation.

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All private religious schools are entitled to state funding for their secular curricula. The government is prohibited from giving state funds to religious schools for religious education. This policy applies equally to all religious groups.

A Ministry of Education and Science directive bans religious instruction in public schools. The government may deny registration extension requests from a religious group that violates the ban by teaching religion in a public school. The ministry may also recommend that employers fire teachers who teach religion in the classroom.

Government Practices

There were reports of government-imposed restrictions that affected members of minority religious groups. Moreover, the government inconsistently applied procedural rules for the registration and oversight of religious groups, which reported burdensome bureaucratic requirements and significant delays.

Problems with registration and operation varied significantly across the country, largely dependent upon the practices of local government officials. Registration requirements changed frequently and without public announcement; additionally, even when requirements remained the same, changes in staff led to new interpretations of existing rules. Religious groups reported these practices routinely caused confusion.

The length of the application process, varying from two weeks to several years, may have deterred some religious groups wishing to register. Christian groups alleged one of the main reasons for government officials' refusal to register a church was that the officials believed there were "too many" churches, or that there should at least be parity in the registration of Buddhist temples and Christian churches. Officials note that, according to the General Authority, of 633 registered places of worship, 277 were Buddhist and 261 were Christian, even though less than 5 percent of the population identified as Christian. In addition, there were 28 Muslim, 21 shamanist, and 46 registered places of worship belonging to other religious groups. According to estimates by the Evangelical Alliance, a confederation of evangelical Christian churches throughout the country, there were more than 600 evangelical churches, approximately 20 to 30 percent of which were registered.

The government used the registration and renewal process to assess the applications of religious groups, as well as to monitor the number of places of

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worship and the number and type of clergy admitted to the country. That process allowed the government to know the ratio of foreigners to Mongolian nationals conducting religious activities. Although the General Authority possessed the ultimate authority to approve a group's application, according to observers, approval was often made difficult by local officials who refused to cooperate with some applicants. Both foreign-based and local Christian groups complained the process for obtaining registration and extensions was arbitrary and there was no appeal mechanism for denials.

Local authorities in some parts of the country granted registrations valid for two or three years. The Ulaanbaatar Citizens' Representative Assembly (assembly) had a regulation limiting registrations to one year, and some Christian groups reported receiving registrations of even shorter periods of validity.

Christian leaders reported increased registration difficulties during the year, with increasing incidences of registrations expiring before they could secure renewals. Delays in renewing registrations prevented foreign citizens from renewing their visas, which then also expired and required the foreign citizen to leave the country. The effects of registration delays varied for different groups. The Evangelical Alliance reported that foreigners from some of its member churches had to leave the country because their organizations' registrations expired; some were able to return after the renewal came through, while others remained outside Mongolia because the renewals were still pending. Foreign nationals of some groups were able to remain in the country when their organizations' registrations lapsed. In one case the assembly wrote a letter to the immigration authorities explaining the registration had not been renewed because of a delay in the assembly's meeting. The immigration authorities approved a two-week extension of the visa of a member of the religious group, enough time for the registration renewal meeting to take place.

The assembly granted seven of 11 new registration requests from religious institutions (primarily Christian, Buddhist, and shamanist) and extended permits for 104 of 140 religious institutions requesting renewal in Ulaanbaatar between January 1 and November 20. As of November, within the limits of Ulaanbaatar, there were 82 Buddhist, 150 Christian, 16 shamanist, two Muslim, one Bahai, one Shinto, and one Unification religious institution registered.

Local legislative bodies administered a separate local registration process. Officials in Ulaanbaatar reportedly employed an ad hoc means of registering places of worship. The assembly refused to recognize branch churches as being affiliated

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with one religious institution; instead, it required each individual church to register as a separate religious institution. (According to the government, “religious institution” refers to the central or governing body of a religious organization, which holds the license, conducts religious activities, and may in principle administer multiple places of worship.) The assembly’s action caused particular problems for Christian denominations seeking to operate multiple churches in Ulaanbaatar. Ulaanbaatar authorities reportedly preferred this system because it allowed the government to collect greater tax revenue.

Unregistered religious groups were often able to function, although at times the groups encountered opposition from authorities. In certain regions, leaders of unregistered Christian churches reported they did not experience obstacles to conducting religious activities despite their status. Other unregistered churches stated they had experienced harassment in the form of frequent visits by local tax officers, police, and other agencies. The Evangelical Alliance expressed concern that churches’ unregistered status left pastors vulnerable to legal action should the government decide to tighten regulation. Unregistered churches could not obtain organizational stamps required on official documents of all government agencies, NGOs, and companies to prove their authenticity and be considered valid, and therefore could not submit official records to the tax authorities. In addition, unregistered churches could not open official bank accounts, leading pastors to open personal accounts through which they administered church funds. Such pastors would receive donations from foreign churches – sometimes in large amounts – in their personal accounts, leaving them open to investigation for apparent money laundering.

The Evangelical Alliance reported that most of its unregistered churches were in suburban areas of Ulaanbaatar. According to Christian leaders, the lack of registration was due to a combination of outdated bureaucracy and discrimination against Christians.

Registered churches reported harassment by local authorities who demanded, at times without clear legal justification, that the churches present official documentation and rosters of church members and, in some cases, pay bribes. Since secular businesses and other nonreligious groups reported similar treatment, it was not possible to determine definitively whether this treatment was due to the religious affiliation of a given group.

