

## Global Blasphemy Laws Table

### South and South-East Asia

No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty
1.					
	<p><b>295. Injuring or defiling place of worship, with Intent to insult the religion of any class:</b></p> <p>Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction damage or defilement as an insult to their religion shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>	<p>Section 295  <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Imprisonment up to two years and/or fine.</p>	<p>Criminal                      Bailable<sup>1</sup> and Cognizable<sup>2</sup></p>	<p>No</p>

<sup>1</sup> ‘Bailable offence’ means an offence shown as bailable in the second schedule, or which is made bailable by any other law for the time being in force; and ‘non-bailable offence’ means any other offence (as per the Criminal Code of Pakistan, 1898).

<sup>2</sup> ‘Cognizable offence’ means an offence for, and ‘cognizable case’ means a case in, which a police officer, may, in accordance with the second schedule or under any law for the time being in force, arrest without warrant (as per the Criminal Code of Pakistan, 1898).

	<p><b>295-A. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting Its religion or religious beliefs:</b></p> <p>Whoever, with deliberate and malicious intention of outraging the 'religious feelings of any class of the citizens of Pakistan, by words, either spoken or written, or by visible representations insults the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.</p>	<p>Section 295-A <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Imprisonment up to 10 years and/or fine</p>	<p>Criminal  Non-bailable and non-cognizable</p>	<p>No</p>
	<p><b>295-B. Defiling, etc., of copy of Holy Quran.</b></p> <p>Whoever wilfully defiles, damages or desecrates a copy of the Holy Quran or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.</p>	<p>Section 295-B <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Life Imprisonment</p>	<p>Criminal  Non-bailable and Cognizable</p>	<p>No</p>
	<p><b>295-C. Use of derogatory remarks, etc., in respect of the Holy Prophet.</b></p> <p>Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name</p>	<p>Section 295-C <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Death Penalty and fine</p>	<p>Criminal  Non-bailable and Cognizable</p>	<p>Yes</p>

	of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.				
	<p><b>296. Disturbing religious assembly:</b></p> <p>Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship, or religious ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 296  <a href="#">Pakistani Penal Code,</a>  <a href="#">1860</a></p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p> <p>Bailable and Cognizable</p>	<p>No</p>
	<p><b>298. Uttering words, etc., with deliberate intent to wound religious feelings:</b></p> <p>Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year or with fine, or with both.</p>	<p>Section 298  <a href="#">Pakistani Penal Code,</a>  <a href="#">1860</a></p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p> <p>Bailable and Non-cognizable</p>	<p>No</p>

	<p><b>298A. Use of derogatory remarks, etc., in respect of holy personages.</b></p> <p>Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of any wife (Ummul-Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulafa-e-Raashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.</p>	<p>Section 298-A <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Imprisonment up to three years and/or fine.</p>	<p>Criminal</p> <p>Bailable and Cognizable</p>	<p>No</p>
	<p><b>298B. Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places.</b></p> <p>(1) Any person of the Quadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name) who by words, either spoken or written, or by visible representation, –</p> <p>(a) refers to, or addresses, any person, other than a Caliph</p>	<p>Section 298-B <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Imprisonment up to three years and/or fine.</p>	<p>Criminal</p> <p>Non-bailable and Cognizable</p>	<p>No</p>

	<p>or companion of the Holy Prophet Muhammad (peace be upon him), as ‘Ameer-ul-Mumineen’, ‘Khalifa-tul-Mumineen’, ‘Khalifa-tul-Muslimeen’, ‘Sahaabi’ or ‘Razi Allah Anho’</p> <p>(b) refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him) as ‘Ummul-Mumineen’</p> <p>(c) refers to, or addresses, any person, other than a member of the family (Ahle- bait) of the Holy Prophet Muhammad (peace be upon him), as Ahle-bait; or</p> <p>(d) refers to, or names, or calls, his place of worship as ‘Masjid’: shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.</p> <p>(2) Any person of the Quadiani group or Lahori group (who call themselves ‘Ahmadis’ or by any other name) who by words, either spoken or written, or by visible representation, refers to the mode or form of call to prayers followed by his faith as ‘Azan’, or recites Azan as used by the Muslims, shall be punished with imprisonment of either</p>				
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	description for a term which may extend to three years and shall also be liable to fine.				
	<p><b>298C. Person of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith.</b></p> <p>Any person of the Qadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name). Who, directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.</p>	<p>Section 298-C  <a href="#">Pakistani Penal Code, 1860</a></p>	<p>Imprisonment up to three years and/or fine.</p>	<p>Criminal  Non-bailable and Cognizable</p>	<p>No</p>
2.					
	<p><b>295. Injuring or defiling place of worship, with intent to insult the religion of any class -</b></p>	<p>Section 295 <a href="#">Indian Penal Code, 1860</a></p>	<p>Imprisonment up to two years and/or fine.</p>	<p>Criminal</p>	<p>No</p>

	<p>Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>			<p>Non-bailable and Cognizable</p>	
	<p><b>295A. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.</b></p> <p>Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.</p>	<p>Section 295-A <a href="#">Indian Penal Code</a>, 1860</p>	<p>Imprisonment up to three years and/or fine.</p>	<p>Criminal  Non-bailable and Cognizable</p>	<p>No</p>

	<p><b>296. Disturbing religious assembly -</b></p> <p>Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship, or religious ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 296 <a href="#">Indian Penal Code</a>, 1860</p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p> <p>Bailable and Cognizable</p>	<p>No</p>
	<p><b>297. Trespassing on burial places, etc. -</b></p> <p>Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture, or any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 297 <a href="#">Indian Penal Code</a>, 1860</p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p> <p>Bailable and Cognizable</p>	<p>No</p>

	<p><b>298. Uttering words, etc., with deliberate intent to wound religious feelings. —</b></p> <p>Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that persons or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 298 <a href="#">Indian Penal Code</a>, 1860</p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p> <p>Bailable and Non-cognizable</p>	<p>No</p>
<p>3.</p>					
	<p><b>295. Injuring or defiling place of worship, with intent to insult the religion of any class -</b></p> <p>Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which</p>	<p>Section 295 <a href="#">Penal Code of Bangladesh</a>, 1860</p>	<p>Imprisonment up to two years and/or fine.</p>	<p>Criminal</p>	<p>No</p>

	may extend to two years, or with fine, or with both.				
	<p><b>295A. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs -</b></p> <p>Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of the citizens of Bangladesh, by words, either spoken or written, or by visible representations insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>	<p>Section 295-A</p> <p><a href="#">Penal Code of Bangladesh, 1860</a></p>	<p>Imprisonment up to two years and/or fine.</p>	<p>Criminal</p>	<p>No</p>
	<p><b>296. Disturbing religious assembly</b></p> <p>Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship, or religious ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 296</p> <p><a href="#">Penal Code of Bangladesh, 1860</a></p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p>	<p>No</p>
	<p><b>297. Trespassing on burial places, etc.</b></p>	<p>Section 297</p>	<p>Imprisonment up to</p>		<p>No</p>

	<p>Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby,</p> <p>commits any trespass in any place of worship or on any place of sepulture, or any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies,</p> <p>shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p><a href="#">Penal Code of Bangladesh, 1860</a></p>	<p>one year and/or fine.</p>		
	<p><b>298. Uttering words, etc., with deliberate intent to wound religious feelings</b></p> <p>Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may</p>	<p>Section 298</p> <p><a href="#">Penal Code of Bangladesh, 1860</a></p>	<p>Imprisonment up to one year and/or fine.</p>		<p>No</p>

	extend to one year, or with fine, or with both.				
	<p><b>28. Publication, broadcast, etc. of information in website or in any electronic format that hurts the religious values or sentiment.</b></p> <p>(1) If any person or group intentionally or knowingly with the aim of hurting religious sentiments or values or with the intention to provoke, publish or broadcast anything by means of any website or any electronic format which hurts religious sentiment or values then such activity of that person will be considered an offence.</p> <p>(2) If any person commits an offence under sub-section (1), he shall be punished with imprisonment for a term not exceeding 5 (five) years, or with fine not exceeding Taka 10 (ten) lac, or with both. (3) If any person commits the offence referred to in sub-section (1) for the second time or repeatedly, he shall be punished with imprisonment for a term not exceeding 10 (ten) years, or with fine not exceeding Taka 20 (twenty) lac, or with both.</p>	Section 28, <a href="#">Digital Security Act, 2018</a>	<p>Imprisonment not exceeding seven years or a fine, or both.</p> <p>A person that commits the same offense a second time or repeatedly is subject to imprisonment for up to ten years.</p>	Criminal	No
4.					

	<p><b>295. Injuring or defiling a place of worship with intent to insult the religion of any class:</b></p> <p>Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons, with the intention of thereby insulting the religion of any class of persons, or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment for a term which may extend to 5 years, or with fine, or with both.</p>	<p>Section 295</p> <p><a href="#">Singapore Penal Code</a>, 1871</p>	<p>Imprisonment up to 5 years and/or fine.</p>	<p>Criminal</p>	<p>No</p>
	<p><b>296. Disturbing a religious assembly:</b></p> <p>Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.</p>	<p>Section 296</p> <p><a href="#">Singapore Penal Code</a>, 1871</p>	<p>Imprisonment up to 3 years and/or fine.</p>	<p>Criminal</p>	<p>No</p>
	<p><b>297. Trespassing on burial places etc:</b></p> <p>Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are</p>	<p>Section 297</p> <p><a href="#">Singapore Penal Code</a>, 1871</p>	<p>Imprisonment up to 3 years and/or fine.</p>	<p>Criminal</p>	<p>No</p>

	likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture or any place set apart for the performance of funeral rites, or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.				
	<p><b>298. Uttering words, etc., with deliberate intent to wound the religious or racial feelings of any person:</b></p> <p>Whoever, with deliberate intention of wounding the religious or racial feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, or causes any matter however</p>	<p>Section 298  <a href="#">Singapore Penal Code</a>, 1871</p>	<p>Imprisonment up to 3 years and/or fine.</p>	<p>Criminal  Bailable<sup>3</sup> and Cognizable<sup>4</sup></p>	<p>No</p>

<sup>3</sup> ‘Bailable offence’ means an offence shown as bailable in the fifth column of the First Schedule or which is made bailable by any other written law, and ‘non-bailable offence’ means any offence other than a bailable offence (as per Criminal Procedure Code of Singapore). A bailable offence is one, in which, bail is a matter of right, and non bailable offence is one, in which granting of bail is discretion of the court.

<sup>4</sup> Cognizable offences: An offence, where a police officer can arrest without a warrant.

Non-cognizable offences: An offence, where a police officer can arrest only with a warrant.

	represented to be seen or heard by that person, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.				
5.					
6.					

	<p><b>[Apostasy]</b>  <b>112. Declaring oneself as non-Muslim.</b></p> <p>(1) Any Muslim who declares himself as a non-Muslim and it is proved either by ikrar of the accused, or by syahadah of at least two syahid according to Hukum Syara' after the Court is satisfied having regard to the requirements of azkiyah al syuhud, is guilty of the offence of irtidad and shall be liable on conviction to death as hadd.</p> <p>(2) Any Muslim who declares himself as a non-Muslim and it is proved by evidence other than those provided under subsection (1) is guilty of the offence of irtidad and shall be liable on conviction to imprisonment for a term not exceeding 30 years and whipping not exceeding 40 strokes.</p>	<p>Brunei <a href="#">Syariah Penal Code, 2013</a></p>	<p>Death Penalty/  Imprisonment up to 30 years/ whipping not exceeding 40 strokes</p>	<p>Criminal</p>	<p>Yes</p>
	<p><b>209. Propagation of religion other than religion of Islam.</b></p>	<p>Section 209, <a href="#">Syariah Penal Code Order, 2013</a></p>	<p>Fine up to \$20,000, or imprisonment up to 5 years or both.</p>	<p>Criminal</p>	<p>No</p>

	<p>(1) Any person who propagates religion other than religion of Islam, to a Muslim or a person having no religion is guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000, imprisonment for a term not exceeding 5 years or both.</p> <p>(2) The Court may order for any document or thing, among others, used in the commission of or related to the offence referred to in subsection (1) to be forfeited and destroyed notwithstanding that no person may have been convicted of such offence.</p>			Cognizable and Non-bailable <sup>5</sup>	
	<p><b>210. Persuading etc. Muslims to change religion.</b></p> <p>(1) Any person who persuades, tells, causes, offers payment to, influences, incites, encourages or lets a Muslim</p> <p style="padding-left: 40px;">(a) to become a believer or a member of a religion other than the religion of Islam or to become inclined to that religion; or</p>	Section 210, <a href="#">Syariah Penal Code Order, 2013</a>	Fine not exceeding \$20,000 and imprisonment not exceeding 5 years	Criminal  Cognizable and Non-bailable	No

<sup>5</sup> First Schedule, SYARIAH COURTS CRIMINAL PROCEDURE CODE ORDER, 2018 <[http://agc.gov.bn/AGC%20Images/LAWS/Gazette\\_PDF/2018/S009.pdf](http://agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2018/S009.pdf)> accessed 20 February 2023.

	<p>(b) to leave or dislike the religion of Islam, is guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 and imprisonment for a term not exceeding 5 years.</p>				
	<p><b>211. Persuading etc. person having no religion to become believer of etc. religion other than religion of Islam etc.</b></p> <p>Any person who persuades, offers payment, influences or incites a person having no religion</p> <p>(a) to become a believer or a member of a religion other than the religion of Islam or to become inclined to that religion; or</p> <p>(b) to dislike the religion of Islam, is guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 and imprisonment for a term not exceeding 5 years.</p>	<p>Section 211, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$20,000 and imprisonment not exceeding 5 years</p>	<p>Criminal Cognizable and Non-bailable</p>	<p>No</p>

	<p><b>212. Exposing beliefs and practices of religion other than religion of Islam to Muslim child, or child whose parents have no religion, who is under 18 years.</b></p> <p>(1) Any person who persuades, tells, causes, offers payment to, influences, incites, encourages or lets a Muslim child, or a child whose parents have no religion, who is under the age of 18 –</p> <ul style="list-style-type: none"> <li>(a) to accept the teachings of religions other than the religion of Islam;</li> <li>(b) to attend any ceremony, act of worship or religious activities of any religion other than the religion of Islam; or</li> <li>(c) to participate in any activities held for the benefit of any religion</li> </ul> <p>other than the religion of Islam or organised by or carried out by any body, institution or organisation relating to the religion other than the religion of Islam, is guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 and imprisonment for a term not exceeding 5 years.</p> <p>(2) The Court may order for any document or thing, among others, used in the commission of or related to the offence referred to in subsection (1) to be forfeited and destroyed</p>	<p>Section 212, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$20,000 and imprisonment not exceeding 5 years</p>	<p>Criminal Cognizable and Non-bailable</p>	<p>No</p>
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	notwithstanding that no person may have been convicted for the offence.				
	<p><b>213. Publication contrary to Hukum Syara'.</b></p> <p>(1) Any person who</p> <p style="padding-left: 40px;">(a) prints, publishes, imports, broadcasts or distributes for purposes of sale or otherwise or in any other manner; or</p> <p style="padding-left: 40px;">(b) has in his possession, any publication which gives or purports to give instruction on any matter relating to the teachings of Islam containing any matter which is contrary to Hukum Syara' is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p> <p>(2) The Court may order for any documents or thing, among others, used in the commission of or related to the offence referred to in subsection (1) to be forfeited and destroyed notwithstanding that no person may have been convicted for the offence.</p>	Section 213, <a href="#">Syariah Penal Code Order</a> , 2013	Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.	Criminal  Cognizable and bailable	No

	<p><b>214. Delivering or giving publications relating to religion other than religion of Islam to Muslims or persons having no religion.</b></p> <p>(1) Any person who sends or delivers or causes to be sent or delivered to a Muslim or person having no religion, any publication relating to religion other than the religion of Islam, or any advertising material for such publication, that the other person did not request for, is guilty of an offence and shall be liable on conviction to a fine of not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p> <p>(2) For the purpose of subsection (1). any publication sent or delivered to the address of any person shall be deemed to be sent or delivered to that person.</p> <p>(3) It shall not be a defence against a charge under subsection (1) that the person to whom the publication was sent or delivered has requested for it if that request has been persuaded by the accused person or any person acting on his behalf.</p> <p>(4) Subsection (1) does not apply to the delivery of any publication by the Post Office and any similar services.</p>	<p>Section 214, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine of not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p>	<p>Criminal Non-cognizable and bailable</p>	<p>No</p>
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	<p><b>215. Giving in public places publications relating to religion other than religion of Islam to Muslims or persons having no religion.</b></p> <p>Any person who gives any publication relating to religion other than the religion of Islam to a Muslim or person having no religion in public places is guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000, imprisonment for a term not exceeding 3 months or both.</p>	<p>Section 215, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$1,000, imprisonment for a term not exceeding 3 months or both.</p>	<p>Criminal Non-cognizable and bailable</p>	
	<p><b>216. Worship.</b></p> <p>(1) Any Muslim who worships any person, place, nature or any object, thing or animal in any manner which is contrary to Hukum Syara' is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p> <p>Explanation - An act or statement that shows faith to any person, object, thing or animal that such person, object, thing or animal possesses power for example the ability to bring good luck, increases wealth, grants wishes, heals diseases and others, amount to the act of worship.</p> <p>(2) The Court may order for anything, object or structure used in the commission of or related to offence referred to</p>	<p>Section 216, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p>	<p>Criminal Cognizable and bailable</p>	<p>No</p>

	<p>in subsection (1) to be forfeited and destroyed notwithstanding that no person may have been convicted for the offence.</p> <p>(3) The Court may order any person who has been convicted for an offence under subsection (1) to attend counselling given by any appropriate person, institution or organisation as the Court thinks fit.</p>				
	<p><b>217. Offences in relation to use of certain words in respect of religion of Islam.</b></p> <p>(1) Any person who, in any-</p> <ul style="list-style-type: none"> <li>(a) publication;</li> <li>(b) speech or public statement;</li> <li>(c) speech or statement addressed to any assembly; or</li> <li>(d) published or broadcasted speech or statement and at the time of the</li> </ul> <p>speech or statement was made he knows, or reasonably should have known, that it will be published or broadcasted, uses any word listed in Part I of the Fifth Schedule, or any derivatives or its variation, to state or</p>	<p>Section 217, <a href="#">Syariah Penal Code Order, 2013</a></p>	<p>Fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p>	<p>Criminal Cognizable and not bailable</p>	<p>No</p>

	<p>express any fact, belief, idea, concept, act, activity, matter or instances of or relating to a religion other than the religion of Islam is guilty of an offence and shall be liable on conviction to a fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p> <p>(2) Any non-Muslim who, in instances mentioned in subsection (1), uses any expression listed in Part II of the Fifth Schedule, except as a citation or reference is guilty of an offence and shall be liable on conviction to a fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p> <p>(3) The Court may order for any publication or thing, among others, used in the commission of or related to the offence referred to in subsections (1) and (2) to be forfeited and destroyed notwithstanding that no person may have been convicted for the offence.</p>				
	<p><b>218. Misuse of titles for Muslims reserved for specific persons.</b></p> <p>(1) Any person who by words, either spoken or written, or in any other manner, refers to or addresses</p>	<p>Section 218, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p>	<p>Criminal Cognizable and not bailable, however subsection (2) is bailable.</p>	<p>No</p>

	<p>(a) any person, other than the Nabi Muhammad Sallallahu 'Alaihi Wa Sallam, by the title "Sallallahu 'Alaihi Wa Sallam"; or</p> <p>(b) any person, other than a Rasul or Nabi, by the title " 'Alaihis Salam" or "Alaihis Shalatu Wassalam",</p> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p> <p>(2) Any person who by words, either spoken or written, or in any other manner, refers to or addresses -</p> <p>(a) any person, other than a sahabat of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam, as or by the title "Sahabi";</p> <p>(b) any person, other than a wife of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam, as or by the title "Ummul Mu'minin"; or</p> <p>(c) any person, other than a family member of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam, as or by the title "Ahli Bait",</p> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding</p>				
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	<p>\$8,000, imprisonment for a term not exceeding 2 years or both.</p> <p>(3) In this section</p> <p>(a) "any person" includes himself;</p> <p>(b) "Ahli Bait" means the family member of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam who are</p> <p>(i) his wives;</p> <p>(ii) his daughter, Fatimah;</p> <p>(iii) his son-in-law, Ali; and</p> <p>(iv) his grandsons, Hasan and Husain.</p>				
	<p><b>219. Accusing etc. Muslim as kafir.</b></p> <p>Any person who accuses, alleges or imputes orally, in writing, by sign, or by any act, activity or conduct, or by organising, promoting or arranging any activity or otherwise in any manner, that any Muslim</p> <p>(a) is kafir; or</p> <p>(b) is no longer professing the religion of Islam,</p> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both</p>	<p>Section 219, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both</p>	<p>Criminal</p> <p>Cognizable and bailable</p>	<p>No</p>

