

LEGAL ISSUES AFFECTING RELIGIOUS FREEDOM: ASIA AREA

JULY 8, 2015

Asia Area: Background

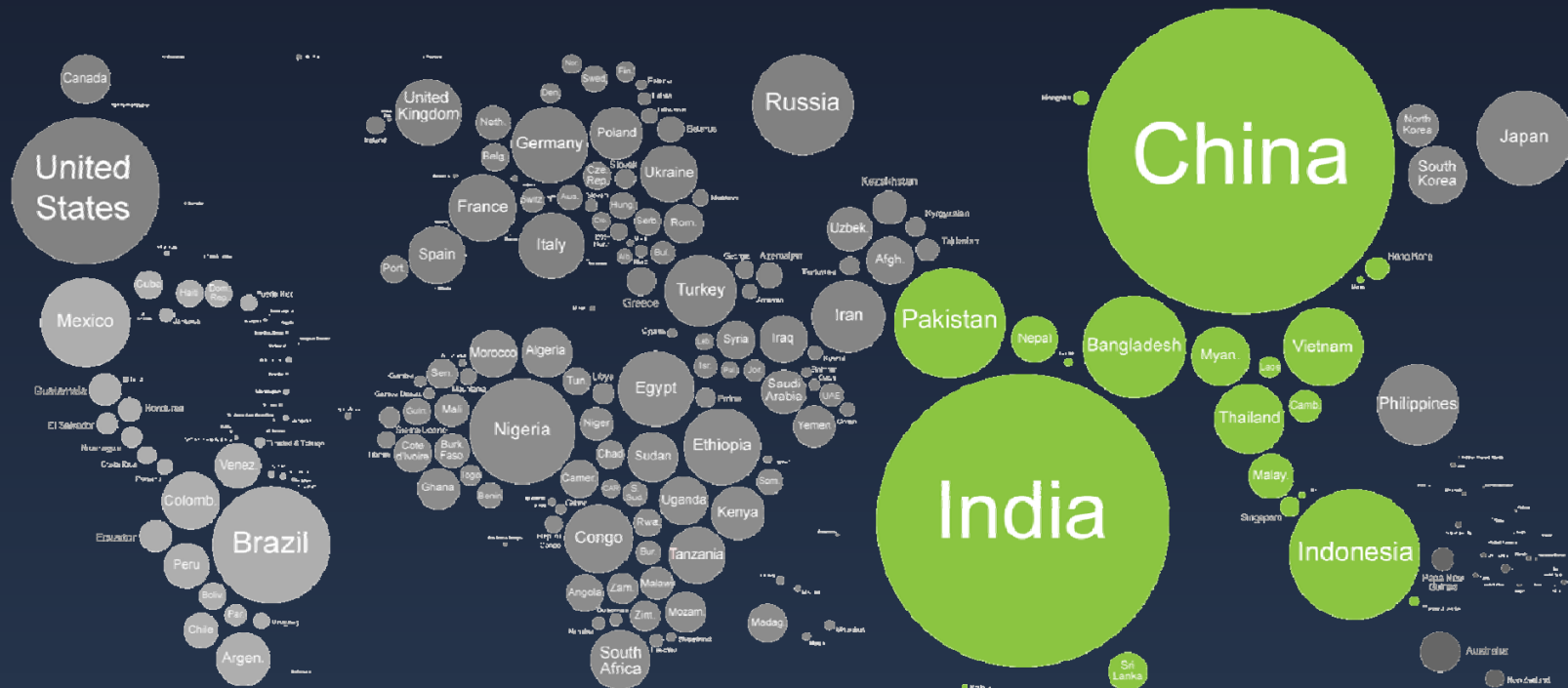
- Includes 22 countries/territories
- Of the 22, the LDS Church has activities or operations in 18
- Nothing in Bhutan, Brunei, the Maldives, or Timor-Leste

Twenty-two Countries/Territories





Half of the World's Population



North America

Europe

Africa

Asia Area

Rest of Asia

5%

9%

11%

15%

50% of World's Population

9%

Latin America & the Caribbean

3.5 Billion

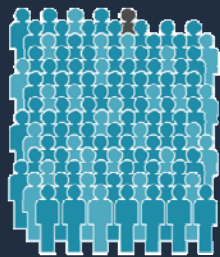
Oceania 1%

26 of the World's 50 Largest Urban Areas

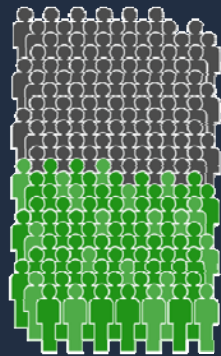


95% Non-Christian

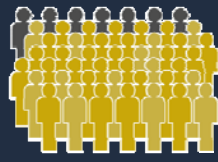
Number of Adherents in the Asia Area As a Percent of Worldwide Totals



