

MONGOLIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for “freedom of conscience and religion,” prohibits discrimination based on religion, and mandates the separation of the activities of state and religious institutions. The law requires religious institutions to register with authorities and broadly describes registration procedures, leaving most specifics of implementation to local authorities. Some religious groups reported difficulties in some localities obtaining and renewing registration due in part to differing registration guidelines among provinces, changing registration practices among incoming officials, and the legal restriction on the registration of branches of religious groups. Some regions reportedly banned or delayed new registrations for years. Unregistered groups reported harassment by tax officials, police, and other government officials, who often requested bribes or required documentation, which the groups stated was without clear legal justification. Foreign nationals seeking to enter the country to proselytize must obtain religious visas; there is no regulation of citizens who wish to proselytize. The Dalai Lama visited from November 18-23. In December, following threats from China to cut off essential loans as a result, the Mongolian foreign minister expressed the government’s regret the visit negatively affected relations of the two countries and stated the government would not allow further visits by the Dalai Lama during its term. Shamanist leaders reported the government denied their religious group the financial benefits and tax concessions made available to other faiths.

There were reports of harassment targeting minority religious groups. A department head at the Ministry of Education, Culture, Science, and Sports submitted but later withdrew her resignation following harassment related to a YouTube video about the activities of the Family Federation for World Peace and Unification (Unification Church). The anticorruption agency was asked to investigate the department head over allegations she was brainwashing youth and laundering money for the Unification Church’s benefit.

U.S. officials discussed religious freedom with government officials at all levels, including during meetings with high-level officials in the Office of the President, the Ministry of Foreign Affairs, the parliament, provincial government officials, and the Ulaanbaatar Citizens’ Representative Assembly. Embassy officials and U.S. government-sponsored visitors met regularly with religious leaders across the country to discuss religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 3 million (July 2016 estimate). In the last official census, conducted in 2010, 53 percent of individuals aged 15 and above self-identified as Buddhist, 3 percent as Muslim, 2.9 percent as Shamanist, and 2.1 percent as Christian. Another 38.6 percent stated they had no religious identity. Many individuals practice elements of Shamanism in combination with other religions, particularly Buddhism. The majority of Christians are Protestant; other Christians are members of The Church of Jesus Christ of Latter-day Saints (Mormons), the Roman Catholic Church, and the Russian Orthodox Church. Religious groups such as the Unification Church also have a presence.

The ethnic Kazakh community, located primarily in the northwest, is majority Muslim.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution lists “freedom of conscience and religion” among the enumerated rights and freedoms guaranteed to citizens. The constitution prohibits discrimination based on religion, prohibits the state from engaging in religious activity, and prohibits religious institutions from pursuing political activities. The constitution specifies, “the relationship between the State and religious institutions shall be regulated by law.” The constitution provides that in exercising their rights, persons “shall not infringe on the national security, rights, and freedoms of others and violate public order.” The constitution says the state shall respect all religions, and religions shall honor the state. The religion law provides “the State shall respect the dominance of the Buddhist religion in the country, in order to uphold the solidarity and cultural and civilization [sic] heritage of the people. This will not hinder a citizen to practice another religion.”

Religious groups must register with local and provincial authorities, as well as with the General Authority for Intellectual Property and State Registration (General Authority), to function legally. National law provides little detail on registration procedures and does not stipulate the duration of registration, allowing local and provincial authorities to set their own rules. Religious groups must renew their registrations (in most cases annually) with multiple government institutions across local, provincial, and national levels.

A religious group must provide the following documentation to the General Authority when applying for registration: 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, documentation on the group's founding, a list of leaders, financial information, a declaration of assets (including any real estate owned), a lease or rental agreement (if applicable), brief biographic information of individuals wishing to conduct religious services, and the expected number of worshippers.

The renewal process requires a religious group to obtain a reference letter from the local administration to be submitted with the documents listed above (updated as necessary), to the Ulaanbaatar Citizens' Representative Assembly (Ulaanbaatar Assembly) if the group is in Ulaanbaatar or to the relevant provincial assembly. The relevant assembly issues a resolution granting the religious institution permission to continue operations, and the organization sends a copy of the resolution to the General Authority, which enters the new validity dates on the religious institution's original registration.