	<p><b>220. Contempt or brings into contempt etc. religion of Islam.</b></p> <p>Any person who, orally, in writing, by visible representation or in any other manner contempts or brings into contempt, insults, makes fun of, mocks, mimics or ridicules -</p> <ul style="list-style-type: none"> <li>(a) the teaching of the religion of Islam;</li> <li>(b) the practice or ceremony related to the religion of Islam;</li> <li>(c) words that are regarded as holy by Muslims;</li> <li>(d) any law in forced related to the religion of Islam;</li> <li>(e) any sahabat;</li> <li>(f) the tenets of any recognised sect; or</li> <li>(g) any fatwa published in the Gazette,</li> </ul> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p>	<p>Section 220, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$12,000, imprisonment for a term not exceeding 3 years or both.</p>	<p>Criminal Cognizable and not bailable</p>	<p>No</p>
	<p><b>221. Contempt of Nabi by non-Muslim.</b></p> <p>(1) Any non-Muslim who, orally, in writing, by visible representation or in any other manner contempts or brings into contempt Nabi Muhammad Sallallahu 'Alaihi Wa</p>	<p>Section 221, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Death penalty</p>	<p>Criminal Cognizable and not bailable</p>	<p>Yes</p>

	<p>Sallam or any Nabi Allah and it is proved either by ikrar of the accused, or by syahadah of at least two syahid according to Hukum Syara' after the Court is satisfied having regard to the requirements of tazkiyah al syuhud, is guilty of an offence and shall be liable on conviction to death penalty.</p> <p>(2) Any non-Muslim who, orally, in writing, by visible representation or in any other manner contempts or brings into contempt Nabi Muhammad Sallallahu 'Alaihi Wa Sallam or any Nabi Allah and it is proved by evidence other than those provided under subsection (1) is guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 30 years and whipping not exceeding 40 strokes.</p>				
	<p><b>222. Deriding etc. verses of Al-Qur'an or hadith by non-Muslim.</b></p> <p>(1) Any non-Muslim who derides, mocks, mimics, ridicules or contempts, by word or deed, any verse of the Al-Qur'an or hadith of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam and it is proved either by ikrar of the accused, or by syahadah of at least two syahid according to Hukum</p>	<p>Section 222, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Death penalty</p>	<p>Criminal  Cognizable and not bailable</p>	<p>Yes</p>

	<p>Syara' after the Court is satisfied having regard to the requirements of tazkiyah al syuhud, is guilty of an offence and shall be liable on conviction to death penalty.</p> <p>(2) Any non-Muslim who derides, mocks, mimics, ridicules, or insults, by words or deed, any verse of the Al-Qur'an or hadith of Nabi Muhammad Sallallahu 'Alaihi Wa Sallam and it is proved by evidence other than those provided under subsection ( 1) is guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 30 years and whipping not exceeding 40 strokes.</p>				
	<p><b>228. Fatwa.</b></p> <p>(1) Any Muslim, other than the Mufti Kerajaan or a person acting under powers conferred by the Religious Council and Kadis Courts Act (Chapter 77), who issues or purports to issue any fatwa to be followed by the public on any question of Islamic doctrine or Hukum Syara' is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p> <p>(2) If the fatwa is in the form of document, the Court may order any document used in the commission of or related</p>	<p>Section 228, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p>	<p>Criminal</p> <p>Cognizable and bailable</p>	<p>No</p>

	to the offence referred to in subsection (1) to be forfeited and destroyed notwithstanding that no person may have been convicted of the offence.				
	<p><b>229. Religious teaching without written approval.</b></p> <p>(1) Any person who teaches any matter relating to the religion of Islam without written approval from the Majlis is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p> <p>(2) Subsection (1) does not apply to-</p> <p>(a) any Member of the Majlis or committee of the Majlis or Secretary to the Majlis or any officer of the Court or any religious officer, religious teacher, Imam, Bilal, Religious Enforcement Officer or any person legally appointed under any written law or rules for the purpose of religious teaching or any office as may be determined by the Majlis; and</p> <p>(b) any person who teaches or professes to teach any matter relating to the religion of Islam to his family members in his own residence only.</p>	Section 229, <a href="#">Syariah Penal Code Order</a> , 2013	Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.	Criminal  Cognizable and bailable	No

	<p><b>230. Contempt etc. of religious authority.</b></p> <p>(1) Any person who in any manner contempts, neglects, contravenes, opposes or insults any titah of His Majesty the Sultan and Yang Di-Pertuan with respect to religion in his capacity as the Head of the official religion of Brunei Darussalam is guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 5 years.</p> <p>(2) Any person who in any manner contempts -</p> <ul style="list-style-type: none"> <li>(a) the Majlis or Members of the Majlis;</li> <li>(b) any committee of the Majlis or its members;</li> <li>(c) Court; or</li> <li>(d) the administration of the Syariah justice,</li> </ul> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p>	<p>Section 230, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$8,000, imprisonment for a term not exceeding 2 years or both.</p>	<p>Criminal</p> <p>Cognizable and not bailable, however sub-section (2) is bailable.</p>	<p>No</p>
	<p><b>231. Obstructing Religious Enforcement Officer.</b></p> <p>Any person who intentionally obstructs a Religious Enforcement Officer from carrying out his duties is guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p>	<p>Section 231, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p>	<p>Criminal</p> <p>Cognizable and bailable</p>	<p>No</p>

	<p><b>235. Incitement to neglect religious duty.</b></p> <p>Any person who incites or persuades any Muslim, not to or prevents any Muslim from -</p> <p>(a) attending any mosque to perform Friday prayer;</p> <p>(b) attending Islamic religious teaching;</p> <p>(c) paying any zakat or (itrah; or</p> <p>(d) doing or paying whatever he is liable to do or pay under this Order,</p> <p>is guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.</p>	<p>Section 235, <a href="#">Syariah Penal Code Order</a>, 2013</p>	<p>Fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.</p>	<p>Criminal</p> <p>Cognizable and bailable.</p>	<p>No</p>
7.					
	<p><b>13. Privilege of newspaper report of proceedings in court</b></p> <p>1. A fair and accurate report in any newspaper or broadcast of proceedings publicly heard before any court shall, if published contemporaneously with such proceedings, be privileged:</p> <p>Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter.</p>	<p>Section 13 of the <a href="#">Defamation Ordinance</a>, 1887</p>			

	<p>2. Any report in a newspaper, and any broadcast report, of committal proceedings in a case where publication is permitted by virtue only of section 87A(5) and (6) of the Magistrates Ordinance (Cap. 227), published as soon as practicable after it is so permitted, shall be treated for the purposes of subsection (1) as having been published or broadcast contemporaneously with the committal proceedings.</p>				
	<p>Blasphemous Libel is unlawful in Hong Kong, as a common law offence. “<b>Blasphemy and offences against religion</b>”, as well as “<b>Composing, printing or publishing blasphemous, seditious or defamatory libels, except as provided by section 16 of the Defamation Ordinance</b>” are unlawful.</p>	<p>Part I and Part III of the Second Schedule in the <a href="#">Magistrate Ordinance</a>, 1933</p>			<p>No</p>
<p>8.</p>					
	<p><b>295. Injuring or defiling a place of worship with intent to insult the religion of any class</b></p> <p>Whoever destroys, damages or defiles any place of</p>	<p>Section 295 <a href="#">Penal Code of Malaysia</a>, 1936</p>	<p>Imprisonment up to two years and/or fine.</p>	<p>Criminal</p>	<p>No</p>

	worship, or any object held sacred by any class of persons, with the intention of thereby insulting the religion of any class of persons, or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment for a term which may extend to two years or with fine.				
	<p><b>296. Disturbing a religious assembly</b></p> <p>Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.</p>	<p>Section 296</p> <p><a href="#">Penal Code of Malaysia</a>, 1936</p>	Imprisonment up to one year and/or fine	Criminal	No
	<p><b>297. Trespassing on burial places etc.</b></p> <p>Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture or any place</p>	<p>Section 297</p> <p><a href="#">Penal Code of Malaysia</a>, 1936</p>	Imprisonment up to one year and/or fine	Criminal	No

	<p>set apart for the performance of funeral rites, or as a depository for the remains of the dead or offers any indignity to any human corpse or causes disturbance to any person assembled for the performance of funeral ceremonies, shall be punished with imprisonment for a term which may extend to one year or with fine or with both</p>				
	<p><b>298. Uttering words, etc., with deliberate intent to wound the religious feelings of any person</b></p> <p>Whoever, with deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.</p>	<p>Section 298 <a href="#">Penal Code of Malaysia</a>, 1936</p>	<p>Imprisonment up to one year and/or fine</p>	<p>Criminal</p>	<p>No</p>
	<p><b>298A. Causing, etc., disharmony, disunity, or feelings of enmity, hatred or ill will, or prejudicing, etc., the maintenance of harmony or unity, on grounds of religion</b></p>	<p>Section 298A <a href="#">Penal Code of Malaysia</a>, 1936</p>	<p>Imprisonment between 2 and 5 years</p>	<p>Criminal</p>	<p>No</p>

<p>(1) Whoever by words, either spoken or written, or by signs, or by visible representations, or by any act, activity or conduct, or by organizing, promoting or arranging, or assisting in organizing, promoting or arranging, any activity, or otherwise in any other manner—</p> <p>(a) causes, or attempts to cause, or is likely to cause disharmony, disunity, or feelings of enmity, hatred or ill will; or</p> <p>(b) prejudices, or attempts to prejudice, or is likely to prejudice, the maintenance of harmony or unity, on grounds of religion, between persons or groups of persons professing the same or different religions, shall be punished with imprisonment for a term of not less than two years and not more than five years.</p> <p>(2) Sections 173A and 294 of the Criminal Procedure Code shall not apply in respect of an offence under subsection (1).</p> <p>(3) Where any person alleges or imputes in any manner specified in subsection (1)—</p> <p>(a) that any other person, or any class, group or description</p>				
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	<p>of persons, professing any particular religion—</p> <p>(i) has ceased to profess that religion;</p> <p>(ii) should not be accepted, or cannot be accepted, as professing that religion; or</p> <p>(iii) does not believe, follow, profess, or belong to, that religion; or</p> <p>(b) that anything lawfully done by any religious official appointed, or by any religious authority established, constituted or appointed, by or under any written law, in the exercise of any power, or in the discharge of any duty, or in the performance of any function, of a religious character, by virtue of being so appointed, established or constituted, is not acceptable to such person, or should not be accepted by any other person or persons, or does not accord with or fulfil the requirements of that religion, or is otherwise wrong or improper, he shall be presumed to have contravened the provisions of subsection (1) by having acted in a manner likely to cause disharmony, disunity or feelings of enmity, hatred or ill will, or likely to prejudice the maintenance of harmony or unity, between persons or groups of persons professing the religion referred to in the</p>				
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	<p>allegation or imputation.</p> <p>(4) (a) Where, on any ground of a religious character, any person professing any particular religion uses for burial or cremation of any human corpse a place other than one which is lawfully used for such purpose by persons professing that religion, he shall be presumed to have contravened the provisions of subsection (1) by having acted in a manner likely to cause disharmony, disunity or feelings of enmity, hatred or ill will, or likely to prejudice the maintenance of harmony or unity, between persons or groups of persons professing that religion.</p> <p>(b) Where any person, on any ground of a religious character, counsels, advises, instigates, urges, pleads with, or appeals or propagates to, or in any manner or by any means call upon, whether directly or indirectly, any other person or persons professing any particular religion—</p> <p style="padding-left: 40px;">(i) to use for burial or cremation of any human corpse a place other than one which is lawfully used for such purpose by persons professing that religion;</p> <p style="padding-left: 40px;">(ii) not to use for burial or cremation of any human</p>				
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	<p>corpse</p> <p>any place which is lawfully used for such purpose by persons professing that religion; or</p> <p>(iii) not to use for worship any place which is lawfully used for such purpose by persons professing that religion, he shall be presumed to have contravened the provisions of subsection (1) by having acted in a manner likely to cause disharmony, disunity or feelings of enmity, hatred or ill will, or likely to prejudice the maintenance of harmony or unity, between persons or groups of persons professing that religion or different religions.</p> <p>(5) Where any person who is not a religious official appointed, or a religious authority established, constituted or appointed, by or under any written law purports to exercise any power, or to discharge any duty, or to perform any function, of a religious character, being a power, duty or function which can be lawfully exercised, discharged or performed only by a religious official appointed, or a</p>				
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<p>religious authority established, constituted or appointed, by or under any written law, he shall be presumed to have contravened the provisions of subsection (1) by having acted in a manner likely to cause disharmony, disunity or feelings of enmity, hatred or ill will, or likely to prejudice the maintenance of harmony or unity, between persons or groups of persons professing the same or different religions.</p> <p>(6) The foregoing provisions of this section shall not apply to—</p> <p>(a) anything done by any religious authority established, constituted or appointed by or under any written law and conferred by written law with power to give or issue any ruling or decision on any matter pertaining to the religion in respect of which the authority is established, constituted or appointed; or</p> <p>(b) anything done by any person which is in pursuance of, or which accords with, any ruling or decision given or issued by such religious authority, whether or not such ruling or decision is in writing, and if in writing, whether or not it is published in the Gazette.</p>				
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	<p>(7) It shall not be a defence to any charge under this section to assert that what the offender is charged with doing was done in any honest belief in, or in any honest interpretation of, any precept, tenet or teaching of any religion.</p> <p>(8) If in any proceedings under this section any question arises with regard to the interpretation of any aspect of, or any matter in relation to, any religion, the Court shall accept the interpretation given by any religious authority referred to in subsection (6), being a religious authority in respect of that religion.</p>				
	<p><b>7. Insulting, or bringing into contempt, etc. the religion of Islam.</b></p> <p>Any person who orally or in writing or by visible representation or in any other manner-</p> <p>(a) insults or brings into contempt the religion of Islam;</p> <p>(b) derides, apes or ridicules the practices or ceremonies relating to the religion of Islam; or</p> <p>(c) degrades or brings into contempt any law relating to the religion of Islam for the time</p>	<p>Section 7</p> <p><a href="#">Syariah Criminal Offences (Federal Territories) Act, 1997</a></p>	<p>Imprisonment up to 2 years and/or fine</p>	<p>Criminal</p>	<p>No</p>

	<p>being in force in the Federal Territories,</p> <p>shall be guilty of an offence and shall on conviction be liable to a fine not exceeding three thousand ringgit or to imprisonment for a term not exceeding two years or to both.</p>				
	<p><b>8. Deriding, etc. Quranic verses or Hadith.</b></p> <p>Any person who, by his words or acts, derides, insults, ridicules or brings into contempt the verses of <i>Al-Quran</i> or <i>Hadith</i> shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding three years or to both.</p>	<p>Section 8</p> <p><a href="#">Syariah Criminal Offences (Federal Territories) Act, 1997</a></p>	<p>Imprisonment up to 3 years and/or fine of not more than 5000 ringgits</p>	Criminal	No
	<p><b>9. Contempt or defiance of religious authorities</b></p> <p>Any person who acts in contempt of religious authority or defies, disobeys or disputes the orders or directions of the Yang di-Pertuan Agong as the Head of the religion of Islam, the Majlis or the Mufti, expressed or given by way of fatwa, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding three thousand</p>	<p>Section 9</p> <p><a href="#">Syariah Criminal Offences (Federal Territories) Act, 1997</a></p>	<p>Imprisonment up to 3 years and/or fine not exceeding 3000 ringgits</p>	Criminal	No

	ringgit or to imprisonment for a term not exceeding two years or to both.				
	<p><b>12. Opinion contrary to fatwa</b></p> <p>Any person who gives, propagates or disseminates any opinion concerning Islamic teachings, Islamic Law or any issue, contrary to any fatwa for the time being in force in the Federal Territories shall be guilty of an offence and shall on conviction be liable to a fine not exceeding three thousand ringgit or to imprisonment for a term not exceeding two years or to both.</p>	<p>Section 12</p> <p><a href="#">Syariah Criminal Offences (Federal Territories) Act, 1997</a></p>	<p>Imprisonment up to 2 years and/or fine not exceeding 3000 ringgits</p>	Criminal	No
	<p><b>[Apostasy]</b></p> <p>No explicit provision criminalizing apostasy, and Sharia Law governs only civil matters relating to Muslims. The Constitution also allows for freedom of religion. However, in practice, apostasy is penalized in different states.</p>				
9.					
	<p><b>295. Injuring or defiling place of worship, with Intent to insult the religion of any class:</b></p> <p>Whoever destroys, damages or defiles any of worship, or</p>	<p>Section 295</p> <p><a href="#">Myanmar Penal Code, 1861</a></p>	<p>Imprisonment up to two years and/or fine.</p>	Criminal	No

	any object held sacred by any class or person with the intention of thereby insulting the religion of any of person or with the knowledge that any class of likely to consider such destruction, damage or defilement as insult to their religion, shall be punished with either description for a term which may extend to two years or with fine, or with both				
	<p><b>295-A. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting Its religion or religious beliefs:</b></p> <p>Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of [persons dent in the Union]1 by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>	<p>Section 295-A  <a href="#">Myanmar Penal Code</a>, 1861</p>	<p>Imprisonment up to 2 years and/or fine</p>	<p>Criminal</p>	<p>No</p>
	<p><b>296. Disturbing religious assembly:</b></p> <p>Whoever voluntarily causes disturbance to assembly lawfully engaged in the performance of the religious</p>	<p>Section 296  <a href="#">Myanmar Penal Code</a>, 1861</p>	<p>Imprisonment up to one year and/or fine.</p>	<p>Criminal</p>	<p>No</p>

	worship or religious ceremonies shall be punished with imprisonment of either description for a term which may to one year, or with fine, or with both				
	<p><b>297. Trespassing on places of burial</b></p> <p>Whoever, with the intention of wounding the feelings of any person or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship. or any place of sepulture, or any place set a part for the performance of funeral rites or as depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment of either description for a term Which may extend to one year, or with fine, or with both.</p>	<p>Section 297  <a href="#">Myanmar Penal Code</a>, 1861</p>	Imprisonment up to one year and/or fine.	Criminal	No
	<p><b>298. Intentionally insulting an individual's religious feelings</b></p>	<p>Section 298  <a href="#">Myanmar Penal Code</a>, 1861</p>	Imprisonment up to one year and/or fine.	Criminal	No

	Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished~ with imprisonment of either description for a term which may be extend to one year, or with fine or with both.			Bailable and Cognizable	
10.					
	<p><b>155. Prohibition of injuring shrines or places held sacred</b></p> <p>(1) No person shall damage or injure or, in any way, defile, destroy or pollute any place of religious worship, pray or function or place, object held sacred or burial place or place of sepulture or do similar other act with intent to outrage/hate or insult the religion or religious feelings of any caste, tribe/ethnic group, community or class or with the knowledge that such outrage or insult is likely to occur</p> <p>(2) A person who commits, or causes to be committed, the offence referred to in sub-section (1) shall be liable to a sentence of imprisonment for a term not exceeding three</p>	Section 155, <a href="#">Nepal Criminal Code</a> , 2017	Imprisonment up to three years and a fine not exceeding thirty thousand rupees	Criminal	No

	<p>years and a fine not exceeding thirty thousand rupees.</p> <p>(3) Where a foreigner has committed, or caused to be committed, the offence referred to in sub-section (1), he or she shall be deported from Nepal within seven days after the date of completion of the service of imprisonment under sub-section (2).</p>				
	<p><b>156. Prohibition of outraging religious feelings:</b></p> <p>(1) No person shall outrage the religious feelings of any caste, tribe/ethnic group, community or class by words, either spoken or written, by gesture/ figures/ visible representation or signs or otherwise.</p> <p>(2) A person who commits, or causes to be committed, the offence referred to in sub-section (1) shall be liable to a sentence of imprisonment for a term not exceeding two years and a fine not exceeding twenty thousand rupees.</p>	<p>Section 156</p> <p><a href="#">Nepal Criminal Code,</a> 2017</p>	<p>Imprisonment up to 2 years and a fine not exceeding twenty thousand rupees.</p>	Criminal	No
	<p><b>157. Prohibition of causing obstruction to religious rites and rituals:</b></p>	<p>Section 157</p> <p><a href="#">Nepal Criminal Code,</a> 2017</p>	<p>Imprisonment up to one year and/or a fine not exceeding ten thousand rupees.</p>	Criminal	No

	<p>(1) No person shall knowingly cause obstruction to other's religious rites and rituals that are handed down or being followed from the time immemorial.</p> <p>(2) A person who commits, or causes to be committed, the offence referred to in sub-section (1) shall be liable to a sentence of imprisonment for a term not exceeding one year or a fine not exceeding ten thousand rupees or both the sentences.</p>				
	<p><b>158. Prohibition of proselytizing:</b></p> <p>(1) No person shall convert any one from one religion to another or make an attempt to or abet such conversion.</p> <p>(2) No person shall do any act or conduct which undermines the religion, opinion or faith of any caste, race, community or convert any one into another religion, whether by inducement or not, in a manner to so undermine or propagate such religion or opinion with the intention of making such conversion.</p> <p>(3) A person who commits, or causes to be committed, the</p>	<p>Section 158 <a href="#">Nepal Criminal Code, 2017</a></p>	<p>Imprisonment up to 5 years and a fine not exceeding fifty thousand rupees.</p>	<p>Criminal</p>	<p>No</p>

	<p>offence referred to in sub-section (1) or (2) shall be liable to a sentence of imprisonment for a term not exceeding five years and a fine not exceeding fifty thousand rupees.</p> <p>(4) If a foreigner commits, or causes to be committed, the offence referred to in sub-section (1) or (2), he or she shall be deported from Nepal within seven days after the date of completion of the service of imprisonment imposed under this Section.</p>				
11.					
	<p><b>Art. 132. Interruption of religious worship</b> — The penalty of prison correccional in its minimum period shall be imposed upon any public officer or employee who shall prevent or disturb the ceremonies or manifestations of any religion. If the crime shall have been committed with violence or threats, the penalty shall be prison correccional in its medium and maximum periods.</p>	<p>Article 132, <a href="#">Revised Penal Code of the Philippines</a>, 1930</p>	<p>Prision correccional in minimum, medium or maximum terms- between six months and one day to six years</p>	Criminal	No
	<p><b>Art. 133. Offending the religious feelings.</b> The penalty of arresto mayor in its maximum period to prison correccional in its minimum period shall be imposed upon anyone who, in a place devoted to religious</p>	<p>Article 133, <a href="#">Revised Penal Code of the Philippines</a>, 1930</p>	<p>Arresto mayor in maximum period – six months to prison correccional</p>	Criminal	No

	worship or during the celebration of any religious ceremony shall perform acts notoriously offensive to the feelings of the faithful.		in minimum period – six months and one day.		
12.					
	<p><b>290. Injuring or defiling a place of worship with intent to insult the religion of any class.</b></p> <p>Whoever destroys, damages, or defiles any place of worship, or any object held sacred by any class persons, with the intention of thereby insulting the religion of insult the any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage, or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>	Section 290, <a href="#">Penal Code of Sri Lanka</a> , 1883	Imprisonment of either description for a term which may extend to two years, or with fine, or with both.	Criminal Cognizable <sup>6</sup> , bailable <sup>7</sup> , non-compoundable. <sup>8</sup>	No
	<p><b>290A. Acts in relation to places of worship, &amp; c, with intent to insult the religion of any class.</b></p>	Section 290A,	Imprisonment of either description	Criminal	No

<sup>6</sup> ‘Cognizable offence’ means an offence for which and ‘cognizable-case’ means a case in which a peace officer may in accordance with the First Schedule arrest without warrant (as per Code of Criminal Procedure, 1979 of Sri Lanka).