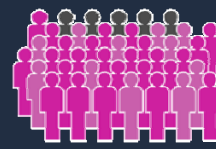
Hindu
99% (1 Billion)



Muslim
46% (740M)



Buddhist
87% (423M)



Folk Religions
89% (360M)

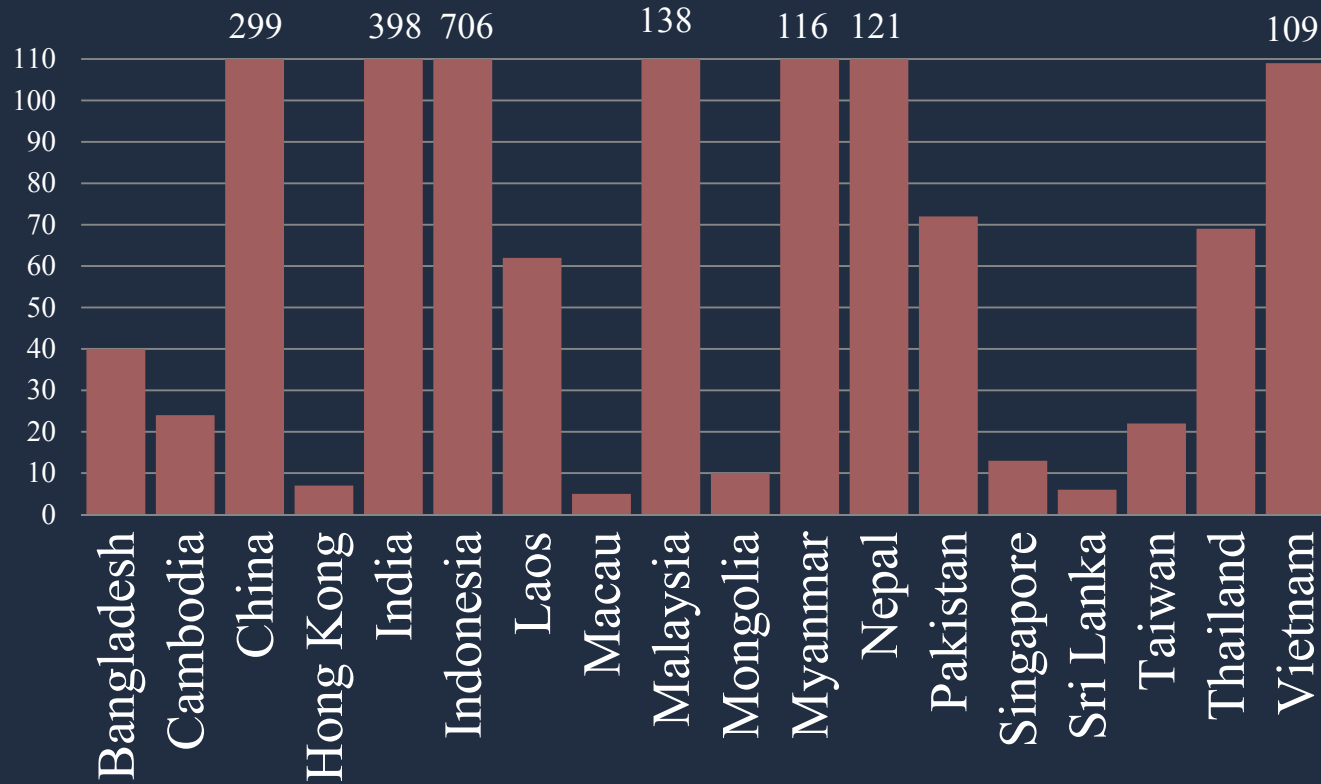


Christian
7% (147M)



LDS
1% (0.17M)

Over 1,000 Languages Spoken



Asia Area: Religious Liberty Issues

- Significant variations in attitudes and approaches across the twenty-two countries
- Significant room for improved understanding and application in all or nearly all countries

General

- Asia ≠ Western World – broad enjoyment of core religious liberty rights is not well established
- Minorities face discrimination – if not persecution. Too often, governmental actors are involved – if only by the failure to protect.