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.

The education law prohibits educational institutions from conducting religious training, rituals, or activities that negatively affect society, civic interest, health, or safety. According to Ministry of Education, Culture, Science, and Sports officials, this prohibition applies to both public and private schools. A ministry directive bans religious instruction in public schools. The government may deny registration renewals for religious groups that violate the ban on religious instruction.

The law regulating civil and military service specifies that all male citizens between 18 and 25 must complete one year of compulsory military service; there is no expressed exception on religious grounds for conscientious objectors. There is, however, a provision for alternative service, available to all upon request, with the Border Forces, the National Emergency Management Agency, or a humanitarian organization. There is also a provision for, in lieu of service, paying the cost of one year's training and upkeep for a soldier.

Under the labor law, all foreign organizations, including religious institutions, must hire a stipulated number of Mongolian nationals for every foreign employee hired. Groups not specified in the annual quota list (including most religious groups) must ensure 95 percent of employees are Mongolian nationals. Any unlisted group with fewer than 20 Mongolian national employees may employ one foreign worker.

The religion law forbids the spread of religious views by “force, pressure, material incentives, deception, or means that harm health or morals or are psychologically damaging.” It also prohibits the use of gifts for religious recruitment. Until September, the law on children’s rights prohibited children’s forced religious conversion or enrollment in religious institutions, as well as the use of deception to involve them in religious activities. The new law on children’s rights clarifies these provisions by providing children the freedom to practice their faith, but regulations for implementation have not yet been concluded.

The law regulating the legal status of foreign citizens prohibits foreigners from advertising, promoting, or practicing “inhumane” religions that could damage the national culture. The penalty for violating this provision is a fine three to six times the minimum monthly salary of 192,000 tugriks (\$77). There have been no reports of any individual or organization penalized under this provision. The religion law includes a similar prohibition on religious institutions, both foreign and domestic, conducting “inhumane” or culturally damaging activities within the country.

Foreigners seeking to conduct religious activities must obtain religious visas. Only registered religious groups may sponsor foreigners 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 or other individual religious activity, which is permitted). Under the law, “engag[ing] in business other than one’s purpose for coming” constitutes grounds for deportation.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Reports indicated the liberty of interpretation given to provincial and local governments concerning the registration of religious groups led to inconsistently applied regulations to registered groups and reports of harassment by local officials of unregistered groups. People under the age of 16 were required in some

provinces to provide written parental authorization to participate in religious services. The government did not block the Dalai Lama's visit in November.

Registration and renewal procedures for religious institutions reportedly varied significantly across the country, largely depending upon the practices of local government officials. Some Christian and Muslim groups said the government inconsistently applied regulations, changing procedures frequently and without notice. Christian groups also said new officials sometimes interpreted regulations differently. Both foreign and local Christian groups stated the registration and renewal process was arbitrary in some instances, with no appeal mechanism for denials.

The length of the registration process reportedly varied from two weeks to three years, deterring some Christian religious groups wishing to register. Some groups reportedly did not try to register because they were unable to fulfill the legal requirements for registration due to insufficient size or lack of dedicated, regular worship sites.

Ulaanbaatar Assembly officials continued to say the registration and renewal process allowed the government to assess the activities of religious groups, to monitor the number of places of worship and clergy, and to know the ratio of foreigners to nationals conducting religious activities. They stated any applications for initial registration or renewal that ostensibly were "denied" were more accurately "postponed" because of incomplete documentation, poor physical conditions of the place of worship, instances of providing English language instruction in schools without an educational permit, or financial issues (e.g., failure to pay property tax or to declare financing from foreign sources). The authorities said in these cases, they instructed religious institutions to correct deficiencies and resubmit their applications. Religious leaders reported that as of October, the Ulaanbaatar Assembly had not granted any new registration requests or renewals since the assembly was elected in June. Assembly members said this was due to a lack of time following the new government's formation. Leaders of one religious group reported some assembly inspection team members said there were "too many" churches, especially for "nontraditional" (i.e., non-Buddhist or non-Muslim) faiths.