<sup>7</sup> ‘Bailable offence’ means an offence shown as bailable in the First Schedule or which is made bailable by any other law for the time being in force and ‘non-bailable offence’ means any other offence (as per Code of Criminal Procedure, 1979 of Sri Lanka).

<sup>8</sup> Section 266, Code of Criminal Procedure, 1979 of Sri Lanka.

	<p>Whoever does any act, in or upon, or in the vicinity of, any place of worship or any object which is held sacred with intent to or in veneration by any class of persons, with the intention wounding the religious feelings of any class of persons or with the knowledge that any class of persons is likely to consider such act as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p><a href="#">Penal Code of Sri Lanka</a>, 1883</p>	<p>for a term which may extend to one year, or with fine, or with both.</p>	<p>Cognizable, bailable, non-compoundable</p>	
	<p><b>291. Disturbing a religious assembly.</b> Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Section 291, <a href="#">Penal Code of Sri Lanka</a>, 1883</p>	<p>Imprisonment of either description for a term which may extend to one year, or with fine, or with both.</p>	<p>Criminal Cognizable, bailable, non-compoundable</p>	<p>No</p>
	<p><b>291A. Uttering words, &amp;c, with deliberate intent to wound religious feelings.</b> Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in</p>	<p>Section 291A, <a href="#">Penal Code of Sri Lanka</a>, 1883</p>	<p>Imprisonment of either description for a term which may extend to one year, or with fine, or with both</p>	<p>Criminal Non-cognizable, bailable, compoundable</p>	<p>No</p>

	the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.				
	<p><b>291B. Deliberate and malicious acts intended to outrage religious feelings of any class, by insulting its religion or religious beliefs</b></p> <p>Whoever, with the deliberate and malicious intention of outraging the religious feelings of any class of persons, by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.</p>	Section 291B, <a href="#">Penal Code of Sri Lanka</a> , 1883	Imprisonment of either description for a term which may extend to two years, or with fine, or with both.	Criminal Non-cognizable, bailable, non-compoundable	No
	<p><b>292. Trespassing on burial places, &amp; c.</b></p> <p>Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture or any place set apart for the performance of funeral rites, or as a</p>	Section 292, <a href="#">Penal Code of Sri Lanka</a> , 1883	Imprisonment of either description for a term which may extend to one year, or with fine, or with both.	Criminal Cognizable, bailable, non-compoundable	No

	depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.				
13.					
	<b>Article 15 [Apostasy]</b> <del>“Except where a <i>Hadd</i><sup>9</sup> – punishment is prescribed in Islamic Shari’ah, every offence mentioned in this Act shall be punishable with the punishment provided in this Law.</del>	Article 15, <a href="#">Penal Code, 1961</a>	Death Penalty	Criminal	Yes
	<b>Section 617 – Criticizing Islam</b>  A person commits an offense if (1) engages in religious oration and criticism of islam in public or in a public medium with the intention to cause disregard for Islam; or	Section 617,  <a href="#">Penal Code, Maldives, 2014</a>	Class 1 felony is death or imprisonment for not more than 25 years <sup>10</sup>	Criminal	Yes

<sup>9</sup> Also known as Hudud – this includes apostasy and it punishable by death.

<sup>10</sup> Section 92 (a) of the Penal Code, Maldives (Law 06 of 2014).

	<p>(2) produces, sells, distributes, or offers material criticizing Islam with the intention to cause disregard to Islam;</p> <p>(3) The production, possession, sale, distribution, dissemination of pornography in the Maldives or importation thereof.</p> <p>(4) The production, possession, sale, distribution dissemination and importation of idols of worship in the Maldives or importation thereof.</p> <p>(5) Attempting to disrupt the religious unity of the citizens of Maldives, and conversing and acting in a manner likely to cause religious segregation amongst people.</p> <p>Grading. The offense is a Class 1 misdemeanour</p>				
	<p><b>Section 1205 – Hudud Offense:</b></p> <p>Offences for which punishments are prescribed in the Holy Quran. If an offender is found guilty of committing an offence for which punishments are predetermined in the</p>				

	Holy Quran, that person shall be punished according to Islamic Sharia and as prescribed by this Act and the Holy Quran.				
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### Northern and Western Europe

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
2.	<b>Denmark <sup>11</sup> - No targeted law on Blasphemy</b>							
3.	<b>Finland</b>							
	<b>Chapter 17, Section 10 - Breach of the sanctity of religion</b> A person who (1) publicly blasphemes against God or, for the purpose of offending, publicly defames or desecrates what is otherwise held to be sacred	Chapter 17, Section 10 of the <a href="#">Criminal Code of</a>	Imprisonment up to 6 months and / or fine.	Criminal	No		The Act on the Freedom of Religion referred to here was repealed.	

<sup>11</sup> Agence France-Presse, 'Denmark Scraps 334-Year-Old Blasphemy Law' *The Guardian* (2 June 2017) <[www.theguardian.com/world/2017/jun/02/denmark-scraps-334-year-old-blasphemy-law](http://www.theguardian.com/world/2017/jun/02/denmark-scraps-334-year-old-blasphemy-law)> accessed 20 February 2023.

	<p>by a church or religious community, as referred to in the Act on the Freedom of Religion (267/1922), or</p> <p>(2) by making noise, acting threateningly or otherwise, disturbs worship, ecclesiastical proceedings, other similar religious proceedings or a funeral, shall be sentenced for a breach of the sanctity of religion to a fine or to imprisonment for at most six months.</p>	<p><a href="#">Finland, 1889</a></p>							
4.	<b>France - No targeted law on Blasphemy<sup>12</sup></b>								
5.	<b>Germany</b>								

<sup>12</sup> ‘The Senate removes the offence of blasphemy that applies in Alsace-Moselle’ LorActu France (14 September 2016). <http://loractu.fr/france/14345-le-senat-supprime-le-delit-de-blaspheme-qui-s-applique-en-alsace-moselle.html> accessed 29 March 2023.

	<p><b>166. Revilement of religious faiths and religious and ideological communities</b></p> <p>(1) Whoever publicly or by disseminating material (section 11 (3)) reviles the religion or ideology of others in a manner which is suitable for causing a disturbance of the public peace incurs a penalty of imprisonment for a term not exceeding three years or a fine.</p> <p>(2) Whoever publicly or by disseminating material (section 11 (3)) reviles a church or other religious or ideological community in Germany or its institutions or customs in a manner which is suitable for causing a disturbance of the public peace incurs the same penalty.</p>	<p>Section 166 of the <a href="#">German Criminal Code</a>, 1998</p>	<p>Imprisonment up to 3 years or fine.</p>	<p>Criminal</p>	<p>No</p>			<p>Albrt Voss was fined 500 Euros after being convicted by a Munster court for Blasphemy due to his anti-Christian car bumper stickers.<sup>13</sup></p>
	<p><b>167. Disturbance of exercise of religion</b></p> <p>(1) Whoever</p> <p>1. intentionally and seriously disturbs a religious service or an act of religious worship of a church or other religious</p>	<p>Section 167 of the <a href="#">German Criminal Code</a>,</p>	<p>Imprisonment up to 3 years or fine.</p>	<p>Criminal</p>	<p>No</p>			

<sup>13</sup> Justin Huggler, 'Germany Blasphemous Car Bumper Stickers' (*The Daily Telegraph*, 26 February 2016) <[www.telegraph.co.uk/news/worldnews/europe/germany/12174806/Germany-fines-man-for-blasphemous-car-bumper-stickers.html](http://www.telegraph.co.uk/news/worldnews/europe/germany/12174806/Germany-fines-man-for-blasphemous-car-bumper-stickers.html)> accessed 25 April, 2023.

	<p>community in Germany or</p> <p>2. commits defamatory mischief in a place which is dedicated to the religious worship of such a religious community</p> <p>incurs a penalty of imprisonment for a term not exceeding three years or a fine.</p> <p>(2) The ceremonies of an ideological community in Germany are equivalent to a religious service.</p>	1998							
6.	<b>Iceland<sup>14</sup> - No targeted Law on Blasphemy</b>								
7.	<b>Ireland<sup>15</sup> - No targeted Law on Blasphemy</b>								
8.	<b>Lichtenstein</b>								
	<p><b>188. Vilification of religious teachings</b></p> <p>Any person who publicly vilifies or mocks a person or object that is the subject of worship of a church or religious group in Liechtenstein,</p>	<p>Section 8 -</p> <p>Section 188 of the <a href="#">Lichtenste</a></p>	<p>Imprisonme</p> <p>nt up to 6</p> <p>months or a</p> <p>fine of up to</p>	<p>Criminal</p>	<p>No</p>				

<sup>14</sup> Kevin Rawlinson, 'Iceland repeals blasphemy ban after Pirate party campaign' *The Guardian* (3 July 2015) <[www.theguardian.com/world/2015/jul/03/iceland-repeals-blasphemy-law-pirate-party-campaign](http://www.theguardian.com/world/2015/jul/03/iceland-repeals-blasphemy-law-pirate-party-campaign)> accessed 27 February 2023.

<sup>15</sup> Emma Graham-Harrison, 'Ireland votes to oust 'medieval' blasphemy law' *The Guardian* ( 27 October 2018) <[www.theguardian.com/world/2018/oct/27/ireland-votes-to-oust-blasphemy-ban-from-constitution](http://www.theguardian.com/world/2018/oct/27/ireland-votes-to-oust-blasphemy-ban-from-constitution)> accessed 27 February 2023.

	or religious doctrine, or a custom or institution permitted by law of such a church or religious group, and who does so in circumstances in which his conduct is capable of causing reasonable nuisance, shall be punished with imprisonment of up to six months or with a monetary penalty of up to 360 daily rates.	<a href="#">in Criminal Code, 1988</a>	360 daily rates.					
9.	<b>Luxembourg</b>							
	<b>144.</b> Any person who, by facts, words, gestures, threats, writings or drawings, has outraged the objects of a cult, either in places intended or usually used for its exercise, or in public ceremonies of this cult, will be punished by imprisonment of fifteen days to six months and a fine of 251 euros to 5,000 euros.	Article 144 of the <a href="#">Luxembourg Penal Code, 1879</a>	Imprisonment between 15 days and 6 months and a fine between 251- 5000 Euros.	Criminal	No			
	<b>145.</b> The same penalties will be imposed on those who, by fact, word, gesture, threat, writing or drawing, have insulted the minister, in the exercise of his ministry.	Article 145 of the <a href="#">Luxembourg Penal Code,</a>	Imprisonment between 2 months and 2 years and a fine between	Criminal	No			

	If he hit him, he will be punished with imprisonment of two months to two years and a fine of 500 euros to 5,000 euros.	1879	500 - 5000 Euros.					
10.	<b>Monaco</b>							
	207. Any person who, by words or gestures, profaned the objects of a cult, either in places intended or currently used for its exercise, or outside these places, but on the occasion of religious ceremonies, or still outraged the ministers of religion in their functions will be punished by imprisonment from one month to six months and the fine provided for in number 2 of article 26 or one of these two penalties only.	Article 207 of the <a href="#">Monaco Penal Code, 1967</a>	Imprisonment of 1 to 6 months and/or a fine according to Article 26(2) of the Criminal Code (between 2250 to 9000 Euros)	Criminal	No			
11.	<b>Netherlands<sup>16</sup> - No targeted Law on Blasphemy</b>							
12.	<b>Norway<sup>17</sup> - No targeted Law on Blasphemy</b>							

<sup>16</sup> ‘Dutch approve move to scrap blasphemy law’ *BBC News* (29 November 2012) <[www.bbc.com/news/world-europe-20530428](http://www.bbc.com/news/world-europe-20530428)> accessed 25 February 2023.

<sup>17</sup> ‘Norway ends blasphemy law after Hebdo attack’ *The Local* (7 May 2015) <[www.thelocal.no/20150507/norway-scraps-blasphemy-law-after-hebdo-attacks](http://www.thelocal.no/20150507/norway-scraps-blasphemy-law-after-hebdo-attacks)> accessed 3 February 2023.

13.	<b>Portugal</b>							
	<p><b>251. Insult due to religious belief</b></p> <p>(1) Whoever publicly insults another person or mocks such person due to his religious belief or duty, in an adequate way capable of disturbing the public peace, is punished with sentence of imprisonment for not more than one year, or with fine penalty for not more than 120 days.</p> <p>(2) In the same sentence incurs whoever profanes a place or object of religious cult or veneration, in an adequate way capable of disturbing the public peace.</p>	<p>Title IV- Chapter I- Section II- Article 251 of the <a href="#">Criminal Code of Portugal, 2007</a></p>	<p>Imprisonment up to 1 year or fine penalty of up to 120 days.</p>	<p>Criminal</p>	<p>No</p>		<p>In order to constitute an offence, the offender must breach the peace.</p>	
	<p><b>252. Obstruction, disturbance or insult to an act of cult</b></p> <p>Whoever:</p> <p>(a) By means of violence or threat with an appreciable harm obstructs or disturbs the legitimate exercise of the religious cult; or</p> <p>(b) Defames publicly a religious act of cult or</p>	<p>Title IV- Chapter I- Section II- Article 252 of the <a href="#">Criminal Code of</a></p>	<p>Imprisonment up to 1 year or fine penalty of up to 120 days.</p>	<p>Criminal</p>	<p>No</p>			

	mocks on it; is punished with sentence of imprisonment for not more than one year, or with fine penalty for not more than 120 days.	<a href="#">Portugal, 2007</a>						
14.	<b>Spain</b>							
	<p><b>525.</b></p> <p>(1) Whoever, in order to offend the feelings of the members of a religious confession, publicly disparages their dogmas, beliefs, rites or ceremonies in public, verbally or in writing, or insult, also publicly, those who profess or practice these, shall incur the punishment of a fine from eight to twelve months.</p> <p>(2) Those who make public derision, in word or in writing, of those who do not profess religion or belief, will incur the same penalties</p>	<p>Article 525 of the Criminal Code of Spain, 1995</p>	Fine for 8 to 12 months.	Criminal	No		The Offense of Religious Feelings is considered to be a private crime; thus, the aggrieved person has to file a report for the Prosecutor to start investigating the alleged crime.	
15.	<b>Sweden<sup>18</sup> - No targeted Law on Blasphemy</b>							
16.	<b>Switzerland</b>							

<sup>18</sup> The general law of blasphemy was abolished in 1949 and a narrower crime of religious insult was abolished in 1970, also see Venice Commission ‘Blasphemy, insult and hatred: finding answers in a democratic society’ (76th Plenary session, October 2008) <[www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)> accessed 25 February 2023.

	<p><b>261. Attack on the freedom of faith and the freedom to worship</b></p> <p>Any person who publicly and maliciously insults or mocks the religious convictions of others, and in particularly their belief in God, or maliciously desecrates objects of religious veneration, any person who maliciously prevents, disrupts or publicly mocks an act of worship, the conduct of which is guaranteed by the Constitution, or any person who maliciously desecrates a place or object that is intended for a religious ceremony or an act of worship the conduct of which is guaranteed by the Constitution, is liable to a monetary penalty not exceeding 180 daily penalty units.</p>	<p>Article 261 of the <a href="#">Swiss Criminal Code, 1937</a></p>	<p>Monetary penalty not exceeding 180 daily penalty units</p>	<p>Civil</p>	<p>No</p>	<p>Between 1960 and 2010, there were a total of 161 court cases dealing with article 261 of the Swiss Criminal Code.<sup>19</sup></p>	<p>The Swiss Federal Supreme Court has held that the element “maliciously” is not a subjective element and has to be manifested through behaviour that “crosses a certain threshold; a serious insult.”<sup>20</sup></p>
17.	<b>Greenland<sup>21</sup> - No targeted law on Blasphemy</b>						
18.	<b>United Kingdom</b>						

<sup>19</sup> The Law Library of Congress, ‘Blasphemy and Related Laws in Selected Jurisdictions’ (Law Library of Congress, January 2017) <[www.loc.gov/law/help/reports/pdf/2017-014533.pdf](http://www.loc.gov/law/help/reports/pdf/2017-014533.pdf)> accessed 13 February 2023.

<sup>20</sup> Ibid.

<sup>21</sup> Greenland is an autonomous Danish dependent territory with limited self-government and its own parliament, see Agence France-Presse, ‘Denmark Scraps 334-Year-Old Blasphemy Law’ *The Guardian* (2 June 2017) <[www.theguardian.com/world/2017/jun/02/denmark-scraps-334-year-old-blasphemy-law](http://www.theguardian.com/world/2017/jun/02/denmark-scraps-334-year-old-blasphemy-law)> accessed 24 February 2023.