General

- Some few countries act directly to deny or impair fundamental religious liberty rights of individuals
 - Right to chose and hold one's religion
 - Right to practice or manifest one's religion (at least in private settings)
- Not at all unusual for countries to withhold/impair effective means of exercising fundamental rights

General

- Institutional rights are subjected to greater regulation and interference than individual rights
- Focus here is on institutions, and particularly the situation as it relates to the LDS Church

Registration

A significant issue in some countries relates to the registration of religious groups or organizations

- Believers cannot meet for collective worship without registering a religious group with the government
- Registration requirements are difficult or impossible to meet

Legal Personality

In some countries, even if registration is not a hurdle, some powers are available only if the group has legal personality (only if a Church legal entity is established).

- Rent meetinghouses premises
- Open bank accounts
- Contract for goods and services
- Import religious and other materials
- Receive funding

Legal Personality (continued)

Even when possible to register a Church entity, local law or practice may constrain the manner in which the entity is governed and operated

- Officers and directors may not subject to Church appointment or direction
- Church reputation, funds, and assets may be outside its control
- Involvement of foreigners may be limited

Visas

Religious organizations face significant difficulties bringing international volunteers to some of the countries of the Asia Area.

- Administrative and supervisory visitors
- Resident in-country senior volunteers (couples)
- Resident in-country young volunteers (missionaries)

Visas (continued)

Notwithstanding the missionaries' volunteer (and uncompensated) status, some countries treat missionary activity as "work" and missionaries as "religious workers." This brings into play restrictive visa regimes and foreign worker quotas.

Proselytization and Conversion

Some countries seek to regulate proselytization” and “conversion.”

- Criminal offense to “proselytize”
- Conversion from one religion to another – but only with government
- Conduct-based “anti-conversion” laws

Vague formulations lend themselves to abuse.

Not Grounded Solely in Malice

- Religion is viewed as a matter of ethnic and national identity
- Historical experience with religion as an aspect of control/interference by foreign (colonial) power
- Fear of religion as undermining social cohesion
- The LDS operating model is somewhat unique
- Concerns over Islamic fundamentalism

Some Control

Things we cannot control but much we can.
Establishing relationships of trust is critical.

- Vietnam
- India

China

Government policy is guided by the “Three Self” principles, with readily-apparently implications for religious activity in China.

- Self Support
- Self Administration
- Self Propagation

Summary



NEAR-TERM OUTLOOK

- Registration and legal personality hurdles to remain in place – difficult but negotiable
- Visa difficulties to moderate
- General understanding to improve (work of the Center)

- Increased use of religion as a “wedge issue” by persons seeking political power (perversely, an increase in political pluralism can lead to an increase in the use of religion as a wedge issue)
- Government failures to protect religious liberties against private actors
- Facility zoning and permitting