The Ulaanbaatar Assembly limited registrations to one year, although local authorities in some other areas granted registrations valid for two or three years.

The Ulaanbaatar Assembly and other local assemblies continued to decline to recognize branch churches as affiliated with a single religious institution; instead, each individual church was required to register separately. According to Mormon leaders, the Ulaanbaatar Assembly's position on branches, which had unclear status in the law, caused particular problems for Christian denominations seeking to operate multiple churches under a centralized administration, although such denominations were able to register their churches individually. Ulaanbaatar and other authorities preferred the no-branch system because it allowed the government to collect greater tax revenue, according to some religious groups.

Unregistered religious groups were often still able to function, although at times they experienced harassment in the form of frequent visits by local tax officers, police, and representatives from other agencies. The Mongolian Evangelical Alliance (MEA) expressed concern the unregistered status of many of its member churches left their pastors vulnerable to legal action and further investigation. Shamanist leaders expressed concerns the requirement for a registered place of worship placed limitations on their religion because of its nature-linked practices, although a few established registered places of worship. One Christian denomination also reported this requirement restricted its ability to hold worship services in members' households. Unregistered churches lacked official documents establishing themselves as legal entities and as a result were unable to own or lease land, file tax returns, or formally interact with the government. Individual members of unregistered churches typically continued to own or lease property for church use in their personal capacity. Unregistered churches could not open bank accounts, leading pastors to open personal accounts through which they administered church funds. Some of these pastors received donations from foreign churches and foreign-owned businesses – sometimes in large amounts – in their personal accounts, leaving them potentially open to investigation for apparent money laundering.

Numerous religious leaders had previously reported the Tuv provincial legislature chief stated his opposition to registering places of worship. Some church leaders met with Tuv government representatives after receiving a report the provincial government was going to close all churches. According to these leaders, the government representatives listened to their concerns and refrained from closing churches. One Christian group reported that after having tried to register multiple times in Tuv without success, it relocated its community to Ulaanbaatar.

Religious groups reported continued difficulties in Darkhan-Uul Province, where authorities in late 2013 reportedly stated their intent not to register new religious

institutions. According to the Mongolian Muslim Societies Federation, however, authorities registered two mosques after three years. Some churches reported local officials withheld reference letters required for renewal until the church performed a “project” benefiting the local community or government. One religious group reported a request from local authorities to fix a pedestrian walkway and road. Some churches continued to report delays of more than a year in renewing their registrations, although it was unclear whether the delays were linked to religious affiliation. Some religious organizations run by foreigners in the province reported receiving multiple audits from a variety of local authorities inspecting their membership, registration, building permits, and tax records.

The MEA reported barriers to registration in Khuvsgul Province, where at least two of 10 churches were awaiting registration as of October. The MEA reported one church in Dornogobi Province was registered after three years.

Some registered churches reported harassment by local authorities. They reported officials required, at times without clear legal justification, official documentation and rosters of church members and, in some cases, bribes to secure registration. As secular businesses and nonreligious groups reported similar treatment, it was not possible to determine whether this treatment was as a result of religious affiliation.

In some areas, local authorities reportedly placed restrictions on the participation of minors in church activities. According to representatives of multiple Christian groups, government officials continued to restrict unaccompanied minors’ participation in religious services due to fears services would be used to “brainwash” them. One Christian group reported the Ulaanbaatar Assembly did not extend the registration of one of its churches because the children of church members were accompanied to services by friends whose parents did not also attend. In Uvs and other provinces, minors under the age of 16 required written parental permission to participate in church activities.

Religious groups continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. In some cases, Christian groups continued to report they received audits less frequently compared to previous years and experienced no unannounced audits. Other Christian groups continued to receive unannounced inspections, and one reported that inspections previously performed solely at the municipal level were now performed at the district level as well, which imposed increased administrative burdens on the groups.

Government officials received Buddhist leaders during the Lunar New Year.