Registration problems were particularly serious in Tuv Province, which had no registered churches. Numerous religious leaders reported that the chief of the Tuv

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provincial legislature explicitly stated his opposition to registering any churches. According to evangelical leaders, multiple unregistered evangelical churches operated in the province and continued to experience difficulties with local authorities. According to past reports, such unregistered churches were subject to close monitoring and scrutiny by the authorities.

Religious groups reported increased difficulties in Darkhan. Several groups were unable to renew their registrations, and in some cases foreign nationals affiliated with those groups left the country because they could not renew their visas. Other churches were able to continue functioning with lapsed registrations. Christian leaders attributed the new delays to bureaucratic foot-dragging on the part of the Darkhan authorities, although it was unclear whether such actions specifically targeted religious groups. More general anti-foreigner attitudes may have been a contributing factor. Local authorities reportedly demanded greater financial contributions to local government projects as a de facto registration condition. Some religious organizations run by foreigners reported receiving multiple audits from a variety of local authorities inspecting their membership, registration, building permits, and tax records. According to some Christian leaders, the investigating authorities alleged they had received complaints about Christian churches without specifying what the complaints were or who made them. Other regions reported fewer issues regarding registration for minority religious groups.

In December 2012, the government reportedly began conducting an audit of all religious groups for transparency and compliance with laws. According to those reports, the criminal police claimed to be gathering such information in response to a possible increase in money laundering and human trafficking by certain religious groups, as well as a perceived increase in the threat of terrorism and the possibility that religious groups could be used to assist such attacks. Some religious groups reported receiving demands for the national identification numbers of all their employees in connection with a broader effort to confront these purported security issues. Some church leaders reported increased real estate-related audits from tax officials, despite the absence of renovations that would normally prompt property reappraisals. The church leaders stated they thought the tax authorities hoped to generate increased revenue.

Foreign nationals faced difficulties obtaining religious visas. As religious groups were bound by the 95 percent local-hire requirement, groups that could not afford to hire enough local employees could not sponsor additional religious visas. Unregistered churches also could not sponsor religious visa applicants. Christian groups reported that foreign missionaries seeking to enter the country often did

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non-religious work and applied for the corresponding types of visas (such as student or business), thereby restricting the scope of religious activities in which they could participate, and making them more vulnerable to deportation due to inconsistent policies regarding what was permitted for foreign visitors. In general, most visa-related issues religious groups reported were related to registration difficulties. Due to the sensitivity of these visa issues, individual religious groups were reluctant to criticize local authorities publicly.

Some Christian churches running social services reported difficulties with local officials because of the officials' distrust of the church's religious orientation. Local officials treated the question of allowing churches to open facilities such as schools or nurseries on church grounds in different ways. Those that did not allow such facilities appeared to suspect that the churches would use these facilities to attract converts. One Catholic group running an orphanage and school for orphans in Ulaanbaatar said that inspectors from the General Agency for Specialized Inspection had regularly visited in large numbers to, as the group stated, intimidate them, criticize their facilities, and demand that the group take down crosses. In April the Bayanzurkh District government seized an organization's school for orphans and street children, essentially canceling its permission to use the land. The authorities cited failure to pay taxes and claimed that the Catholic organization had not used the land for the last two years. The nuns at the school said both claims were false and that they had paid their taxes and had been operating the school continuously since starting it several years ago. The nuns hired local legal representation in their effort to have the school returned and stated they believed the school was taken due to anti-Christian sentiment and greed on the part of authorities who wanted to use the already-improved land. At year's end the case was ongoing.

The government contributed more than two billion tugrugs (more than \$1 million) 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.

Political leaders continued to support Buddhism overtly, and some apparently feared foreigners and foreign influence could erode respect for the country's culture. There was one Christian member of parliament.

The Muslim community reported no problems securing government permits for construction of a new Islamic cultural center and mosque in Ulaanbaatar, but

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construction remained stopped because of funding reductions from sponsoring Arab countries.

Government institutions, as well as informal hiring quota policies dating back to the Soviet era, supported the Muslim community (mostly ethnically Kazakh). For instance, the Kazakh Muslim community was represented in virtually every government institution, including by two members of parliament.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

Christian leaders reported the public viewed Christians in an increasingly positive light as their charitable works became more widely recognized. Some local authorities even sought out the services of Christian groups. Nonetheless, the growing influence of Christianity was of concern to some Buddhist leaders in the country. In certain cases there was harassment of Christians.

Section IV. U.S. Government Policy

The Ambassador and other U.S. embassy officials frequently discussed religious freedom with government officials at the local, provincial, and national levels, including in meetings with high-level officials in the Ministry of Justice, parliamentarians, and provincial political leaders. Embassy officials engaged in regular dialogue with government representatives and shared the U.S. government's concerns, particularly about the uneven application of visa laws and the registration difficulties Christian groups and others experienced. Embassy officials encouraged the Ministry of Justice and the Ministry of Foreign Affairs to enhance their efforts to protect religious freedom. Embassy officials met frequently with religious leaders across the country to discuss ways to combat religious discrimination and promote greater religious freedom. In addition, the embassy invited Buddhist, Christian, and Muslim leaders to embassy events in order to promote respect for religious freedom and tolerance.

In August embassy representatives met with the mufti and local imams in Muslim-majority Bayan-Olgii province. Topics discussed included the clerics' views on such subjects as religious freedom, participation in wider Mongolian culture, inclusion or exclusion from society, and the treatment of Muslims by authorities across the country. The clerics stated they perceived no discrimination and a

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climate of religious freedom. Embassy officers hosted an Eid al-Fitr dinner for Muslim leaders and local government officials.