	England and Wales - No targeted law on blasphemy							
	Northern Ireland							
	<p><b>1. Court to make order for the seizure of copies of the libel in possession of the persons against whom verdicts shall have been had, &amp;c.</b></p> <p>(1)In every case [in Northern Ireland] in which any verdict or judgment by default shall be had against any person for composing, printing, or publishing [any blasphemous libel ], or any seditious libel tending to bring into hatred or contempt the person of his Majesty or the government and constitution of the United Kingdom as by law established, or either House of Parliament, or to excite his Majesty’s subjects to attempt the alteration of any matter in Church or State as by law established, otherwise than by lawful means], it shall be lawful for the judge or the court before whom or in which such verdict shall have been given,</p>	<p>Section 1 <a href="#">Criminal Libel Act,</a> 1819</p>	<p>Seizure of the material containing the libel.</p>	<p>Civil</p>	<p>No</p>			

	<p>or the court in which such judgment by default shall be had, to make an order for the seizure and carrying away and detaining in safe custody, in such manner as shall be directed in such order, all copies of the libel which shall be in the possession of the person against whom such verdict or judgment shall have been had, or in the possession of any other person named in the order for his use, evidence upon oath having been previously given to the satisfaction of such court or judge, that a copy or copies of the said libel is or are in the possession of such other person for the use of the person against whom such verdict or judgment shall have been had as aforesaid; and in every such case it shall be lawful for any justice of the peace, or for any constable or other peace officer, acting under any such order, or for any person or persons acting with or in aid of any such justice of the peace, constable, or other peace officer, to search for any copies of such libel in any house, building, or other place whatsoever belonging to the</p>							
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	<p>person against whom any such verdict or judgment shall have been had, or to any other person so named, in whose possession any copies of any such libel, belonging to the person against whom any such verdict or judgment shall have been had, shall be; and in case admission shall be refused or not obtained within a reasonable time after it shall have been first demanded, to enter by force by day into any such house, building, or place whatsoever, and to carry away all copies of the libel there found, and to detain the same in safe custody, until the same shall be restored under the provisions of this Act, or disposed of according to any further order made in relation thereto.</p>							
	<p><b>Section 7 - Evidence to rebut primâ facie case of publication by an agent.</b> Whomsoever[in Northern Ireland], upon the trial of any indictment or information for the publication of a [blasphemous] libel, under the</p>	<p>Section 7 <a href="#">The Libel Act</a>, 1843</p>					<p>This is a potential defence which may be raised in the case of blasphemous libel, it mandates</p>	

	plea of not guilty, evidence shall have been given which shall establish a presumptive case of publication against the defendant by the act of any other person by his authority, it shall be competent to such defendant to prove that such publication was made without his authority, consent, or knowledge, and that the said publication did not arise from want of due care or caution on his part.						the requirement of knowledge.	
Scotland								
	<b>3. Court of justiciary in Scotland to make order for seizing copies of libels, &amp;c.</b>  Provided always, that in Scotland, in every case in which any person or persons shall be found guilty before the court of justiciary, of composing, printing, or publishing any blasphemous or seditious libel, or where sentence of fugitation shall have been	Section 3,  <a href="#">Criminal Libel Act, 1819</a>	Seizure of the material containing the libel.	Civil	No		The Act of 1825, amended in 1837, made blasphemy punishable by fine or imprisonment or both. <sup>22</sup>	

<sup>22</sup> ‘United Kingdom’ (*End Blasphemy Laws*) <<https://end-blasphemy-laws.org/countries/europe/united-kingdom>> accessed 23 February 2023.

<p>pronounced against any person or persons, in consequence of their failing to appear to answer to any indictment charging them with having composed, printed, or published any such libel, then and in either of such cases it shall and may be lawful for the said court to make an order for the seizure, carrying away, and detaining in safe custody all copies of the libel in the possession of any such person or persons, or in the possession of any other person or persons named in such order for his or their use, evidence upon oath having been previously given to the satisfaction of such court or judge, that a copy or copies of the said libel is or are in the possession of such other person for the use of the person against whom such verdict or judgment shall have been had as aforesaid; and every such order so made shall and may be carried into effect, in such and the same manner as any order made by the court of justiciary, or any circuit court of justiciary, may be carried into effect according to the law and practice of Scotland: Provided</p>							
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	always, that in the event of any person or persons being reponed against any such sentence of fugitation, and being thereafter acquitted, all copies so seized shall be forthwith returned to the person or persons from whom the same shall have been so taken as aforesaid; and in all other cases the copies so seized shall be disposed of in such manner as the said court may direct.							
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### North America

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
1.	<b>Canada<sup>23</sup> - No targeted Law on Blasphemy</b>							

<sup>23</sup> Canada repealed its blasphemy law in 2018, see also Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act, RS, c C-46 (31 December 2018), s 30 <[www.parl.ca/DocumentViewer/en/42-1/bill/C-51/third-reading](http://www.parl.ca/DocumentViewer/en/42-1/bill/C-51/third-reading)> accessed 3 April 2023.

2.	<b>United States of America - No federal law on Blasphemy</b>
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### Central and Latin America

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
1.	<b>Belize</b>							
	<b>8. Privilege of newspaper reports of proceedings in court</b> A fair and accurate report in any newspaper or broadcast of proceedings publicly heard before any court exercising judicial authority shall, if published contemporaneously with such proceedings, be privileged, but nothing in this section shall authorise the publication of any blasphemous or indecent matter.	Section 8, <a href="#">Libel and Defamation Act, 2000</a>	-	Civil	No			
	<b>9. Newspaper reports of proceedings of public meetings and of certain bodies and</b>	Section 9, <a href="#">Libel and</a>			No			

<p><b>persons privileged.</b></p> <p>(1) A fair and accurate report published in any newspaper or broadcast of the proceedings of a public meeting, or (except where neither the public nor any newspaper reporter is admitted) of any meeting of a city council, town council, school board or of any board or committee formed, constituted or appointed under the provisions of any Act, or of any meeting of any commissioners authorised to act by any Act or otherwise appointed by a Minister or other lawful warrant or authority, select or standing committee of the National Assembly, and the publication at the request of the head of any Government Department, commissioner or the Commissioner of Police, of any notice or report issued by them for the information of the public shall be privileged, unless it is proved that such report or publication was published or made maliciously:</p> <p>Provided that-</p> <p>(a) nothing in this section shall authorise the publication of any blasphemous or indecent</p>	<p><u>Defamation Act, 2000</u></p>						
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<p>matter;</p> <p>(b) the protection intended to be afforded by this section shall not be available as a defence in any proceedings if it is proved that the defendant has been requested to insert in the newspaper in which the report or other publication complained of appeared a reasonable letter or statement by way of contradiction or explanation, of such report or other publication and has refused or neglected to insert it;</p> <p>(c) nothing contained in this section shall be deemed or construed to limit or abridge any privilege now by law existing, or to protect the publication of any matter not of public concern and the publication of which is not for the public benefit.</p> <p>(2) For the purposes of this section, “public meeting” means any meeting bona fide and lawfully held for a lawful purpose, and for the furtherance or discussion of any matter of public concern, whether the admission thereto is general or restricted.</p>							
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3.	<b>El Salvador</b>							
	<p><b>191. Exclusion of crimes</b></p> <p>Unfavorable judgments of political, literary, artistic, historical, scientific, <u>religious</u> or professional criticism, or unfavorable concepts expressed by any means by individuals in the exercise of the right to Freedom of Expression are not punishable, provided that in the manner of proceedings it does not demonstrate a slanderous, injurious purpose or attack on the intimacy or the image of a person.</p> <p>Similarly, unfavorable judgments of political, literary, artistic, historical, scientific, <u>religious</u> or professional criticism or unfavorable concepts expressed or disseminated by those who exercise journalism through news, reports, journalistic research, articles, opinions, are not punishable. editorials, cartoons and journalistic notes in general, published in written, radio, television and computer media, in compliance</p>	<p>Article 191 <a href="#">Penal Code of El Salvador, 1973</a></p>	-	-	No		<p>The right of freedom of expression is preserved over what it is considered to be profane talk</p>	

	<p>of the duty to inform, by virtue of the right of information or in the exercise of his position or function.</p> <p>In any of the situations regulated in the two previous subsections, the written, radio, television and computer media in which the aforementioned judgments or concepts are published, nor the owners, directors, publishers, managers will not incur any criminal liability from the social media or program managers where appropriate.”</p>								
4.	<b>Guatemala</b>								
	Who interrupts the celebration of a religious ceremony or executes acts in contempt or with offense of the cult or of the objects destined to it.	Art. 224 <a href="#">Penal Code of Guatemala, 1973</a>	Imprisonment of 1 month to 1 year	Criminal	No				

5.	<b>Honduras<sup>24</sup> - No targeted law on Blasphemy</b>							
6.	<b>Nicaragua</b>							
	They are guilty of lack of security and public order: - Those who <u>blaspheme</u> publicly will be punished with an eight-day arrest and public repression.	Art. 558 of the Penal Code of Nicaragua	Eight-day arrest and public repression.	Criminal	No			
10.	<b>Brazil</b>							
	<b>208.</b> Publicly mock someone for reasons of belief or religious function, prevent or disrupt the ceremony or practice of religious worship publicly vilify act or object of worship: Penalty - imprisonment of one month to one year or a fine. Sole Paragraph - If there is use of violence, the penalty is increased by a third, without	Article 208, <a href="#">Penal Code of Brazil</a> , 1940	Imprisonment of one month to one year or a fine.	Criminal	No		Acts for which Brazilians have been charged under these laws include vandalizing a religious building, publishing	<b>União Nacional de Entidades Islâmicas do Brasil v. Google Brasil Internet Ltda.</b> The Fourth Civil Chamber

<sup>24</sup> For example, in Ecuador, Honduras and Mexico, Jehovah's Witnesses were reportedly hindered at times from proselytizing and distributing religious material (Pew Research Center, 'Americas the only region with a rise in both government restrictions and social hostilities involving religion in 2016' in Pew Research Centre, 'Global Uptick in Government Restrictions on Religion in 2016' (2018) <[www.pewforum.org/2018/06/21/global-uptick-in-government-restrictions-on-religion-in-2016](http://www.pewforum.org/2018/06/21/global-uptick-in-government-restrictions-on-religion-in-2016)>

	prejudice to the corresponding violence.						online videos intended to incite violence against followers of Afro-Brazilian faiths, and ridiculing the religious garb of a Muslim woman. <sup>25</sup>	of Private Law of the Court of Justice of the state of São Paulo, in its decision held that the content of a video critical on the religion of Islam was protected by the right to the free expression of artistic thought and the free circulation of ideas. The judgment held that religious criticism is an
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<sup>25</sup> ‘National Laws on Blasphemy: Brazil’ (*Berkeley Center for Religion, Peace and World Affairs*). <<https://berkeleycenter.georgetown.edu/essays/national-laws-on-blasphemy-brazil>> last accessed 27 February 2023.

								<p>expression of thought, as citizens are entitled to set forth, debate, and practice their beliefs. The Chamber upheld the judgment of the trial court and dismissed the claim for damages and the removal from You Tube of all of the videos from the film entitled “The innocence of muslims”.<sup>26</sup></p>
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<sup>26</sup> Edison Lanza, ‘National Case Law on Freedom of Expression’ (Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission of Human Rights, 2017) <[www.oas.org/en/iachr/expression/docs/publications/JURISPRUDENCIA\\_ENG.pdf](http://www.oas.org/en/iachr/expression/docs/publications/JURISPRUDENCIA_ENG.pdf)> accessed 25 April 2023.

13.	<b>Argentina</b>							
	It is forbidden to promote, defend or show pornography, obscenity, vulgarity, blasphemy, hate, fanaticism, racism and / or violence in the Public Consultation Platform where information is provided on bills and proposals of the Public Administration bodies.	Annex 1 - <a href="#">Resolution 92/2016</a>	Suspension from the platform.	Civil	No		Apart from the prohibition established in the use of the Public Consultation Platform, blasphemy is not regulated in Argentina. Even when there is news of religious authorities claiming an act of blasphemy, this does not transcend to	

							legal matters. <sup>27</sup>	
16.	<b>Chile</b>							
	<p><b>139.</b> Anyone who using violence or threat prevented one or more individuals from exercising a cult allowed in the Republic</p> <p>1) Those who with tumult or disorder have prevented, delayed or interrupted the exercise of a cult that was practiced in a place destined for it or that usually serves to celebrate it, or in the public ceremonies of that same cult.</p> <p>2) Those who with actions, words or threats outrage the objects of a cult, either in the places destined for it or that usually serve for his exercise, or in the public ceremonies of that same cult.</p> <p>3) Those who with actions, words or threats outrage the minister of a cult in the exercise of</p>	<p>Article 139 of the <a href="#">Penal Code of Chile, 1874</a></p>	<p>Minor seclusion in its minimum grade and the fine of six to ten tax units.</p>	<p>Criminal</p>	<p>No</p>		<p>Freedom of expression is restricted in a justified manner. The sanction is established over violent conducts and no other verbal manifestations against religion.</p>	

<sup>27</sup> Esteban Pittaro, ‘Argentina: Una obra de teatro agravia a la Misa, a la Virgen y al Papa’ (*Aleteia*, 23 July 2018) <<https://es.aleteia.org/2018/07/23/argentina-una-obra-de-teatro-agravia-a-la-misa-a-la-virgen-y-al-papa>> accessed 4 February 2023.

	his ministry							
19.	<b>Paraguay</b>							
	<p><b>233. Outrage to the profession of beliefs:</b> The one who disturbs the coexistence of people, publicly, in a meeting or through the publications indicated in article 14, paragraph 3, outrages another for his beliefs, will be punished with imprisonment of up to three years or with a fine.</p>	<p>Article 233 of the <a href="#">Criminal Code of Paraguay, 1997</a></p>	<p>Imprisonment up to 3 years or fine.</p>	<p>Criminal</p>	<p>No</p>			
22.	<b>Guyana</b>							
	<p><b>348. Blasphemous Libel</b> (1) Everyone who publishes any blasphemous libel shall be guilty of a misdemeanor and liable to imprisonment for one year. (2) It shall be a question of fact whether any particular published matter is or is not a blasphemous libel: Provided that no person shall be liable to be convicted on any indictment for a blasphemous libel only for expressing in good faith and in</p>	<p>Part V, Title 24, Article 348 of the <a href="#">Penal Code of Guyana, 1998</a></p>	<p>Imprisonment up to 1 year.</p>	<p>Criminal</p>	<p>No</p>			

	decent language, or attempting to establish any arguments used in good faith and conveyed in decent language, any opinion whatever upon any religious subject.							
23.	<b>Suriname</b>							
	<b>195.</b> He who deliberately disturbs by causing disorder or making noises either a lawful public religious gathering or a lawful ecclesiastical ceremony or funeral or cremation ceremony, is punished with imprisonment of at most one month or a fine of at most one hundred twenty guilders.	Article 195, <a href="#">Suriname Criminal Code</a> , 1911	Imprisonment up to one month or a maximum fine of up to 120 guilders.	Criminal	No			
	<b>196.</b> A prison sentence not exceeding one year and a fine of the third category, or either one of these punishments, shall apply to:  1) The person who publicly in speech or in	Article 196, Suriname Penal Code,	A prison sentence not exceeding one year and a fine of the third	Criminal	No			

	<p>writing or through image or data from automated works utters mocking blasphemy that is offensive to one's religious feelings;</p> <p>2) the person who mocks a religious minister in the lawful performance of his service;</p> <p>3) the person who taunts objects devoted to a worship service, where and when the practice of that service is lawful.</p>	1911 <sup>28</sup>	category, or either one of these punishments					
	<p><b>197.</b></p> <p>1) The person who distributes, openly exhibits or affixes writings or images or data from automated works containing expressions that, as mocking blasphemy, may be offensive to one's religious feelings, or has these in his possession for the distribution, open exhibition or initiation thereof, if he knows or has serious reason to suspect that these writings or images contain such an expression, he shall be</p>	Article 197, Suriname Criminal Code, 1911 <sup>29</sup>	Prison sentence not exceeding six months and a fine of the third category, or either one of these punishments .	Criminal	No			

<sup>28</sup> <[www.unodc.org/tldb/pdf/Suriname/SUR\\_Bill\\_Crim\\_CodeII\\_EN.pdf](http://www.unodc.org/tldb/pdf/Suriname/SUR_Bill_Crim_CodeII_EN.pdf)>

<sup>29</sup> <[www.unodc.org/tldb/pdf/Suriname/SUR\\_Bill\\_Crim\\_CodeII\\_EN.pdf](http://www.unodc.org/tldb/pdf/Suriname/SUR_Bill_Crim_CodeII_EN.pdf)>

	<p>punished with a prison sentence not exceeding six months and a fine of the third category, or either one of these punishments.</p> <p>2) The same punishment shall apply to the person who, with equal knowledge or equal reason to suspect, publicly renders the content of such writings or data from automated works.</p> <p>3) In passing sentence on one of the crimes described in this Article, the deprivation of the rights mentioned in Article 46 paragraph 1 sections 1° and 2° may be pronounced.</p>							
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### East and South-East Asia

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
2.	<b>Indonesia and West Timor</b>							

	<p><b>156(a)</b> By a maximum imprisonment of five years shall be punished any person who deliberately in public gives expression to feelings or commits an act,</p> <p>a. which principally have the character of being at enmity with, abusing or staining a religion, adhered to in Indonesia;</p> <p>b. with the intention to prevent a person to adhere to any religion based on the belief of the almighty God.</p>	<p>Article 156(a), <a href="#">Indonesia Penal Code</a>, 1982</p>	<p>Imprisonment up to five years</p>	<p>Criminal</p>	<p>No</p>	<p>In 2018, this provision survived a court challenge and was held to be valid by Indonesia's Constitutional Courts.<sup>30</sup></p> <p>In 2022, a new Criminal Code was passed by Indonesia's Parliament, which will come into effect on 2nd January 2026. The new Code expands</p>	<p>A comprehensive report on Article 156(a) is available <a href="#">here</a>.</p>	
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<sup>30</sup> Michele Winowatan, 'Indonesia's Blasphemy Law Survives Court Challenge' (*Human Rights Watch*, 26 July 2018) <[www.hrw.org/news/2018/07/26/indonesias-blasphemy-law-survives-court-challenge](http://www.hrw.org/news/2018/07/26/indonesias-blasphemy-law-survives-court-challenge)> accessed 4 January 2023.

						existing provisions on blasphemy (Articles 300-305 in the Criminal Code 2022). <sup>31</sup>		
	<p><b>1.</b> Prohibits people from knowingly communicating in public, or advocating or seeking support for, interpretations of a religion practiced in Indonesia, or undertaking religious-based activities that resemble the religious activities of the religion in question, where such interpretations and activities deviate from the basic teachings of the religion. It also specifies that the six recognized religions in Indonesia are Islam, Buddhism, Protestantism, Catholicism, Hinduism, and</p>	<p>Article 1, <a href="#">Law No. 1/PNPS/1965</a></p>						

<sup>31</sup> <[www.hukumonline.com/pusatdata/detail/17797/rancangan-undang-undang-2022/document?utm\\_medium=pusatdata](http://www.hukumonline.com/pusatdata/detail/17797/rancangan-undang-undang-2022/document?utm_medium=pusatdata)> accessed 7 April 2023. As on this date, an English translation of the Criminal Code was not yet available.

	Confucianism.							
	<p><b>Apostasy</b></p> <p>Earlier, though there was no law which specifically debars apostasy, the above Presidential decision of 1965 and blasphemy laws could be used in order to prosecute apostates.<sup>32</sup> After the passage of the new Criminal Code in 2022, Section 302 was introduced which states that if a believer becomes a non-believer, that is apostasy and that anyone who attempts to persuade a person to be a non-believer is committing a crime.</p>					The new Criminal Code will come into effect on 2nd January 2026.		
	<p>Article 28 (2)</p> <p>Any Person who knowingly and without authority disseminates information aimed at inflicting hatred or dissension on individuals and/or certain groups of community based on ethnic groups, religions, races, and inter-groups</p>	<p>Article 28 (2) of the <a href="#">Law on Electronic Information and</a></p>	<p>Punishment prescribed in Article 45 with imprisonment not</p>	<p>Criminal</p>	<p>No</p>			

<sup>32</sup> Library of Congress, 'Apostasy: Indonesia' < [www.loc.gov/law/help/apostasy/index.php#\\_ftnref22](http://www.loc.gov/law/help/apostasy/index.php#_ftnref22)>

	(SARA).	<a href="#">Transaction (No. 11/2008).</a>	exceeding 6 (six) years and/or a fine not exceeding Rp 1,000,000,000,- (one billion rupiah).					
3.	<b>Japan</b>							
	<p><b>188 Profaning Places of Worship; Interference with Religious Service</b></p> <p>(1) A person who in public profanes a shrine, temple, cemetery or any other place of worship shall be punished by imprisonment with or without work for not more than 6 months or a fine of not more than 100,000 yen.</p> <p>(2) A person who interferes with a sermon, worship or a funeral service shall be punished by imprisonment with or without work for not</p>	<p>Article 188, <a href="#">Japanese Penal Code</a>, 1907</p>	<p>Imprisonment with or without work for 6 months or a year OR a fine.</p>	Criminal	No			

	more than 1 year or a fine of not more than 100,000 yen.							
4.	<b>Thailand</b>							
	<b>44 ter</b>  Any person who imputes the Sangha or other Sangha, which may be injurious to the reputation or create disharmony shall be liable for imprisonment for a term not exceeding one year, or fine not exceeding twenty thousand baht, or both.	Section 44 ter, Sangha Act, 1962 <sup>33</sup>	Imprisonment up to one year or fine	Penal provision (The Sangha Act was enacted for the administration of the Thai Buddhist order).	No			
	<b>206.</b>  Whoever, to do, by any means whatever, to the	Section 206,	Imprisonment from two	Criminal	No		These days the most common	

<sup>33</sup> x The Government Gazette, Volume 109 / Part 16 / Page 5 / 5th March B.E. 2535 [1992] as cited in Joelle Fiss and Jocelyn Getgen Kestenbaum, 'Respecting Rights? Measuring the World's Blasphemy Laws' (United States Commission on International Religious Freedom, July 2017) <[www.uscifr.gov/sites/default/files/Blasphemy%20Laws%20Report.pdf](http://www.uscifr.gov/sites/default/files/Blasphemy%20Laws%20Report.pdf)> accessed 4 February 2023.

	object or place of religious worship of any group of persons in the manner likely to insult such religion, shall be imprisoned as from two years to seven years or fined as from two thousand Baht to fourteen thousand Baht, or both.	<a href="#">Criminal Code of Thailand, 1956</a>	to seven years or a fine or both.				types of action are against foreign merchant sites selling Buddha images or the inappropriate use of the Buddha's head. <sup>34</sup>	
	<b>207</b> Whoever to cause <sup>35</sup> a disturbance at an assembly of religious persons lawfully engaged at the time of meeting in religious worship or performing religious ceremonies shall be punished with imprisonment not exceeding one year or fined not exceeding two thousand Baht, or both.	Section 207, <a href="#">Criminal Code of Thailand, 1956</a>	Imprisonment up to one year or a fine or both.	Criminal	No			

<sup>34</sup> Isriya Paireepairit, 'Free Space of Expression: New Media and Thailand's Politics' (Fesmedia Asia Series, 2012).

