

Media Statement

12 June 2014

Religious conversion law threatens religious freedom in Burma/Myanmar

Over 80 organizations from civil society worldwide today call on the Government of Burma/Myanmar to scrap proposed legislation that would unlawfully restrict the right to freely choose a religion. If adopted, this law would violate fundamental human rights and could lead to further violence against Muslims and other religious minorities in the country.

The draft “Religious Conversion Law”, published in state-run media on 27 May 2014, sets out a process for applying for official permission to convert from one religion to another. It grants Township-level officials from various government departments sweeping powers to determine whether an applicant has exercised free will in choosing to change religion. Those found to be applying for conversion “with the intent of insulting or destroying a religion” could be punished by up to two years’ imprisonment, raising the prospect of arbitrary arrest and detention for those wishing to convert from Theravada Buddhism – the faith of the majority in Burma/Myanmar - to a minority religion, or no religion at all. Compelling an individual to convert to another religion through “undue influence or pressure” could carry a one-year jail penalty. The broad wording of this provision may effectively outlaw proselytizing in the country.

The right to freedom of religion or belief is widely recognized as having customary international law status. Article 18 of the Universal Declaration of Human Rights explicitly states that the right to freedom of thought, conscience and religion includes the freedom to change his or her religion or beliefs. The 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief calls on States to rescind legislation where necessary to prohibit discrimination on religious grounds, and to take all appropriate measures to combat intolerance on the grounds of religion.¹

Under instruction from President Thein Sein and the Speaker of the Lower House of Parliament Shwe Mann, the Ministry of Religious Affairs [MoRA] drafted the law as part of a package of measures related to marriage, religion, polygamy, and family planning, based on proposals by a Buddhist organization called the Association for the Protection of Race and Religion. The draft “Religious Conversion Law” also includes a provision granting powers to MoRA to issue further directives and procedural regulations regarding the implementation of the legislation. Although

¹ Article 4.2 of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

MoRA lists its first objective on its website as “to allow freedom of faith”, its second objective is “for the purification, perpetuation, promotion and propagation of the Theravada Buddhist Sasana [teachings]”.² The Ministry has also been implicated in imposing restrictive and discriminatory measures on minority religions.³

This new piece of draft legislation appears to legitimize the views of those promoting hate-speech and inciting violence against Muslims and other minorities, and if adopted, will further institutionalize discrimination against religious and ethnic minorities. We urge the Government to scrap the proposed “Religious Conversion Law”, and to take the following steps:

1. Amend all other legislation to ensure that it incorporates the principles set out in Article 18 of the UDHR, which reads: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”;
2. Sign and ratify the International Covenant on Civil and Political Rights (ICCPR), without reservation to Article 18;
3. Sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
4. Extend official and unconditional invitations to the UN Special Rapporteur on freedom of religion or belief and the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to visit the country, and to travel within the country and meet representatives of different communities, political actors and civil society organizations without restriction or hindrance;
5. Study and implement the recommendations of the most recent report of the UN Special Rapporteur on freedom of religion or belief to the UN Human Rights Council, with regard to measures to address collective hate speech;⁴
6. Study and implement the recommendations of the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, which was adopted by experts including the UN Special Rapporteur on Freedom of Expression and Opinion and the Special Rapporteur on Freedom of Religion or Belief in Rabat, Morocco in October 2012;⁵

² http://www.mora.gov.mm/mora_ministry1.aspx

³ See *“Threats to Our Existence”: Persecution of Ethnic Chin Christians in Burma*, Chin Human Rights Organization, September 2012.

⁴ See [Report of the Special Rapporteur on freedom of religion or belief to the UN Human Rights Council](#), [Ref: A/HRC/25/58], 26 December 2013.

⁵ See [Rabat Plan of Action](#), October 2012.

7. Abolish the Ministry of Religious Affairs and replace it with an independent and impartial religious affairs commission with a mandate to eliminate all forms of religious discrimination;
8. Remove the requirement to list religion on the National Registration Card.

Furthermore, we call on the international community to publicly urge the Government of Burma/Myanmar to immediately scrap the proposed legislation. The international community must make concerted efforts to press the Government to implement the above recommendations as a matter of priority, in order to protect the right to freedom of religion or belief and to prevent further violence against religious minorities.

-ENDS-

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Signed by:

1. Abdurrahman Wahid Centre for Inter-Faith Dialogue and Peace
2. Actions Birmanie Belgium
3. Altsean-Burma
4. The Arakan Project
5. Arunachal Citizens' Rights (ACR)
6. Asean Parliamentarians for Human Rights
7. Asia Indigenous Peoples Pact
8. Association Suisse-Birmanie
9. Austrian Burma Centre
10. The Branch Foundation
11. Burma Action Ireland
12. Burma Campaign UK
13. Burma Centrum Nederland
14. Burma Partnership
15. Burmese Rohingya Organisation UK
16. Burmese Women Delhi

17. Cambodia Indigenous Youth Association
18. Canterbury Refugee Council
19. Center Chin Women Organization
20. Children and Women Trust
21. Children on the Edge
22. Chin Baptist Churches USA
23. Chin Christian Council in Australia
24. Chin Christian Fellowship in Denmark
25. Chin Christian Fellowship of Canada
26. Chin Community in Denmark
27. Chin Human Rights Organization
28. Chin Students' Union, Delhi
29. Christian Solidarity Worldwide
30. Coalition for Protection of Refugees
31. COERR of Caritas Thailand
32. Delhi Burmese Christian Fellowship
33. Dignity International
34. Equal Rights Trust
35. Fahamu Refugee Programme & Dr. Barbara E. Harrell-Bond, OBE
36. FIDH / International Federation for Human Rights
37. Fidi Group
38. Fortify Rights
39. Free Burma Campaign (South Africa)
40. Global Chin Christian Fellowship
41. Human Rights Alliance Pakistan
42. Health Equity Initiatives
43. Human Rights Ambassador for Salem-News.com, UK
44. Humanitarian Aid Relief Trust (HART)
45. HRWG (Indonesia's NGO Coalition for International Human Rights Advocacy)
46. Indigenous Women League Nepal
47. Info Birmanie
48. INHURED International
49. Institute for Asian Democracy
50. International State Crime Initiative, King's College London
51. InterPares
52. Kachin National Organization
53. Kachin Peace Network
54. Kachin Women Peace Network

55. KAMP - National Alliance of Indigenous Peoples Organizations in the Philippines
56. Karenaid
57. Kirat Youth Society (KYS)
58. Minority Rights Organization (MIRO)
59. Naga Women's Union
60. Naiker Associates (Australia)
61. Norwegian Burma Committee
62. Odhikar
63. Partners Relief & Development UK
64. Pax Romana ICMICA
65. Penang Stop Human Trafficking Campaign
66. Poonga
67. Physicians for Human Rights
68. Refugee Council of Australia
69. Research and Translation Consultancy Cluster
70. RightsNow Pakistan
71. Rohingya Human Rights Monitoring Network – Myanmar
72. SANRIM Sri Lanka
73. Stefanus Alliance International
74. Suaka: Indonesian Civil Society Network for Refugee Rights Protection
75. Swedish Burma Committee
76. Tangguyub People Center
77. Tenaganita
78. Thai Committee for Refugees Foundation
79. US Campaign for Burma
80. Victoria Chin Baptist Church – Australia
81. Zomi Women Union

Notes to Editors:

1. Analysis of the draft “Religious Conversion Law” is based on an unofficial translation produced by the Chin Human Rights Organization, available at www.chro.ca