The Dalai Lama visited from November 18-23 in response to a standing invitation from leaders of the Buddhist community. Previously, there were reports the government had not permitted the Dalai Lama to visit since 2011 due to pressure from the Chinese government. Before the visit, Chinese authorities warned the government of potential retaliatory consequences. After the visit, the Chinese government indefinitely postponed bilateral political and economic discussions with the country, including on a concessional loan for as much as \$4 billion. In December the Mongolian foreign minister expressed the government's regret the visit negatively affected the two countries' relations and stated that the government would not allow further visits during its term.

Some foreign nationals faced difficulties obtaining religious visas, although some religious groups continued to report fewer difficulties compared to previous years, which they said was due to immigration officials viewing the groups' social and charitable projects more favorably. Since most 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. It was possible to pay a fee to exceed the quota restrictions, but most churches reported they could not afford this cost. Christian groups reported foreign missionaries seeking to enter the country often did nonreligious work and applied for the corresponding type of visa (such as student or business). As a result, the groups reported they could legally participate only in limited religious activities and were vulnerable to deportation because of inconsistent interpretations of the activities in which they could legally engage. In general, most visa problems were related to registration difficulties, but individual religious groups were reportedly reluctant to criticize local authorities publicly because of the need for local authorities' approval for registration.

The government allocated funding for the restoration of several Buddhist sites that it said were important religious, historical, and cultural centers. The government did not provide similar subsidies to other religious groups.

The minister of justice established a task force on religious institutions in March to update statistics on religious institutions and identify issues related to religious activities. In local media interviews, task force representatives recommended the creation of a consolidated database of religious institutions and said police, intelligence, tax, and insurance officials should take additional steps to verify the sources of income and financing of religious institutions.

Section III. Status of Societal Respect for Religious Freedom

There were reports of local or social media-based harassment of Christians or members of other minority religious groups. In March journalist L. Munkhbayasgalan posted two videos on YouTube that detailed the activities of the Unification Church in the country. After the posting, Unification Church critic E. Tserendolgor asked the Independent Authority Against Corruption to investigate a department head at the Ministry of Education, Culture, Science, and Sports on the grounds she was brainwashing Mongolians and laundering money for the Unification Church's benefit. Three days later, the department head submitted her resignation, reporting harassment through phone calls, Facebook, and Twitter, and asked the police to investigate. The department head later withdrew her resignation.

Some local authorities were reported to have sought out the services of Christian groups for prison counseling, the construction of wells, and other charitable works. Some Buddhist and Muslim leaders, however, expressed their concern over what they perceived to be the growing influence of Christianity in the country.

Section IV. U.S. Government Policy

The Ambassador and other U.S. officials regularly discussed religious freedom with government officials at the local, provincial, and national levels, including in meetings with parliamentarians and high-level officials in the president's office, the Ministry of Foreign Affairs, the Ulaanbaatar Assembly, and the provinces. Embassy officials shared the U.S. government's concerns about the uneven application of visa laws and the registration difficulties religious groups reported. Officials encouraged the Office of the President, the Ministry of Foreign Affairs, parliamentarians, and provincial officials to enhance efforts to protect religious freedom and underscored the value of dialogue between the government and religious communities.

The Ambassador and other U.S. officials met frequently with religious leaders in Ulaanbaatar and across the country, including in Khovd and Bayan Ulgii provinces, to discuss registration and visa problems, as well as ways to combat religious discrimination and promote greater religious freedom. The Ambassador met with the Dalai Lama during a public event in the course of his visit. The embassy invited Buddhist, Christian, Shamanist, and Muslim leaders to embassy roundtables in February and October that focused on promoting respect for

religious freedom, interreligious dialogue, and religious tolerance. The embassy encouraged the establishment of an interfaith council to address religious issues with the government. The embassy also published an op-ed on religious freedom in local media.

With support from a U.S. government visitor program, a U.S. Muslim scholar met in February with national and provincial government officials, religious leaders, civil society representatives, and Kazakh community representatives to stress the value of dialogue among faiths and between the government and religious communities. The scholar also urged houses of worship and religious schools to discuss the value of religious tolerance and interreligious dialogue.