<sup>35</sup> A grammatical mistake in the translated version, 'to cause' should be read as 'causes'.

	<b>208</b> Whoever, wrongfully dressing or using the symbol manifesting that oneself to be Buddhist monk or novice, holy man or clergyman of any religion so as to make the other person to believe that oneself to be such person, shall be imprisoned not out of one year or fined not out of two thousand Baht.	Section 208, <a href="#">Criminal Code of Thailand</a> , 1956	Imprisonment up to one year or a fine.	Criminal	No			
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### Central and Eastern Europe

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Case
1.	<b>Austria</b>							
	<b>188. Vilification of Religious Teachings</b>	Section 188, <a href="#">Austrian</a>	Imprisonment of up to 6 months or a	Criminal	No			In the case of

	<p>Anyone who publicly disparages a person or thing that is the object of worship of a domestic church or religious society, or a doctrine, [or other] behavior is likely to attract legitimate offense shall be punished with imprisonment of up to six months or a fine of up to 360 “day units” [units of fine based on the personal income of the offender]</p>	<p><a href="#">Criminal Code, 1974</a></p>	<p>fine of up to 360 “day units”</p>					<p>E.S v Austria<sup>36</sup>, the accused conducted a seminar entitled ‘Basic Information on Islam’ in which she alleged that Mohammad engaged in ‘paedophilia’. She was convicted under Article 188 for disparaging religious doctrines and the verdict was confirmed on</p>
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<sup>36</sup> *E.S. v Austria*, App No. App. No. 38450/12 (ECtHR, 25 October 2018) <<https://globalfreedomofexpression.columbia.edu/wp-content/uploads/2018/10/CASE-OF-E.S.-v.-AUSTRIA.pdf>> accessed 28 April 2023.

								appeal. The ECtHR upheld the verdict.
3.	<b>Bulgaria</b>							
	<p><b>164. Crimes against religious denominations</b></p> <p>A person who propagates or instigates discrimination, violence or hatred on religious basis by speech, through the press or other mass media, through electronic information systems or in another way, shall be punished by imprisonment for up to four years or probation and a fine from BGN five thousand to ten thousand.</p> <p>(2) A person who desecrates, destroys or damages a religious temple, a house of prayer, sanctuary or an adjoined building, their symbols or gravestones, shall be punished by imprisonment up to three years or by probation, and a fine from BGN three thousand to ten</p>	<p>Article 164, <a href="#">Criminal Code</a> of Bulgaria, 1968</p>	<p>Imprisonment for up to four years or probation and a fine from BGN five thousand to ten thousand.</p> <p>Imprisonment up to three years or by probation,</p>	Criminal	No			

	thousand.		and a fine from BGN three thousand to ten thousand.					
4.	<b>Czech Republic</b>							
	<p><b>198. Vilification of a nation, race or belief</b></p> <p>Paragraph 198 – Vilification of a nation, race or belief 1. A person who publicly defames: any nation, its language or any race, or a group of inhabitants for their political conviction, religion or lack of religious faith, shall be punished by imprisonment for a term of up to one year. 2. A person who commits a crime stated in section 1 together with at least two more persons shall be sentenced to imprisonment for a term of up to three years</p>	<p>Paragraph 198  <a href="#">Criminal Code of Czech Republic</a>, 2009</p>	<p>Imprisonment up to one year</p>	<p>Criminal</p>	<p>No</p>			<p>In the case involving plays where Jesus Christ was depicted as “raping a Muslim Woman” the court held that it was not blasphemy as a democratic society</p>

								required religious people to tolerate artistic acts which could contribute to discussions. <sup>37</sup>
	<p><b>s. 2- Prohibited Advertisements</b></p> <p>Advertising must not be contrary to good morals, they may especially not contain any discrimination on grounds of race, gender or nationality or attacking religious or national sensibilities, threaten morality in a generally unacceptable manner, reduce human dignity, contain elements of pornography, violence or elements using the motif of fear. Advertising may not challenge political beliefs.</p>	<p>Section 2</p> <p><a href="#">Regulation of Advertising</a>, 1995</p>		Civil	No			

<sup>37</sup> Alena Hesova, 'The court dismissed Duke's appeal in a case of controversial games. Brno theaters do not have to apologize to him' (*iRozhlas*, 20 November 2019) <[www.irozhlaz.cz/zpravy-domov/duka-brno-kontroverzni-hry-omluva\\_1911201024\\_pj](http://www.irozhlaz.cz/zpravy-domov/duka-brno-kontroverzni-hry-omluva_1911201024_pj)> accessed 25 April, 2023.

	<p><b>355. Defamation of Nation, Race, Ethnic or other Group of People</b></p> <p>(1) Whoever publically defames</p> <p>a) any nation, its language, any race of ethnic group, or</p> <p>b) a group of people for their true or presupposed race, belonging to an ethnic group, nationality, political or religious beliefs or because they are truly or supposedly without religion, shall be sentenced to imprisonment for up to two years</p> <p>(2) An offender shall be sentenced to imprisonment for up to two years, if he/she commits the act referred to in Sub-section (1)</p> <p>a) with at least two persons, or</p> <p>b) by press, film, radio, television, publically accessible computer network or in another similarly effective way.</p>	<p>Section 355, <a href="#">Criminal Code of the Czech Republic</a>, 2009</p>	<p>Imprisonment for up to two years</p>	<p>Criminal</p>	<p>No</p>			
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5.	<b>Estonia</b>							
	<p><b>154. Violation of freedom of religion<sup>38</sup></b></p> <p>(1) Any activity which knowingly interferes, without legal grounds, with acknowledgement or declaration of religious beliefs or the absence thereof, or exercise of religion or religious rites, is punishable by a pecuniary punishment or up to one year's imprisonment.</p> <p>(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment</p>	<p>Article 154, <a href="#">Criminal code of Estonia</a>, 2001</p>	<p>Pecuniary punishment or up to one year's imprisonment.</p>	<p>Criminal</p>	<p>No</p>		<p>Amended in 2019<sup>39</sup></p>	
7.	<b>Latvia</b>							
	<p><b>151. Interference with religious ritual</b></p> <p>For a person who commits intentional</p>	<p>Section 151, <a href="#">Criminal</a></p>	<p>Fine not exceeding 10 times the</p>	<p>Criminal</p>	<p>No</p>		<p>In 2014 art. 150 of the Criminal Code was</p>	

<sup>38</sup> There is no other law against Blasphemy, as per the latest amendment.

<sup>39</sup> Criminal Code of the Republic of Estonia, 2001 (Amended in 2019).

	<p>interference with religious rituals, if such are not in violation of law and are not associated with violation of personal rights, the applicable sentence is community service, or a fine not exceeding 10 times the minimum monthly wage.</p>	<p><a href="#">Code of Latvia</a>, 1998</p>	<p>minimum monthly wage</p>				<p>amended.  Previously article 150(1) punished “violating the religious feelings of a person or inciting hatred toward a person in connection with his or her attitude toward religion” with temporary deprivation of liberty, community service or a fine. The words “violating religious</p>	
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								feelings of a person” have been removed now.	
10.	<b>Poland</b>								
	<b>Article 196</b> Whoever offends religious feelings of other people by publicly insulting an object of religious cult or a place for public holding of religious ceremonies, is subject to a fine, restriction of liberty or loss of liberty for up to 2 years	Article 196, <a href="#">Criminal Code of Poland, 1997</a>	Fine, and restriction of liberty or loss of liberty for up to 2 years	Criminal	No				
11.	<b>Republic of Moldova</b>								
	<b>Article 54. Violations of legislation on religious groups</b> (5) Offending the religious feelings of individuals; the desecration of objects venerated	Article 54(5) of the <a href="#">Contrave</a>	Fine of 20-30 conventional units or by	Civil	No				

	by them or of their locales, monuments or their symbols shall be sanctioned by a fine of 20 to 30 conventional units or by unpaid community work for 40 to 60 hours.	<a href="#">ntion Code of Moldova, 2008</a>	unpaid community work for 40 - 60 hours.					
14.	<b>Slovak Republic</b>							
	<p><b>423. Defamation of the nation, race and belief</b></p> <p>1. Whoever publicly vilifies:</p> <p>a. any nation, its language, any race or an ethnic group, or</p> <p>b. a group of persons because of their belief or that they are without belief,</p> <p>is sentenced to imprisonment of up to one year.</p> <p>2. If the offender commits an act as stated in 1</p> <p>a. together with two other persons at least,</p> <p>b. in connection with a foreign power or a</p>	<p>Article 423,</p> <p><a href="#">Criminal Code of the Slovak Republic, 2005</a></p>	<p>Imprisonment of up to one year</p> <p>Imprisonment of up to three years</p>	Criminal	No			<p>Case of Klein v. Slovakia<sup>40</sup></p> <p>In 1997 journalist Martin Klien published an article in the magazine Domino Efekt in which he criticised Archbishop Ján Sokol for his public</p>

<sup>40</sup> *Klein v Slovakia*, App No. 72208/01 (ECtHR, 31 October 2006).

	<p>foreign actor, c. as a public authority, or</p> <p>d. during a crisis situation,</p> <p>the offender is sentenced to imprisonment of up to three years.</p>							<p>declaration in which he demanded that the film “The People vs. Larry Flynt” and the poster promoting it were withdrawn as they amounted to profanation of God. Klein's article contained many innuendos with sexual connotations and the author also pointed out the archbishop's</p>
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								also directly affected other members of Roman Catholic Church and disparaged their beliefs. Nevertheless, the ECtHR disagreed with this main reasoning of the national courts and came to the conclusion that the right of expression was violated also in this case.
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15.	<b>Slovenia</b>							
	<p><b>47.3 Advertisements</b></p> <p>Advertising may not:</p> <ul style="list-style-type: none"> <li>- prejudice respect for human dignity;</li> <li>- incite discrimination on grounds of race, sex or ethnicity, or political or religious intolerance;</li> <li>- encourage behaviour damaging public health or safety or protection of the environment and cultural heritage;</li> <li>- give offence on the grounds of religious or political beliefs; or</li> <li>- damage consumers' interests.</li> </ul>	<p>Article 47.3</p> <p><a href="#">Mass Media Act of Slovenia, 1989</a></p>	-	Civil	No			

**Southern Europe**

S. No.	Text of Provision	Primary Source	Penalty	Nature and	Death Penalty	Current Legislative	Remarks	Notable Cases
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				Classifica tion of Offence		Status		
1.	<b>Albania</b>							
	<p><b>Article 131-Obstructing the activities of religious organizations</b></p> <p>Ban on the activity of religious organizations, or creating obstacles for the free exercise of their activities, is punishable by a fine or to up to three years of imprisonment.</p>	<p><a href="#">Article 131</a> <a href="#">Criminal</a> <a href="#">Code of</a> <a href="#">Albania</a></p>	<p>Fine or up to three years imprisonment</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 132-Destructing or damaging places of worship</b></p> <p>Voluntarily destructing or damaging places of worship, when it has inflicted the partial or total loss of their values, is punishable by a fine or up to three years of imprisonment.</p>	<p>Article 132 <a href="#">Criminal</a> <a href="#">Code of</a> <a href="#">Albania</a></p>	<p>Fine or up to three years imprisonment</p>	<p>Criminal</p>	<p>No</p>			

	<b>Article 133-Obstructing religious ceremonies</b> Ban or creating obstacles to persons for participating in religious ceremonies, as well as for freely expressing religious beliefs, constitutes criminal misdemeanor and is punishable by a fine or up to one year of imprisonment.	Article 133 <a href="#">Criminal Code of Albania</a>	Fine or up to one year of Imprisonment	Criminal	No			
4.	<b>Greece<sup>41</sup> - No targeted law on Blasphemy</b>							The administrator of a Facebook page parodying an Orthodox Greek Monk was convicted for blasphemy because of comments made by users on the page. <sup>42</sup>

<sup>41</sup> The old Blasphemy laws were removed with the adoption of a new penal code in 2019. The proposal for re-introducing blasphemy laws was also dropped, see also 'Greek Government Drops Plan to Criminalize Blasphemy', *Business Insider* (12 November 2019) <[www.businessinsider.com/greek-government-drops-plan-to-criminalize-blasphemy-2019-11?IR=T](http://www.businessinsider.com/greek-government-drops-plan-to-criminalize-blasphemy-2019-11?IR=T)> accessed 5 February 2023.

<sup>42</sup> Effie Fokas 'God's Advocates' in J. Temperman & A. Koltay (Eds.), *Blasphemy and Freedom of Expression: Comparative, Theoretical and Historical Reflections after the Charlie Hebdo Massacre* (Cambridge University Press, 2017) 389, 400.

5.	<b>Italy</b>							
	<p><b>724. Blasphemy and insulting the dead</b></p> <p>Anyone who blasphemes against the Divinity in public, by means of invective or insults, shall be subject to an administrative fine of 100,000 to 600,000 lira. The same penalty shall apply to anyone who publicly insults the dead.</p>	<p>Article 724, <a href="#">Criminal Code of Italy</a>, 1930</p>	<p>Administrative fine of 100,000 to 600,000 lira.</p>	<p>Administrative offence.<sup>43</sup></p>	<p>No</p>			<p>Sentenza N. 440 Anno 1995</p> <p>In the case regarding Constitutional legitimacy of art. 724 of the penal code the court extended the conduct punishable for offending the deity revered in all religious beliefs to religions beyond the Catholic faith. The Court held</p>

<sup>43</sup> Since 1999, blasphemy has not carried a criminal offence but is now considered an administrative offence, having been decriminalized by 205/1999. *See* Legge 25 giugno 1999, n. 205, Art. 7. [L. 205/99](#)

								that: "The equal protection of the conscience of each person who recognizes himself in faith, whatever the religious confession of belonging, is required". This ruling was important because it broadened the scope of blasphemy under the law. In this way, it undermined the freedom of Italian media to pass comments
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								about religions (like Islam) which they might not have agreed with in principle. It created a fairer approach to the offence amongst all religions and supported multicultural integration in the media, protecting categories that had been excluded from previous laws.
	<p><b>402. Insulting the State religion</b></p> <p>Anyone who insults the State religion in public shall be subject to a prison sentence of up to one year.</p>	<p>Article 402, <a href="#">Criminal</a></p>	<p>Imprisonment up to one year</p>	<p>Criminal</p>	<p>No</p>	<p>Declared invalid by the Constitutio</p>		

		<a href="#">Code of Italy, 1930</a>				nal Court in its judgment No. 508 of 20 November 2000. <sup>44</sup>		
	<p><b>403. Insulting the State religion by insulting individuals</b></p> <p>Anyone who insults the State religion in public by offending those who profess it shall be subject to a prison sentence of up to two years. Anyone who insults the State religion by insulting a minister of the Catholic Church shall be subject to a prison sentence of one to three years.</p>	<p>Article 403, <a href="#">Criminal Code of Italy, 1930</a></p>	Imprisonment for 1-3 years	Criminal	No	Declared invalid by the Constitutional Court in its judgment No. 168 of 18 April 2005,		

<sup>44</sup> Venice Commission, 'Blasphemy, insult and hatred: finding answers in a democratic society' (Council of Europe, 2010) <[www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)>

						<p>“insofar as it provides for a prison sentence of up to two years, or of one to three years, respectively, for insulting the Catholic religion either by insulting those who profess it or by insulting a minister of religion, rather than a lesser sentence in</p>		
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						accordance with Article 406 of the same Code. <sup>45</sup>		
	<p><b>404. Insulting the State religion by offending against property</b></p> <p>Anyone who, in a place of worship, a public place or a place open to the public, insults the State religion by offending against religious property, an object of religion or an object clearly associated with religious practice, shall be subject to a prison sentence of one to three years. Anyone who commits such an offence during a religious service celebrated in a private place by a minister of the Catholic Church shall be subject to the same penalty.</p>	<p>Article 404, <a href="#">Criminal Code of Italy</a>, 1930</p>	-	Criminal	No	<p>The Constitutional Court declared the first paragraph invalid in its judgment No. 329 of 1997, “insofar as it provides for a prison sentence of one to three</p>		

<sup>45</sup> Ibid.

						years, rather than a lesser sentence in accordance with Article 406 of the Criminal Code” <sup>46</sup>		
	<p><b>405. Disrupting Catholic religious ceremonies</b></p> <p>Anyone who impedes or disrupts a Catholic service, ceremony or religious practice performed with the assistance of a minister of the Catholic Church, in a place of worship, a public place or a place open to the public, shall be subject to a prison sentence of up to two years. Where such behaviour is coupled with violent or threatening acts towards individuals, it shall be subject to a prison sentence of one to three years.</p>	<p>Article 405, <a href="#">Criminal Code of Italy</a>, 1930</p>	<p>Imprisonment of one to three years</p>	<p>Criminal</p>	<p>No</p>	<p>Article declared invalid by the Constitutional Court in its judgment No. 327 of 9 July 2002, “insofar as sentences</p>		

<sup>46</sup> Ibid.

						for disrupting Catholic religious services are longer than the sentences stipulated in Article 406 of the Criminal Code for the same acts committed against other religions”. <sup>47</sup>		
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<sup>47</sup> Ibid.

7.								
8.	<b>Cyprus</b>							
	<p><b>138. Insult to religion of any class</b></p> <p>Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult of their religion, is guilty of a misdemeanor.</p>	<p>Article 138, <a href="#">Criminal Code of Cyprus</a>, 1929</p>	<p>Imprisonment for a term not exceeding two years or a fine not exceeding one hundred pounds or both.<sup>48</sup></p>	<p>Criminal</p>	<p>No</p>			
	<p><b>141. Uttering words with the intent to wound religious feelings</b></p> <p>Any person who with the deliberate intention of wounding the religious feelings of any person utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of the person, or places any object in the sight of that person, is guilty of misdemeanor and is liable to imprisonment for one year.</p>	<p>Article 141 <a href="#">Criminal Code of Cyprus</a>, 1929</p>	<p>Imprisonment for one year</p>	<p>Criminal</p>	<p>No</p>			

<sup>48</sup> General punishment for misdemeanours, Section 35, Criminal Code

<[https://sbaadministration.org/home/legislation/01\\_02\\_09\\_01\\_COLONIAL\\_CAPS\\_1959/01\\_02\\_01\\_04\\_Caps-125-175A/19600101\\_CAP154\\_u.pdf](https://sbaadministration.org/home/legislation/01_02_09_01_COLONIAL_CAPS_1959/01_02_01_04_Caps-125-175A/19600101_CAP154_u.pdf)>

	<p><b>142. Publications insulting religion</b></p> <p>(1) Any person who publishes a book or pamphlet or any article or letter in a newspaper or periodical which any class of persons consider as a public insult to their religion, with intent to vilify such religion or to shock or insult believers in such religion, is guilty of misdemeanor.</p> <p>(2) A prosecution for an offence under the provisions of this section shall not be commenced except by, or with the consent of, the Attorney-General of the Republic.</p>	<p>Article 142 <a href="#">Criminal Code of Cyprus</a>, 1929</p>	<p>Imprisonment for a term not exceeding two years or a fine not exceeding one hundred pounds or both<sup>49</sup></p>	<p>Criminal</p>	<p>No</p>		<p>No prosecution can be commenced without the consent of the Attorney - General.</p>	
<p>9.</p>	<p><b>San Marino</b></p>							

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<sup>49</sup> Ibid.

	<p><b>260. Religious Insult</b></p> <p>Whoever desecrates the symbols or the objects of cult or worship of a religion which is not contrary to morals or publicly mocks the acts of a cult is liable to first-degree imprisonment.</p> <p>The same penalty is applicable to attacks on the honour or prestige of a priest in or due to the exercise of his functions. Whoever desecrates the sacred relics of San Marino is liable to second term imprisonment.</p>	<p>Article 260,  <a href="#">Criminal Code of San Marino</a>,  1974</p>	<p>First degree imprisonment or Second-degree imprisonment</p>	<p>Criminal</p>	<p>No</p>		<p>Blasphemy laws remain on the statute-book, but are seemingly not utilised anymore</p>	
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<sup>50</sup> European Commission against Racism and Intolerance, ‘ECRI report on San Marino’ (Council of Europe, 27 February, 2018) 17 <<https://rm.coe.int/fifth-report-on-san-marino/16808b5bd6https://rm.coe.int/fifth-report-on-sanmarino/16808b5bd6>> accessed 20 February 2023.