End



Church and Economic Development

Economies

Advanced
Urban

Mixed
Rural-Urban

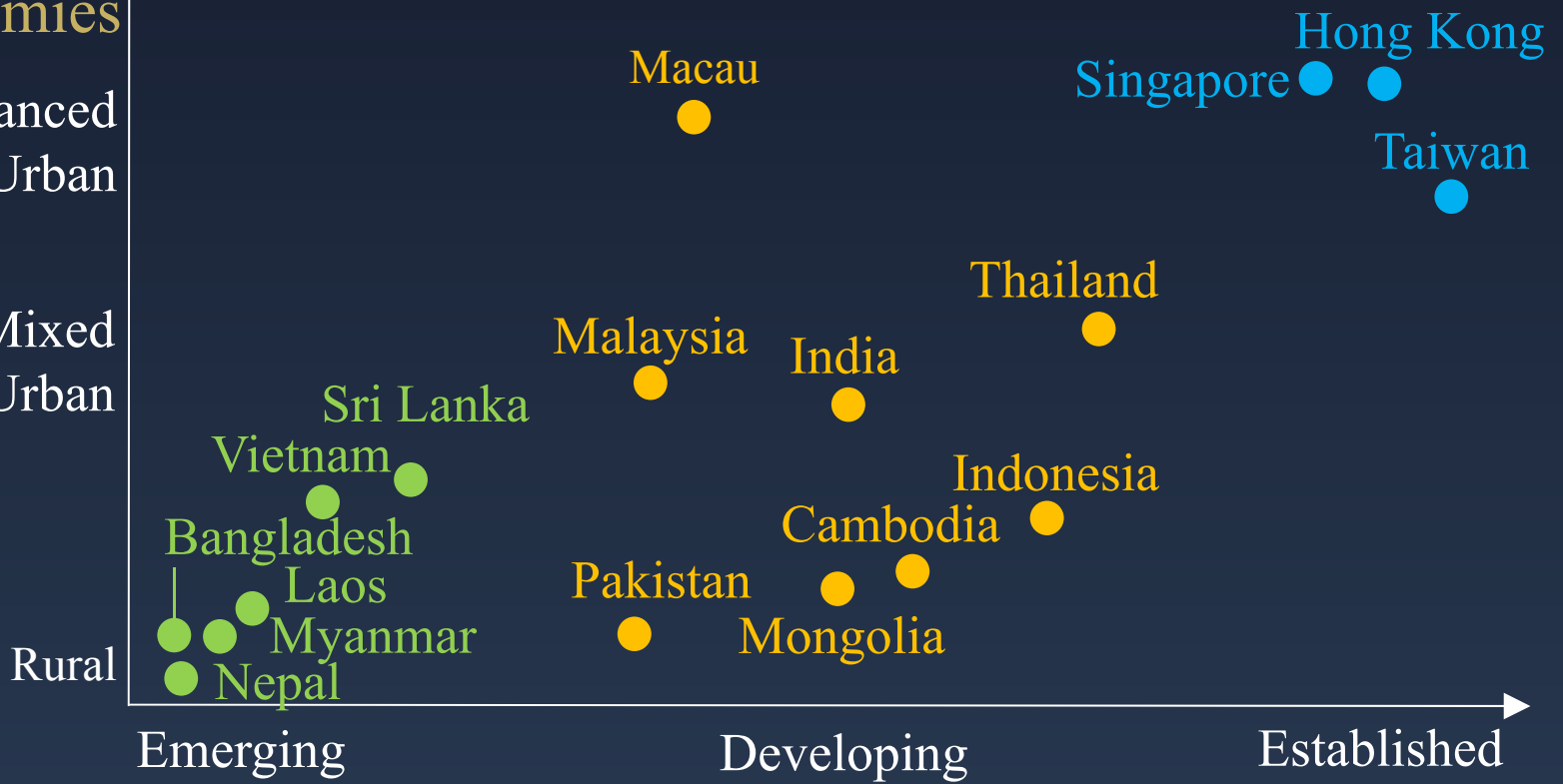
Rural

Emerging

Developing

Established

Church Development



Per Capita Income*

• Bangladesh	\$3,300	• Laos	\$5,000	• Singapore	\$82,000
• Bhutan	\$7,600	• Macau**	\$88,700	• Sri Lanka	\$10,000
• Brunei	\$73,000	• Malaysia	\$25,000	• Taiwan	\$46,000
• Cambodia	\$3,000	• Maldives	\$14,000	• Thailand	\$14,000
• China	\$13,000	• Mongolia	\$12,000	• Timor-Leste	\$4,900
• Hong Kong	\$55,000	• Myanmar	NA	• U.S.	\$55,000
• India	\$5,900	• Nepal	\$2,400	• Vietnam	\$5,600
• Indonesia	\$11,000	• Pakistan	\$4,700		

* PPP per capita USD, International Monetary Fund estimates for 2015

** PPP per capita USD, The Central Intelligence Agency, The World Factbook estimates for 2013

Literacy*

• Bangladesh	62%	• Laos	80%	• Singapore	97%
• Bhutan	65%	• Macau	96%	• Sri Lanka	93%
• Brunei	96%	• Malaysia	95%	• Taiwan**	96%
• Cambodia	77%	• Maldives	99%	• Thailand	97%
• China	96%	• Mongolia	98%	• Timor-Leste	68%
• Hong Kong**	94%	• Myanmar	93%	• U.S.**	99%
• India	71%	• Nepal	64%	• Vietnam	95%
• Indonesia	94%	• Pakistan	58%		

* United Nations Educational, Scientific and Cultural Organization (UNESCO) estimates for 2015

** Central Intelligence Agency, The World Factbook