	<p><b>262. Disruption of religious functions</b></p> <p>Whoever hinders or interferes with religious rituals, ceremonies or processions which are being carried out with the assistance of a priest is liable to first-degree imprisonment. If the offence is committed by violence or threat, the penalty is increased by one degree.</p>	<p>Article 262, <a href="#">Criminal Code of San Marino</a>, 1974</p>	<p>First Degree imprisonment</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>267. Blasphemy or contempt for the deceased</b></p> <p>Anyone who publicly blasphemes shall be punished with reprisal or with a first-degree day fine.</p> <p>The same punishment is applied to anyone who publicly offers outrageous expressions against the deceased and proceeds on the complaint of the relatives of the deceased.</p>	<p>Article 267, <a href="#">Criminal Code of San Marino</a>, 1974</p>	<p>First Degree day fine.</p>	<p>Criminal</p>	<p>No</p>			
10.	<b>Turkey</b>							
	<p><b>216. Provoking people to be rancorous and hostile</b></p>	<p>Article 216, <a href="#">Criminal</a></p>	<p>Imprisonment from six</p>	<p>Criminal</p>	<p>No</p>			

	<p>Any person who openly provokes a group of people belonging to different social class, religion, race, sect, or coming from another origin, to be rancorous or hostile against another group, is punished with imprisonment from one year to three years in case of such act causes risk from the aspect of public safety.</p> <p>(2) Any person who openly humiliates another person just because he belongs to different social class, religion, race, sect, or comes from another origin, is punished with imprisonment from six months to one year.</p> <p>(3) Any person who openly disrespects the religious belief of group is punished with imprisonment from six months to one year if such act causes potential risk for public peace.</p>	<a href="#">Code of Turkey, 2004</a>	months to three years					
11.	<b>Andorra</b>							
	<p><b>122.</b> Anyone who commits a profane, insulting or destructive act in a religious building or during a religious ceremony shall be subject to a maximum prison sentence of four years.</p>	<a href="#">Article 122 Criminal Code of Andorra, 2005</a>	Imprisonment up to four years	Criminal	No			

	<b>301.</b> Anyone who insults religious beliefs in public or impedes or disrupts a religious act or ceremony shall be subject to a maximum prison sentence of six months.	Article 301 <a href="#">Criminal Code of Andorra, 2005</a>	Imprisonment up to 6 months.	Criminal	No			
	<b>339.</b> punishes acts or expressions, committed publicly and with intent to insult, that are gravely offensive toward members of among others religious group.	Article 339 <a href="#">Criminal Code of Andorra, 2005</a>		Criminal	No			
12.	<b>Kosovo</b>							
	<b>Article 412:</b> 1. Whoever unlawfully disrupts or prevents a religious ceremony from taking place shall be punished by a fine or by imprisonment of up to one (1) year. 2. When the offense provided for in paragraph 1. of this Article is committed by the use of force or serious threat, the perpetrator shall be punished by imprisonment of three (3) months to three (3) years	Article 412 <a href="#">Criminal Code of Kosovo, 2019</a>	Imprisonment up to one year and if forced is used up to three years	Criminal	No			

### South-East Asia

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
1.	<b>Cambodia</b>							
	<p><b>516. Insulting Buddhist Monks and Nuns or Laymen</b></p> <p>When insulting specified in Paragraph 1 of Article 502 (Elements of Insult and Penalties to be Imposed) of this Code is committed against Buddhist monks, nuns, laymen during the performance of their functions or during the course of performance of their functions, it is punishable by an imprisonment from 1 (one) day to 6 (six) days and a fine from 1,000 (one thousand) Riels to 100,000 (one hundred thousand) Riels.</p>	<p>Article 516</p> <p><a href="#">Criminal Code of Cambodia</a>, 2009</p>	<p>Imprisonment of 1 to 6 days and fine from 1000 to 100,000 Riels.</p>	Criminal	No			
	<p><b>Article 508: Celebration of Buddhist Ceremony without Authorization</b></p>	<p>Article 508</p>						

	<p>According to Article 43 of the Constitution, Buddhism is the religion of the state. The acts of celebrating, in a religious premise open to the public, a Buddhist ceremony without having been authorized by a religious authority are punishable by an imprisonment from 6 (six) days to 3 (three) months and a fine from 100,000 (one hundred thousand) Riels to 500,000 (five hundred thousand) Riels. The act of wearing clothes in public where he/she is not entitled to wear such clothes for religious affairs is punishable by an imprisonment from 6 (six) days to 3 (three) months and a fine from 100,000 (one hundred thousand) Rield to 500,000 (five hundred thousand) Riels.</p>	<p><a href="#">Criminal Code of Cambodia</a>, 2009</p>						
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**Caribbean**

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of	Death Penalty	Current Legislative Status	Remarks	Notable Cases
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				Offence				
2.	<b>Antigua and Barbuda</b>							
	<p><b>9. Abuse and bad language.</b> Any person who makes use of any abusive, blasphemous, indecent, insulting, profane or threatening language-</p> <p>(a) in any public place; or (b) in any place to the annoyance of the public; or (c) tending to a breach of the peace;</p> <p>shall be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding one month.</p>	<p>Article 9, <a href="#">The Small Charges Act of Antigua and Barbados.</a></p>	<p>Fine of up to 500 Eastern Caribbean dollars and/or imprisonment for up to one month.</p>	Criminal	No		<p>While the offense remains on the statute books, this offense is reportedly not being enforced.<sup>51</sup></p>	
3.	<b>Aruba</b>							
4.	<b>Bahamas</b>							
	<p><b>489. Publication or sale of blasphemous or obscene libel</b></p>	<p>Section 489, <a href="#">Penal Code of</a></p>	<p>Imprisonment of up to</p>	Criminal	No			

<sup>51</sup> International Humanists and Ethical Union, 'The Freedom Of Thought Report: Antigua And Barbuda' (International Humanist And Ethical Union) <<https://freethoughtreport.com/countries/americas-caribbean/antigua-and-barbuda>> archived at <<https://perma.cc/M8Z3-YOOP>> accessed 23 February 2023.

	<p>Whoever publishes, sells, or offers for sale any blasphemous or obscene book, writing or representation, shall be liable to imprisonment for two years: Provided that no one shall be convicted under this section for publishing any opinion on religious subjects expressed in good faith and in decent language, or for attempting to establish by arguments used in good faith and conveyed in decent language any opinion on a religious subject.</p>	<p><a href="#">Bahamas</a>, 1924</p>	<p>two years.</p>					
	<p><b>5. Publishing papers or books containing treasonable, etc., or defamatory matter.</b>  Every person who shall within The Bahamas publish or disperse, or cause to be published or dispersed, or assist in publishing or dispersing any paper or book containing any drawing, painting, print, photograph or representation of any kind of a treasonable, seditious, blasphemous, immoral, indecent or obscene character, shall be liable to a penalty of one thousand dollars, or, if containing any defamatory matter relating to any other person,</p>	<p>Section 5, <a href="#">Printing of Papers and Books Act</a>, 1909</p>	<p>Penalty of between one thousand dollars to two hundred fifty dollars.</p>	<p>Civil</p>	<p>No</p>			

	to a penalty of two hundred and fifty dollars.							
6.	<b>British Virgin Islands</b>							
	<p><b>289.</b>  (1) Any person who uses any abusive, blasphemous, indecent, insulting, profane or threatening language (a) in any public place,  (b) in any place to the annoyance of the public,  or  (c) in any circumstances likely to cause a breach of the peace, commits an offence and is liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding two hundred and fifty dollars.</p>	Section 289, <a href="#">Criminal Code Of The Virgin Islands</a> , 1997	Imprisonment for a term not exceeding three months or fine of 250 dollars.	Criminal	No			
11.	<b>Haiti</b>							
	<p><b>221.</b> Anybody who insults against the objects of religious worship when committed in a place of worship or during a religious service shall be punished with imprisonment from 15 days to six months.</p>	Article 221, <a href="#">Penal Code of Haiti</a> , 1835	Imprisonment from 15 days to 6 months.	Criminal	No			

12.	<b>Jamaica</b>							
	<p><b>15. Report of judicial proceedings</b>  A fair and accurate report in any newspaper of proceedings publicly heard before any court exercising judicial authority shall, if published contemporaneously with such proceedings, be privileged:  Provided that nothing in this section shall authorize the publication of any seditious, blasphemous or indecent matter.</p>	Section 15 of the Libel <a href="#">and Slander act</a> of <a href="#">Jamaica</a> , 1851			No			
14.	<b>Montserrat</b>							
	<p><b>296. Abuse and false statements</b>  (1) Any person who uses any abusive, blasphemous, indecent, insulting, profane or threatening language—  (a) in any public place; or  (b) in any place to the annoyance of the public; or  (c) in any circumstances likely to cause a breach of the peace,</p>	Section 296, The Penal Code and Subsidiary Legislation, 1983 <a href="http://agc.gov.ms/wp-">http://agc.gov.ms/wp-</a>	Fine of 250 dollars or 3 months imprisonment or both.	Criminal	No			

	shall be guilty of an offence and liable on summary conviction to a fine of \$250 or to imprisonment for three months, or to both such fine and imprisonment.	<a href="#">content/uploads/2010/02/penal_code.pdf</a>						
15.	<b>Puerto Rico</b>							
17.	<b>Saint Kitts and Nevis</b>							
	<b>284. Plea of justification of libel</b> (6) A plea of justification shall not be pleaded to any indictment or count of a charge of seditious, blasphemous or obscene libel.	Section 284 of the <a href="#">Criminal Code Saint Kitts and Nevis.</a>		Criminal	No			
20.	<b>Saint Vincent</b>							
	<b>Article 117.</b> Any person who destroys, damages or defiles any place of worship, or any object which is held sacred by any group or class of persons, with the intention thereby of insulting the religion of those persons, or with the knowledge that any group or class of person	Article 117, <a href="#">Criminal Code of Saint Vincent,</a>	Imprisonment of up to 5 years	Criminal	No			

	is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of an offence and liable to imprisonment for five years.	1989						
	<b>Article 119.</b> Any person who with the intention of wounding the religious feeling of any other person, writes any word, or utters any word or makes any gesture or sound in the sight or hearing of any other person, or places any object in the sight of any other person, is guilty of an offence and liable to imprisonment for two years.	Article 119, <a href="#">Criminal Code of Saint Vincent,</a> 1989	Imprisonment of up to 2 years	Criminal	No			
	<b>Article 289.</b> Any person who uses any abusive, blasphemous, indecent, insulting, profane or threatening language— (a) in any public place; (b) in any place to the annoyance of the public; or	Article 289, <a href="#">Criminal Code of Saint Vincent,</a> 1989	Imprisonment of up to 3 months.	Criminal	No			

	(c) in any circumstances likely to cause a breach of the peace, is guilty of an offence and liable to imprisonment for three months							
21.	<b>Trinidad and Tobago</b>							
	5. Any person who is convicted of any of the following offences, that is to say, any attempt to commit a common law offence or an offence made indictable by any statute or Order in Council of the United Kingdom or any Act in force in Trinidad and Tobago at the time of such attempt being made; blasphemy, writing and publishing, or printing and publishing, any blasphemous libel; bribery, conspiracy, escape, or aiding or assisting in, or voluntarily or negligently permitting any escape; breaking out of any prison in which such person shall be lawfully detained on any civil process, or under sentence for any indictable offence, or to which such	Section 5, The <a href="#">Trinidad and Tobago Criminal Offences Act</a> , 1844	Imprisonment up to 2 years and fine.	Criminal	No			

<p>person has been committed on any charge of an indictable offence;</p> <p>any rescue of, or attempt to rescue, any person, when such offence is not punishable as an arrestable offence; keeping a common gaming-house, or common bawdy-house, or a common ill governed and disorderly house; sending any challenge with intent to provoke, or otherwise endeavouring to provoke, any person to commit a breach of the peace; sedition;</p> <p>writing and publishing or printing and publishing, any seditious libel, or publishing any obscene print, writing or picture; every such offender is liable to a fine and to imprisonment for two years.</p>							
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## Oceania

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current legislative status	Remarks	Notable Cases under the Provision
	<p><b>Tasmania</b></p> <p><b>119. Blasphemy</b></p> <p>(1) Any person who, by words spoken or intended to be read, wilfully publishes a blasphemous libel is guilty of a crime.</p> <p>Charge: Blasphemy.</p> <p>(2) The question whether any matter so published is or is not blasphemous is a question of fact.</p> <p>(3) It is not an offence under this section to express in good faith and in decent language, or to attempt to establish by arguments used in good faith and conveyed in decent language, any opinion whatever upon any religious subject.</p> <p>(4) No person shall be prosecuted under this section without the consent in writing of the Attorney-General.</p>	<p>Section 119, <a href="#">Criminal Code Act 1924</a></p>		Criminal	No		<p>Section 119 of the Tasmanian Criminal Code makes blasphemous libel a crime, but leaves its definition to common law.</p>	

	<p><b>New South Wales</b></p> <p><b>574. Prosecutions for blasphemy</b></p> <p>No person shall be liable to prosecution in respect of any publication by him or her orally, or otherwise, of words or matter charged as blasphemous, where the same is by way of argument, or statement, and not for the purpose of scoffing or reviling, nor of violating public decency, nor in any manner tending to a breach of the peace.</p>	<p>Section 574, <a href="#">Crimes Act</a>, 1900</p>		<p>Criminal</p>	<p>No</p>			
	<p><b>529. Criminal defamation</b></p> <p>(2) <b>Blasphemous, seditious or obscene libel not affected</b> Subsection (1) does not affect the law relating to blasphemous, seditious or obscene libel.</p> <p>(3) <b>Offence of criminal defamation</b> A person who, without lawful excuse, publishes matter defamatory of another living person (the <i>victim</i>)—</p> <p>(a) knowing the matter to be false, and</p>		<p>Maximum penalty—3 years imprisonment.</p>	<p>Criminal</p>	<p>No</p>		<p>Criminal defamation provision which abolished the common law misdemeanour of criminal libel although</p>	

	<p>(b) with intent to cause serious harm to the victim or any other person or being reckless as to whether such harm is caused, is guilty of an offence.</p>						<p>s2 confirms 'Blasphemous, seditious or obscene libel not affected. "the law relating to blasphemous, seditious or obscene libel" left unaffected.</p>	
	<p><b>Victoria</b>  <b>469AA. Seizure and destruction of documents containing libel</b>  (1) Upon the conviction of any person for—</p>	<p>Section 469AA, <a href="#">Crimes Act 1958 (Vic)</a></p>		Criminal	No			

<p>(a) publishing a blasphemous libel; or</p> <p>(b) publishing a seditious libel—</p> <p>the Court by which such conviction is recorded may order the seizure and destruction of any documents proved to exist and to contain any such libel or to have been written, printed or published in breach of the said section.</p> <p>(2) Any such order shall be carried into execution not earlier than thirty days from the making thereof or at such time as a court of competent jurisdiction may order.</p>							
<p><b>Victoria</b></p> <p>S. 17(1)(b) amended by No. 8267 s. 6.</p> <p>(b) writes or draws exhibits or displays an indecent or obscene word figure or representation;</p> <p>(c) uses profane indecent or obscene language or</p>	<p>Section 17(1)(b), <a href="#">Summary Offences Act 1966 (Vic)</a> <a href="#">s17(1)(B)</a></p>					<p>Although not connected to Blasphem y or a religion, this</p>	<p><i>Pell v Council of the Trustees of the National Gallery of Victoria</i> [1998] 2 VR 391 A private action seeking an injunction to</p>

	<p>threatening abusive or insulting words; or</p> <p>(d) behaves in a riotous indecent offensive or insulting manner—</p> <p>shall be guilty of an offence.</p> <p>Penalty: 10 penalty units or imprisonment for two months;</p> <p>For a second offence—15 penalty units or imprisonment for three months;</p> <p>For a third or subsequent offence—25 penalty units or imprisonment for six months.</p>					<p>offence can often be raised alongside a Blasphem y charge which occurred in the <i>Pell</i> case. The offence provides that any person in a public place who sings an obscene song; exhibits an indecent or obscene</p>	<p>restrain exhibition of an artwork showing a crucifix in a bottle of urine, referred to as the 'Piss Christ'. It was claimed that public exhibition of the work would constitute the common law misdemeanour of publishing blasphemous libel on the basis that it is offensive. The Court found the artwork was deeply offensive to Christians although balanced this against contemporary</p>
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							figure; uses profane or obscene language or threatenin g abusive or insulting words; or engages in in a riotous indecent offensive or insulting manner is guilty of this offense.	standards in a multicultural, partly secular and tolerant society.
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2.	<b>New Zealand - No targeted law on Blasphemy<sup>52</sup></b>							
3.	<b>Papua New Guinea</b>							
	<p><b>2. Interpretation</b></p> <p>(1) In this Act, unless the contrary intention appears— “objectionable publication” means a publication that— (a) describes, depicts, expresses or otherwise deals with matters of sex, drug misuse or addiction, crime, cruelty, blasphemy, immorality, violence or revolting or abhorrent phenomena in a manner that is likely to be offensive to a reasonable adult person and is undesirable in the interest of the public; or</p>	<p>Section 2(1), <a href="#">Classification of Publication (Censorship) Act, 1989</a></p>	<p>Confiscation and destruction of prohibited goods, but the courts can impose a fine or even a prison term up to 2 years.</p>		No		<p>The act further punished the publishing, possession, keeping at premises, publishing in public places and making of ‘objectionable publicatio</p>	

<sup>52</sup> The law on blasphemous libel was repealed by the Crimes Amendment Bill in March 2019, the last known conviction was made in 1922. Hon Andrew Little ‘Blasphemous libel law repealed’ (*BeeHive*, 5 March 2019) <[www.beehive.govt.nz/release/blasphemous-libel-law-repealed](http://www.beehive.govt.nz/release/blasphemous-libel-law-repealed)> accessed 27 February 2019.

							ns.	
	<p>25A. Possession, etc., of indecent etc., article</p> <p>(1) A person who–</p> <p>(a) has in his possession; or</p> <p>(b) makes; or</p> <p>(c) produces; or</p> <p>(d) performs in the making or production of; or</p> <p>(e) exhibits; or</p> <p>(f) sells, an article or articles that–</p> <p>(g) is or are blasphemous or indecent; or</p> <p>(h) grossly offends or grossly offend against accepted standards of decency, is guilty of an offence.</p> <p>Penalty: A fine not exceeding K2,000.00 or imprisonment for a term not exceeding one year, or both.</p> <p>(2) It is a defence to a charge of an offence against Subsection (1)(d) that the person charged was not aware that he was performing in the making or production of an article or articles.</p> <p>(3) For the purposes of this section– “article” means any description of article containing or embodying matter to be read or looked at or both, any sound record and any film or other record or a picture or pictures; “film” means– (a) a cinematograph film, and includes a positive or negative of a</p>	<p>Section 25A of the <a href="#">Summary Offences Act, 1977</a></p>	<p>A fine not exceeding K2,000.00 or imprisonment for a term not exceeding one year, or both.</p>		No			

	cinematograph film; or (b) a video tape or video disc							
	<b>362E (1).</b> For the purposes of this Division - (b) it is lawful to publish in good faith for the information of the public - (iii) a fair report of the public proceedings of a Court, whether the proceedings are preliminary, interlocutory or final, or of the result of any such proceedings, unless - (B) in any case the matter published is blasphemous or obscene, or publication is prohibited by law	New Division 362E(1)(b)(iii), <a href="#">Criminal Code (Amendment) Act, 2016</a>		Criminal	No			
	<b>32.</b> Blasphemous, etc., letters may be destroyed. (1) The Board may at any time cause any postal article having anything profane, blasphemous, indecent, obscene, offensive or libellous, written or drawn on the outside of it or any obscene enclosure in any postal article to be destroyed. (2) An action shall not be brought against the Board or any officer of the Corporation for anything done under this section but any person aggrieved by anything done by the Board under this section may appeal to a Judge of the National Court by summons or petition in a summary manner. (Amended by No. 7 of 1982, Schedule 1.)	Section 32, <a href="#">Post and Telegraph Act 1986</a>	The offending post may be destroyed.					

	<p><b>Schedule 2 (Prohibitions and Restrictions) Clause 97.</b></p> <p>Goods (other than films) which, whether of their own nature or having regard to any literary or other work or matter that is embodied, recorded or reproduced in, or can be reproduced from, them–</p> <p>(a) are blasphemous ...</p> <p>and advertising matter relating to such goods</p> <p>Subject to compliance with the provisions of the Classification of Publication (Censorship) Act 1989.</p>	<p>Schedule 2 clause 97, <a href="#">Customs (Prohibited Imports) Regulation, 1973</a></p>						
4.	<b>Fiji</b>							
	<p><b>145. Insult to religion of any class</b></p> <p>Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of a misdemeanour.</p>	<p>Section 145, <a href="#">Penal Code of Fiji</a>, 1945</p>	<p>Imprisonment up to 2 years of fine or both.</p>	Criminal	No			<p>State v Niudamu [2017] FJHC 691<sup>53</sup></p> <p>Although it was a sedition case. It was observed by the court that “In an increasingly plural society such</p>

<sup>53</sup> *State v Niudamu* [2017] FJHC 691 <<http://www.pacii.org/cgi-bin/sinodisp/fj/cases/FJHC/2017/691.html>>

								as that of contemporary Fiji it is necessary not only to respect the differing religious beliefs, feelings and practices of all but also to protect them from vilification, ridicule and contempt.”
	<p><b>148. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of a misdemeanour, and is liable to imprisonment for one year.</p>	Section 148, <a href="#">Penal Code of Fiji</a> , 1945	Imprisonment up to 1 year.	Criminal	No			

	<p><b>13.</b> A fair and accurate report in any newspaper or broadcast of proceedings publicly heard before any court or other judicial proceeding shall, if published contemporaneously with such proceedings, be absolutely privileged:</p> <p>Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter.</p>	<p>Section 13,  <a href="#">Defamation Act</a></p>						
	<p><b>14. Strong language</b></p> <p>Media organisations shall avoid gratuitous use of strong swear words or obscene or blasphemous language in copy or broadcasts. Publication or broadcasting of these in direct form can be justified only in rare cases when it is essential to readers or audiences understanding of the story reported or the dramatic development of a programme. In such cases care must be taken in choosing the context and scheduling of the material concerned to avoid unnecessarily causing offence to its likely</p>	<p>Schedule 1  Clause 14,  <a href="#">Media Industry Development Decree 2010</a></p>						

	readers or audience.							
	<p><b>Schedule 1 Item no. 6.</b></p> <p>Goods that, whether of their own nature or having regard to any literary or other work or matter that is embodied, recorded or reproduced in, or can be reproductive from, the goods-</p> <p>(a) are blasphemous, indecent, or obscene; or</p> <p>(b) unduly emphasize matters of sex, horror, violence or crime, or are likely to encourage depravity,</p> <p>and advertising matter relating to such goods.</p> <p>The book the "Satanic Verses" is declared to be a prohibited import in terms of item 6 (a) of the first Schedule to the Customs (Prohibited Imports and Exports) Order, 1986.</p> <p><i>(Inserted by Legal Notice 3 of 1989)</i></p>	<p>Schedule 1 cl Item No. 6, <a href="#">Customs (Prohibited Imports and Exports) Regulations 1986</a> (made by the Minister of Finance under the Customs Act 1986</p>						
5.	<b>Solomon Islands</b>							

	<p><b>131. Insult to religion of any class</b></p> <p>Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be guilty of a misdemeanour.</p>	<p>Section 131  <a href="#">Penal Code of Solomon Islands</a>,  1963</p>	<p>Imprisonment for a term not exceeding two years or with a fine or with both.</p>	<p>Criminal</p>	<p>No</p>		<p>Penalty provided under section 41-. When in this Code no punishment is specially provided for any misdemeanour, it shall be punishable with imprisonment for a term not exceeding two years or with a</p>	
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								fine or with both.	
	<p><b>135. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of a misdemeanour, and shall be liable to imprisonment for one year.</p>	<p>Section 135 <a href="#">Penal Code of Solomon Islands</a>, 1963</p>	<p>Imprisonment up to 1 year.</p>	<p>Criminal</p>	<p>No</p>				
	<p><b>196.</b> A publication of defamatory matter is privileged, on condition that it was published in good faith, if the relation between the parties by and to whom the publication is made is such that the person publishing the matter is under some legal, moral or social duty to publish it to the person to whom the publication is made or has a legitimate personal interest in so publishing it, provided that the publication does not exceed either in extent or matter what is reasonably sufficient for the</p>	<p>Section 196, <a href="#">Penal Code of Solomon Islands</a>, 1963</p>							

	<p>occasion, and in any of the following cases, namely-</p> <p>(a) if the matter published is in fact a fair report of anything, said, done or shown in a civil or criminal inquiry or proceeding before any court:</p> <p>Provided that if the court prohibits the publication of anything said or shown before it, on the ground that it is seditious, immoral or blasphemous, the publication thereof shall not be privileged.</p>								
6.	<b>Samoa</b>								
	<p><b>42. Blasphemous libel.</b></p> <p>(1) Everyone is liable to imprisonment for a term not exceeding one year who publishes any blasphemous libel.</p> <p>(2) Whether any particular published matter is or is not a blasphemous libel is a question of fact.</p> <p>(3) It is not an offence against this section to express in good faith and in decent language, or to attempt to establish by arguments used in good faith and conveyed in decent language, any opinion whatever on any religious subject.</p>	<p>Section 42, <a href="#">Crimes Ordinance 1961</a></p>	<p>Imprisonment for a term not exceeding one year</p>	<p>Criminal</p>	<p>No</p>				

	(4) No one shall be prosecuted for an offence against this section without the leave in writing of the Attorney-General, who before giving leave may make such enquiries as the Attorney-General thinks fit.							
	<p><b>29. Examination as to libellous, seditious, offensive, blasphemous, or gambling matter</b></p> <p>Where the Minister or any Postmaster has reason to suspect that any postal article, other than a letter, contains any printed or written matter which is of a libellous, seditious, offensive, or blasphemous nature, or which advertises any illegal lottery or scheme of chance, he or she may cause the postal article to be examined and, if it is found to contain any such matter or enclosure, he or she shall refer the matter to the Director who may cause the postal article and its contents to be destroyed.</p>	<p>Section 29,  <a href="#">Post Office Act 1972</a></p>						
7.	<b>Tonga</b>							
	<p><b>12.</b> No criminal or civil proceedings shall be maintainable in respect if the publication contemporaneously and without malice in any periodical published at intervals not exceeding one month of-</p>	<p>Section 12,  <a href="#">Defamation Act (Cap 33)</a></p>						

<p>(b) fair comments upon facts truly stated and in reference to matters of public interest:</p> <p>Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter.</p>							
<p><b>12. Censorship</b></p> <p>(1) A licensee shall not supply any content in any newspaper which -</p> <p>(a) is indecent or obscene;</p> <p>(b) displays excessive violence;</p> <p>(c) is blasphemous;</p> <p>(d) is treasonous or seditious;</p> <p>(e) invades the privacy of an individual without that individual's consent;</p> <p>(f) is defamatory;</p> <p>(g) is not honest, fair, independent and does not respect the rights of others; or</p> <p>(h) contravenes the Laws of the Kingdom.</p> <p>(2) Any person who contravenes subsection (1) commits an offence and shall be liable upon conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or both.</p>	<p>Section 12, <a href="#">Newspaper Act 2003</a></p>	<p>fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or both.</p>					<p><a href="#">Taione v Kingdom of Tonga [2005] Tonga LR 67</a></p> <p>Concerns a claim by several publisher plaintiffs, against the Kingdom of Tonga challenging among other things provisions of the Newspaper Act 2003 which they claim limit freedom of press. In his finding</p>

									<p>Webster CJ found for the plaintiffs in relation to certain provisions of the acts which were inconsistent with the law of Liberty but maintained that 'Free speech means speech hedged in by all the laws against defamation, blasphemy, sedition and so forth, i.e. freedom governed by law. It is equally important that freedom of the Press does not mean that a newspaper has</p>
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								<p>licence to publish what it wants, when it wants, about whom it wants, and how it wants in any improper, mischievous or illegal manner: it is not limitless.</p> <p>The Supreme Court struck down a constitutional amendment which purported to authorise new legislation for the regulation of the press, the court held that blasphemy (with sedition, defamation, etc)</p>
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								remained outside of the scope of the concept of “free speech
	<p><b>78. Censorship.</b> A licensee shall not supply any content which: -</p> <ul style="list-style-type: none"> <li>(a) is indecent or obscene;</li> <li>(b) displays excessive violence;</li> <li>(c) is blasphemous;</li> <li>(d) is treasonous or seditious;</li> <li>(e) is defamatory; or</li> <li>(f) will contravene the Laws of the Kingdom.</li> </ul>	<p>Section 78, <a href="#">Communications Act 2000</a></p>						
8.	<b>Vanuatu</b>							
	<p><b>88. Insult to religion of any class</b> No person shall destroy, damage or defile any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion.</p>	<p>Section 88, <a href="#">Penal Code of Vanuatu</a>, 1981</p>	<p>Imprisonment up to 2 years.</p>	<p>Criminal</p>	<p>No</p>			

	<p><b>89. Disturbing religious assemblies</b></p> <p>No person shall voluntarily cause disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremony.</p>	<p>Section 89, <a href="#">Penal Code of Vanuatu</a>, 1981</p>	<p>Imprisonment for 2 years.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>1. Obscene material</b> means publications and any other goods including computer games, computer generated images or film which describes, depicts expresses or otherwise deals with matters of sex., drug misuse, crime, cruelty, blasphemy, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by the Vanuatu community.</p>	<p>Section 1, <a href="#">Customs (Prohibited Import) Regulations Order</a></p>						
9.	<b>Kiribati</b>							
	<p><b>123. Insult to religion of any class</b></p> <p>Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or</p>	<p>Section 123 <a href="#">Penal Code of Kiribati</a>, 1965</p>	<p>Imprisonment up to 2 years and fine.</p>	<p>Criminal</p>	<p>No</p>			

	defilement as an insult to their religion, shall be guilty of a misdemeanour.							
	<p><b>124. Disturbing religious assemblies</b></p> <p>Any person who voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremony, is guilty of a misdemeanour.</p>	<p>Section 124 <a href="#">Penal Code of Kiribati</a>, 1965</p>	<p>Imprisonment up to 2 years and fine.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>125. Trespassing on burial places</b></p> <p>Every person who, with the intention of wounding the feelings of any person or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or in any place of burial, or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the purpose of funeral ceremonies, shall be guilty of a misdemeanour.</p>	<p>Section 125 <a href="#">Penal Code of Kiribati</a>, 1965</p>	<p>Imprisonment up to 2 years and fine</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>127. Writing or uttering words with intent to wound religious feelings</b></p>	<p>Section 127 <a href="#">Penal Code</a></p>	<p>Imprisonment up to 1</p>	<p>Criminal</p>	<p>No</p>			

	<p>Any person who, with the deliberate intention of wounding the religious feelings of any person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of a misdemeanour, and shall be liable to imprisonment for 1 year.</p>	<p><a href="#">of Kiribati</a>, 1965</p>	<p>year</p>					
	<p><b>189. Cases in which publication of defamatory matter is conditionally privileged</b></p> <p>A publication of defamatory matter is privileged, on condition that it was published in good faith, if the relation between the parties by and to whom the publication is made is such that the person publishing the matter is under some legal, moral or social duty to publish it to the person to whom the publication is made or has a legitimate personal interest in so publishing it, provided that the publication does not exceed either in extent or matter what is reasonably sufficient for the occasion, and in any of the following cases, namely</p> <p>(a) if the matter published is in fact a fair report of anything said, done or shown in a civil or criminal inquiry or proceeding before any court:</p>	<p>Section 189, <a href="#">Penal Code of Kiribati</a> 1965</p>		<p>Criminal</p>	<p>No</p>			

	Provided that if the court prohibits the publication of anything said or shown before it, on the ground that it is seditious, immoral or blasphemous, the publication thereof shall not be privileged							
12.	<b>Tuvalu</b>							
	<b>123. Insult to religion of any class</b> Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be guilty of a misdemeanour.	Section 123 <a href="#">Penal Code of Tuvalu,</a> 1965	Imprisonment up to 2 years and fine.	Criminal	No			
	<b>124 - Disturbing religious assemblies</b> Any person who voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremony, is guilty of a misdemeanour.	Section 124 <a href="#">Penal Code of Tuvalu,</a> 1965	Imprisonment up to 2 years and fine.	Criminal	No			

	<p><b>125 Trespassing on burial places</b></p> <p>Every person who, with the intention of wounding the feelings of any person or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or in any place of burial, or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the purpose of funeral ceremonies, shall be guilty of a misdemeanour.</p>	<p>Section 125 <a href="#">Penal Code of Tuvalu</a>, 1965</p>	<p>Imprisonment up to 2 years and fine.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>127. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of a misdemeanour, and shall be liable to imprisonment for 1 year.</p>	<p>Section 127 <a href="#">Penal Code of Tuvalu</a>, 1965</p>	<p>Imprisonment up to 1 year</p>	<p>Criminal</p>	<p>No</p>			

## Central and South Africa

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases under the Provision
1.	<b>Angola - No targeted law on Blasphemy<sup>54</sup></b>							
2.	<b>Botswana</b>							
	<p><b>140. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of an offence and is liable to imprisonment for a term not exceeding one</p>	<p>Section 140 <a href="#">Penal Code of Botswana</a>, 1964</p>	<p>Imprisonment up to one year.</p>	<p>Criminal</p>	<p>No</p>			

<sup>54</sup> US Department of State, 'International Religious Freedom Report for 2015, Angola' (US State Department, 2015) <<https://2009-2017.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=255991#wrapper>> accessed 5 March 2023.

	year.							
4.	<b>Cameroon</b>							
	<p><b>241. Contempt of Race or Religion</b></p> <p>(1) Whoever commits a contempt, within the meaning of section 152 of this Code, of the race or religion of a number of citizens or residents shall be punished with imprisonment for from 6 (six) days to 6 (six) months and with fine of from CFAF 5 000 (five thousand) to CFAF 500 000 (five hundred thousand).</p> <p>(2) Where the offence is committed by means of the press or wireless the fine may extend to CFAF 20 000 000 (twenty million).</p> <p>(3) Where the offence is committed with intent to arouse hatred or contempt between citizens, the penalties provided by the foregoing subsections shall be doubled.</p>	<p>Section 241 <a href="#">Penal Code of Cameroon</a>, 2016</p>	<p>Imprisonment between 6 days and 6 months or fine.</p> <p>Penalties shall be doubled if offence committed with intent to arouse hatred or contempt between citizens.</p>	Criminal	No		<p>Contempt has been defined in Section 152 of the Code in the following manner -</p> <p>“(1) A contempt shall mean any defamation, abuse or threat conveyed by</p>	

								gesture, word or cry uttered in any place open to the public, or by any procedure intended to reach the public. (2) The exception s defined by Section 306 shall be applicabl e to	
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							contempt. (3) Prosecution shall be barred by the lapse of four months from commission of the offence or from the last step in preparation or prosecution.”	
	<b>270. Contempt of Minister of Religion</b>	Section 270 <a href="#">Penal Code</a>	Imprisonment between	Criminal	No			

	Whoever strikes or publicly insults a minister of religion on account of his ministry shall be punished with Imprisonment for from 1 (one) month to 3 (three) years	<a href="#">of Cameroon, 2016</a>	one month and three years						
5.	<b>Cape Verde</b>								
	<b>Article 49. Freedom of Conscience, Religion and Worship</b>  (7) Protection of places of worship, as well as symbols, emblems, and religious ceremonies shall be assured; imitation or mockery shall be prohibited.	Article 49 Constitution of Cape Verde		Constitutiona l	No				
10.	<b>Eritrea</b>								
	<b>Article 12. Matters not to be disseminated</b>  Matters not to be disseminated All those participating in public or private press in general, and heads of press in particular, [illegible] chief editors and journalists, are prohibited from publishing and disseminating the following matters.  (1) any matter which vilifies or belittles humanitarian and religious	Article 12 <a href="#">Press Proclamation of Eritrea, 1996</a>	No sanction is provided for in the statute.		No		All of Eritrea's laws demonstrate the potential overlap between		

	<p>beliefs;</p> <p>(2) any document or secret information on the supreme interest of the nation and people, as well as national security and defense secrets;</p> <p>(3) any matter which incites religious and sub-national differences, promotes the spirit of division and dissension among the people, vilifies the Eritrean people's tradition of struggle and incites violence and terrorism;</p>					<p>blasphem y and religious hate speech legislatio n. None of these laws directly use the terminolo gy blasphem y or hate speech, which makes a clear categoriz ation difficult.</p>	
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	<p><b>195. Defamation of or Interference with Religious and Ethnic Groups</b></p> <p>A person who intentionally and publicly asserts fabricated or distorted facts, knowing them to be such, in order to cast disparagement upon any religion or ethnic group, or who unlawfully disrupts or attempts to obstruct a religious service or assembly, is guilty of defamation of or interference with religious and ethnic groups, a Class 1 petty offence, punishable with a definite term of imprisonment of not less than 6 months and not more than 12 months, or a fine of 20,001 – 50,000 Nakfas, to be set in intervals of 2,500 Nakfas.</p>	Section 195 of the <a href="#">Penal Code of Eritrea</a> , 2015	Imprisonment of at least 6 months or a fine.	Criminal	No			
	<p><b>196. Disturbance of Religious or Ethnic Feelings</b></p> <p>A person who intentionally and publicly disparages a ceremony or rite of any lawful religious group, or profanes a place, image or object used for such religious ceremonies or ceremonies relating to</p>	Section 196 <a href="#">Penal Code of Eritrea</a> , 2015	Imprisonment of at least 6 months and not exceeding	Criminal	No			

<sup>55</sup> United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) 26 <[www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 25 February 2023.

	<p>any ethnic group, is guilty of disturbance of religious or ethnic feelings, a Class 1 petty offence, punishable with a definite term of imprisonment of not less than 6 months and not more than 12 months, or a fine of 20,001 – 50,000 Nakfas, to be set in intervals of 2,500 Nakfas.</p>		<p>12 months or a fine.</p>					
	<p><b>302. Insulting Behavior and Outrage</b></p> <p>(1) A person who, by addressing himself to another person or by referring to another person, offends the honour of that other person by insult or injury by:</p> <p>(a) distastefully touching upon the latter’s physical or mental impairment, or the latter’s ethnic, religious or racial background;</p> <p>(b) use of grossly obscene words or utterances; (c) reference to the victim’s profession or</p> <p>(d) any other words or utterances of similar severity,</p> <p>is guilty of insulting behavior and outrage, a Class 2 petty offence, punishable with a definite term of imprisonment of not less than 1 month and not more than 6 months, or a fine of 5,001 – 20,000 Nakfas, to be set in intervals of 1,000 Nakfas.</p>	<p>Section 302 <a href="#">Penal Code of Eritrea,</a> 2015</p>	<p>Imprisonment of at least a month and not exceeding 6 months or a fine.</p>	<p>Criminal</p>	<p>No</p>			

11.	<b>Ethiopia</b>							
	<p><b>492. Outrage on Religious Peace and Feeling</b></p> <p>Whoever publicly:</p> <p>a) prevents the solemnization of, or disturbs or scoffs at, an authorized religious ceremony or office; or</p> <p>b) profanes a place, image or object used for religious ceremonies,</p> <p>is punishable with fine not exceeding one thousand Birr, or with simple imprisonment not exceeding two years.</p>	<p>Article 492 <a href="#">Criminal Code of Ethiopia</a>, 2004</p>	<p>Fine or simple imprisonment not exceeding two years</p>	<p>Criminal</p>	<p>No</p>		<p>Simple imprisonment is defined in Article 106 of the Criminal Code<sup>56</sup> as “(1). a sentence applicable to crimes of a not very serious nature committed by</p>	

<sup>56</sup> The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414/2004 <[www.wipo.int/edocs/lexdocs/laws/en/et/et011en.pdf](http://www.wipo.int/edocs/lexdocs/laws/en/et/et011en.pdf)> accessed 5 February 2023.

							persons who are not a serious danger to society. Without prejudice to conditional release, simple imprisonment may extend for a period of from ten days to three years.	
	<b>816. Blasphemous or Scandalous Utterances or Attitudes</b>	Article 816 <a href="#">Criminal</a>	Fine or arrest not	Criminal	No			

	Whoever, apart from the cases punishable under the Criminal Code (Articles 492 and 493), in a public place or in a place open to the public or that can be viewed by the public, by gestures or words scoffs at religion or expresses himself in a manner which is blasphemous, scandalous or grossly offensive to the feelings or convictions of others or towards the Divine Being or the religious symbols, rites or religious personages, is punishable with fine or arrest not exceeding one month.	<a href="#">Code of Ethiopia, 2004</a>	exceeding one month						
13.	<b>Gambia</b>								
	<b>117.</b> Anyone who destroys, damages or defiles a place of worship or any object which is held sacred by that class of persons with the intention of thereby insulting the religion of the class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to religion, commits a misdemeanour.	Section 117 <a href="#">Criminal Code of Gambia, 1933</a>	A misdemeanour is punishable by a fine or imprisonment not exceeding two years (Section	Criminal	No				

			34) <sup>57</sup>					
	<p><b>120.</b></p> <p>Anyone who, with deliberate intention to wounding the religious feelings of a person, utters or writes any word, or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, commits a misdemeanour and is liable on conviction to imprisonment for a term of one year.</p>	<p>Section 120  <a href="#">Criminal Code of Gambia, 1933</a></p>	<p>A misdemeanour is punishable by a fine or imprisonment not exceeding two years (Section 34)<sup>58</sup> and imprisonment of one year</p>	Criminal	No			
16.	<b>Kenya</b>							

<sup>57</sup> The Criminal Code of Gambia, Division 1 <[www.ilo.org/dyn/natlex/docs/SERIAL/75289/78254/F1250512308/GMB75289%20pp%201221\\_1251.pdf](http://www.ilo.org/dyn/natlex/docs/SERIAL/75289/78254/F1250512308/GMB75289%20pp%201221_1251.pdf)> accessed 5 February 2023.

<sup>58</sup> The Criminal Code of Gambia, Division 1 <[www.ilo.org/dyn/natlex/docs/SERIAL/75289/78254/F1250512308/GMB75289%20pp%201221\\_1251.pdf](http://www.ilo.org/dyn/natlex/docs/SERIAL/75289/78254/F1250512308/GMB75289%20pp%201221_1251.pdf)> accessed 5 February 2023.

	<p><b>138.</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, is guilty of a misdemeanour and is liable to imprisonment for one year.</p>	<p>Section 138 <a href="#">Penal Code of Kenya, 1930</a></p>	<p>Imprisonment of one year</p>	<p>Criminal</p>	<p>No</p>				
17.	<b>Lesotho</b>								
	<p><b>Community standards</b></p> <p>6. A licensee shall not broadcast content which, measured by contemporary community standards – a) offends against good taste or decency; b) contains the gratuitous use of offensive language, including blasphemy; c) presents sexual matters in a gratuitous, explicit and offensive manner; d) glorifies violence; e) is likely to incite crime or lead to disorder; or f) is likely to incite or perpetuate hatred against or gratuitously vilifies any person or section of the community on account of race, ethnicity, nationality, gender, marital status, sexual preference, age, physical or mental disability, religion, or culture.</p>	<p>Rule 6 of <a href="#">Lesotho Telecommunications Authority (Broadcasting) Rules, 2004</a></p>	<p>Fine or issuance of a correction or apology or both</p>	<p>Civil</p>	<p>No</p>		<p><b>Sanctions</b></p> <p>26. (1) If the Authority is satisfied that the licensee has failed to comply</p>		

								with any requirement of the Act, these Rules or the license conditions, the Authority may impose a fine or direct the licensee to broadcast a correction or an apology or both (2) The	
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							amount of any financial penalty imposed pursuant to sub rule (1), shall be determined by the Authority.	
20.	<b>Malawi</b>							
	<p><b>130. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or</p>	<p>Section 140 <a href="#">Criminal Code of Malawi.</a> 1930</p>	<p>Imprisonment not exceeding two years or fine or both.</p>	<p>Criminal</p>	<p>No</p>		<p>The sentence and fine for a misdemeanour is</p>	

	<p>places any object in the sight of any other person, shall be guilty of a misdemeanour and shall be liable to imprisonment for one year.</p>					<p>given in section 34.          “When in this Code no punishment is specially provided for any misdemeanour, it shall be punishable with a fine or with imprisonment for a term not exceeding two years</p>	
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								or with both.”	
23.	<b>Nigeria</b>								
	<p><b>204.</b> Anyone who does an act which any class of persons consider as a public insult to their religion, with the intention that they should consider the act such an insult, and any person who does an unlawful act with the knowledge that any class of persons will consider it such an insult, is guilty of a misdemeanor and is liable to imprisonment for two years.</p>	<p>Section 204 <a href="#">Criminal Code of Nigeria, 1916</a></p>	<p>Imprisonment for two years</p>	<p>Criminal</p>	<p>No</p>				
	<p><b>Apostasy</b> Sharia law is a distinct legal system in several states of Nigeria, the Nigerian judiciary in <i>Alkamawa v Bello</i><sup>59</sup> stated that Sharia is a distinct universal legal system. Twelve Northern States currently use Sharia Courts to adjudicate matters for Muslims.<sup>60</sup> There have been instances of apostates being punished for example a Nigerian</p>								

<sup>59</sup> (1998) LPELR-SC.293/1991.

<sup>60</sup> US Department of State, *Nigeria: International Religious Freedom Report 2008* (US State Department, 2008) <<https://2001-2009.state.gov/g/drl/rls/irf/2008/108385.htm>> accessed 29 April 2023.

	man was detained and medicated for over a week after it was discovered that he was an atheist. <sup>61</sup>							
25.	<b>Sao Tome and Principe</b>							
26.	<b>South Africa</b>							
	Blasphemy is a common law criminal offense in South Africa. <sup>62</sup>					Several legal writers have suggested that the illegality of blasphemy has become unconstitutional as a	The last conviction we can record was in 1968, against the editor of Varsity for coverage of an event	

<sup>61</sup> BBC news, 'Nigeria atheist Bala 'deemed mentally ill' in Kano State' (*BBC News*, 25 June, 2014) <[www.bbc.com/news/world-africa-28010234](http://www.bbc.com/news/world-africa-28010234)> accessed 15 April, 2023.

<sup>62</sup> United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) <[www.uscifr.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscifr.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 12 February 2023.

						<p>result of which the adoption in 1994 of the Bill of Rights, which includes the right to freedom of expression . It has also been suggested that it is unconstitutional because the criminal</p>	<p>which discussed the topic “Is God Dead?” The editor was convicted , but received only a caution.<sup>64</sup></p>	
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<sup>64</sup> ‘South Africa’ (*End Blasphemy Laws*) <<https://end-blasphemy-laws.org/countries/africa-sub-saharan/south-africa/>> accessed 12 February 2023.

						prohibition only applies to blasphemy against Christianity, and therefore discriminates on the basis of religion. <sup>63</sup>		
28.	<b>Tanzania</b>							
	125. Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of any class persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of a misdemeanor.	Section 125 <a href="#">Penal Code of Tanzania, 1945</a>	Imprisonment for a term not exceeding two years or a fine or	Criminal	No			

<sup>63</sup> Nicholas Smith, 'The crime of blasphemy and the protection of fundamental human rights' (1999) 116(1) South African Law Journal 162–173.

			both. <sup>65</sup>					
	<p><b>127.</b> Every person who with the intention of wounding the Trespassing feelings of any person or of insulting the religion of any person, or with the knowledge that the-feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or. in any place of sepulture or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the purpose of funeral ceremonies, is guilty of a misdemeanor.</p>	<p>Section 127 <a href="#">Penal Code of Tanzania, 1945</a></p>	<p>Imprisonment for a term not exceeding two years or a fine or both.</p>	Criminal	No			
	<p><b>129.</b> Any person who, with the deliberate intention of wounding the religious feelings of any person, utters any word, or makes any sound in the hearing of that person, or makes any gesture in the i0 wound right of that person, or places any object in the sight of that person, is guilty of a misdemeanor, and is liable to imprisonment for one year.</p>	<p>Section 129 <a href="#">Penal Code of Tanzania, 1945</a></p>	<p>Imprisonment for a term not exceeding two years or a fine or both.</p>	Criminal	No			<p>Media Council of Tanzania v. Attorney General The case was brought by three</p>

<sup>65</sup> Penal Code of Tanzania 1945, section 35 <[www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TZA\\_penal\\_code.pdf](http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TZA_penal_code.pdf)> accessed 27 February 2023.

									Non-governmental Organisations (NGOs) in Tanzania before the East African Court of Justice. It discussed issues such as criminal defamation, restriction on publication of certain content including blasphemous content
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								among others. <sup>66</sup> In its unanimous decision, the Court found the contentious sections in violation of the Treaty and obligations to protect the African Charter on Human and Peoples' Rights. The Court declared
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<sup>66</sup> Penal Code of Tanzania 1945,, Sections 7(3)(a), (b), (c), (d), (e), (f), (g), (h), (i) and (j); 19; 20; 21; 35; 36; 37; 38; 39; 40; 50; 52; 53; 54; 58; and 59.

									that the restrictions to freedom of expression were unjustifiable and ordered the government of Tanzania to 'take such measures as are necessary to bring the Media Services Act into compliance with the Treaty for
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									the Establishment of the East African Community . <sup>67</sup>
29.	<b>Uganda</b>								
	<p><b>122. Writing or uttering words with intent to wound religious feelings</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person, commits a misdemeanour and is liable to imprisonment for one year.</p>	<p>Section 122 <a href="#">Penal Code of Uganda</a>, 1950</p>	<p>Imprisonment for a period not exceeding two years (punishment for a misdemeanour)</p>	<p>Criminal</p>	<p>No</p>				

<sup>67</sup> *Media Council of Tanzania v Attorney General*, [2019] EACJ 2, para III

30.	<b>Zambia</b>							
	<p><b>128. Insult to religion of any class</b> Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of a misdemeanour.</p>	<p>Section 128 <a href="#">Penal Code of Zambia, 1931</a></p>	<p>Imprisonment for a term not exceeding two years or a fine or both (punishment for a misdemeanour)</p>	Criminal	No			
	<p><b>131. Uttering words with the intent to wound religious feelings</b> Any person who, with the deliberate intention of wounding the religious feelings of any person, utters any word, or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, is guilty of a misdemeanour and is liable to imprisonment for one year.</p>	<p>Section 131 <a href="#">Penal Code of Zambia, 1931</a></p>	<p>Imprisonment for a term not exceeding two years or a fine or both (punishment for a</p>	Criminal	No			

			misdemeanor)					
31.	<b>Zimbabwe</b>							
	<p><b>42. Causing offence to persons of a particular race, religion, etc.</b></p> <p>(1) In this section— “creed or religion” means any system of beliefs associated with practices of worship that is adhered to by any significant body of persons in Zimbabwe or any other country; “film”, “picture”, “publication”, “record” and “statue” have the meanings assigned to those terms by section 2 of the Censorship and Entertainments Control Act [Chapter 10:04]; “publicly”, in relation to making a statement, means— (a) making the statement in a public place or any place to which the public or any section of the public have access; (b) publishing it in any printed or electronic medium for reception by the public; “statement” includes any act, gesture or form of expression, whether verbal, written or visual, but does not include any film, picture, publication, statue or record that is of a bona fide literary or artistic character.</p> <p>(2) Any person who publicly makes any insulting or otherwise grossly provocative statement that causes offence to persons of a particular race, tribe, place of origin, colour, creed or religion,</p>	<p>Section 42 of the <a href="#">Criminal Code of Zimbabwe</a>, 2004</p>	<p>Imprisonment for a period of one year or fine or both</p>	<p>Criminal</p>	<p>No</p>		<p>A level six fine is worth \$400<sup>68</sup></p>	

<sup>68</sup> The New Standard Scale of Fines <[www.veritaszim.net/node/3459](http://www.veritaszim.net/node/3459)> accessed 12 February 2023.

	intending to cause such offence or realising there is a real risk or possibility of doing so, shall be guilty of causing offence to persons of a particular race, tribe, place of origin, colour, creed or religion, as the case may be, and liable to a fine not exceeding level six or imprisonment for a period not exceeding one year or both.								
32.	<b>Comoros</b>								
	<p><b>Article 229-8.</b></p> <p>Whoever divulges, propagates, or teaches Muslims a religion other than the Muslim religion, shall be punished by imprisonment for three months and a fine of 50,000 to 500,000 francs.</p> <p>The same penalties apply for the sale, offering for sale, even free distribution to Muslims, of books, pamphlets, magazines, records and cassettes disclosing a religion other than Islam.</p>	Article 229, <a href="#">Penal Code, Comoros</a> , 1995	Imprisonment up to 3 months and fine.	Criminal	No				
	<p><b>Article 231:</b></p> <p>Anyone who has insulted the minister of religion, in the exercise of his functions, be liable to a fine of 15 000 to 45000 Swiss francs</p>	Article 231,	Imprisonment and fine	Criminal	No				

	and an imprisonment of six months to two years. He who struck the minister of religion in the exercise of his duties, shall be punished with imprisonment from two to five years.	<a href="#">Penal Code, Comoros, 1995</a>							
	<b>Apostasy</b> Apostasy is punishable with a prison sentence in the Comoros <sup>69</sup>								

### West Africa (French Speaking)

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
3.	<b>Guinea</b>							
	<b>Article 952</b> Non-public defamation committed against a person or group of persons on account of their origin or their membership or non-membership, true or supposed, of a particular ethnic	Article 952 Penal Code of Guinea	Fine prescribed for 4th class contravention	Criminal	No			

<sup>69</sup> Humanists International, *Comoros: Freedom of Thought Report* <[https://fot.humanists.international/countries/africa-eastern-africa/comoros/#Apostasy\\_and\\_enforced\\_identity](https://fot.humanists.international/countries/africa-eastern-africa/comoros/#Apostasy_and_enforced_identity)> accessed 29 April 2023.

	<p>group, nation, race or religion shall be punishable by the fine prescribed for 4th class contraventions. Non-public defamation committed against a person or group of persons on account of their sex or disability shall be punished by the same penalty.<sup>70</sup></p>		s					
	<p><b>Article 29</b>  Anyone who utters an insult, an outrageous expression, any term of contempt or any invective that does not include the imputation of any fact through a computer system shall be punished by imprisonment for six months to one year and a fine of 40,000,000 to 120,000,000 Guinean francs. And when these offences are committed against a person because of his or her membership of a given group, race, colour, ancestry, filiation or ethnicity, in so far as such membership serves as a pretext for such an insult, the perpetrator shall be punished by imprisonment for a term of 3 years to 8 years and a fine of 80,000,000 to 250,000,000 Guinean francs. Any person complicit in the</p>	<p>Article 29  Loi N° L/2016/03 7 AN, Relative à la cyber-sécurité et la protection des données à caractère personnel en</p>	<p>Imprisonment for a term of 3 years to 8 years and a fine of 80,000,000 to 250,000,000 Guinean francs (8345 to 26080 US dollars)</p>	Criminal	No			

<sup>70</sup> Translated Version taken from regional report.

	commission of this offence shall be punished by the same penalties. <sup>16</sup>	République de Guinée.						
4.	<b>Ivory Coast</b>							
	<b>Article 197</b> Anyone who, by word, gesture or writing, publicly insults a minister of religion in the exercise of his or her ministry shall be punished by imprisonment for a term of six days to three months.	Article 197 Penal Code of Ivory Coast <sup>71</sup>	Imprisonment for a term of six days to three months	Criminal	No			
	<b>Article 200-1</b> “Defamation, insult or threat made under the conditions laid down in article 174 against a group of persons who belong by their origin to a particular race, ethnic group or religion is punishable by imprisonment for five to 10 years and a fine of 500,000 to 5,000,000 CFA francs. These penalties are doubled if the offence is committed through the press, radio or television.	Article 200-1 Penal Code of Ivory Coast <sup>72</sup>	Imprisonment for five to 10 years and a fine of 500,000 to 5,000,000 CFA francs. These penalties are	Criminal	No			

<sup>71</sup> Translated Version taken from regional report.

<sup>72</sup> Translated Version taken from regional report.

			doubled if the offence is committed through the press, radio or television.						
6.	<b>Mauritania</b>								
	<b>Article 306<sup>73</sup>: [Apostasy]</b> Anyone who commits an act that violates modesty or Islamic values or who violates any of the sanctities of God, or who helps to do so, and this act is not a crime of hudud [refers to crimes whose punishment is mandated by God], qisas [refers to a crime of revenge], or diyah [refers to a crime requiring compensation paid to the victim], shall be punished through tazir [i.e., at the discretion of the judge] by imprisonment of three months to two years and by a fine of 50,000 (fifty thousand) ouguiyas to 600,000 (six hundred thousand) ouguiyas. Any Muslim, male or female, who	Article 306 <a href="#">Criminal Code of Mauritania</a> , 1984	Imprisonment and/or fine; Death Penalty	Criminal	Yes	The National Assembly enacted this law in 2018, amending Article 306 of the	Prior to 2018, a person convicted for apostasy was supposed to be granted three days	Blogger Mohamed Cheikh Ould Mkheitir was convicted for “apostasy” and given a death sentence, in 2014. But Mkheitir was released by a Mauritanian Court in 2017. Following	

<sup>73</sup> United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) 26 <[www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 29 April 2023.

<p>ridicules or insults God or His messenger (may God bless him and grant him salvation), or His angels, or His books, or one of His prophets, shall be put to death, and he will not be called on to repent. Even if he repents, the death penalty will not be removed. Any Muslim who explicitly apostatizes from Islam, or who says or does something that would require or include that, or who renounces what he knows to be required by the religion, shall be imprisoned for three days, during which time he will be asked to repent. If he does not repent, he will be sentenced to death for blasphemy, and his property will be transferred to the treasury of the Muslims. Any person who professes Islam outwardly but is secretly an infidel is considered a disbeliever and he will be punished by death when he is discovered, without being asked to repent. His repentance will not be accepted unless it is declared before his apostasy has been discovered. Any legally competent Muslim who fails to perform his prayers despite acknowledging that they are required will be ordered to do so and he will be expected to do the last required rak'ah [a series of bending and prostrations in Islamic prayer]. If he persists in failing to</p>					<p>Criminal Code, making the death penalty mandatory for anyone convicted of “blasphemous speech” and acts deemed “sacrilegious”.</p>	<p>for repentance in order to shorten the sentence or be acquitted. Failing repentance, a person could face confiscation of property, or a death sentence.</p>	<p>this case, the government decided to strengthen the blasphemy law by bringing the 2018 amendment.<sup>74</sup></p>
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<sup>74</sup> ‘Mauritania strengthens blasphemy law after blogger case’ (*Aljazeera*, 24 November 2017) <[www.aljazeera.com/news/2017/11/mauritania-strengthens-blasphemy-law-blogger-case-171122163349451.html](http://www.aljazeera.com/news/2017/11/mauritania-strengthens-blasphemy-law-blogger-case-171122163349451.html)> accessed 12 February 2023.

	perform the prayers, he will be put to death in the end. If he denies that prayer is required, he will be put to death for apostasy. His body will not be prepared or buried in the way Muslims are. His property will be transferred to the treasury of the Muslims. This crime will be proved only by admission.							
	<p><b>Article 21:</b></p> <p>Without prejudice to the penalties laid down in article 306 of the Penal Code, anyone who intentionally creates, records, makes available, transmits or disseminates by means of a computer system a text message, image, sound or any other form of audio or visual representation that undermines the values of Islam</p>	<p>Article 21  <a href="#">Cyber Crime Bill</a>,  2016</p>	<p>Shall be punished by one to four years' imprisonment and a fine of 200,000 to 3,000,000 ouguiyas, or by one of these two penalties only.</p>	Criminal	No			
	<p><b>Article 4:</b></p>	<p>Article 4  <a href="#">Press</a></p>	<p>Infringements of the</p>					

	<p>It is also forbidden to publish any writing or work of any nature whatsoever that undermines the principle of Islam or presents in a favourable light banditry, lies, theft, laziness, hatred, ethnic or regionalist prejudices or any acts qualified as crimes or offences.</p>	<p><a href="#">Freedom Law, 1991</a></p>	<p>provisions of this chapter shall be punishable by a fine of UM 10,000 to UM 100,000 and the offending publications may be seized at the initiative of the competent authorities.</p>					
	<p><b>Article 2</b> [A]nyone who “undermines the authority of the state and its symbols,” i.e, through the deliberate use of “information technology, digital communication and social communication platforms to undermine the constant values and sacred principles of Islam, national unity, territorial</p>	<p>Article 2, of Law No. 2021-021 <a href="#">The Protection of National Symbols</a></p>	<p>Two to four years’ imprisonment and a fine</p>	<p>Criminal</p>	<p>No</p>			

	integrity, or to insult the person of the President of the Republic, the flag and the national anthem.”	<a href="#">and Criminalisation of Offences Against the authority of the state and the honour of the citizen</a>						
11.	<b>Mauritius</b>							
	<b>184. Disturbing a religious ceremony</b> Any person who, whether in a building devoted to or actually used for the practice of a religion which is established in Mauritius, or even at the outside of such building, disturbs, or prevents the ceremonies of such religion, shall be punished by a fine not exceeding 10,000 rupees and imprisonment for a term not exceeding 6 months.	Section 184 <a href="#">Criminal Code of Mauritius</a> , 1838	Fine not exceeding 10,000 rupees and imprisonment for a term not exceeding 6 months.	Criminal	No			

	<p><b>185. Outrage on religious worship</b> Any person who, by word or gesture, commits an outrage on the objects used for religious worship in the place devoted to or actually used for such religious worship, or upon any minister of such religion whilst officiating as such, shall be punished by a fine not exceeding 10,000 rupees [\$289 USD], and imprisonment for a term not exceeding one year.</p>	<p>Section 185 <a href="#">Criminal Code of Mauritius</a>, 1838</p>	<p>Fine not exceeding 10,000 rupees, and imprisonment for a term not exceeding one year.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>186. Assaulting and outraging minister of religion</b> Any person who assaults a minister of religion, whilst officiating as such shall be liable to a fine not exceeding 10,000 rupees and to imprisonment.</p>	<p>Section 186 <a href="#">Criminal Code of Mauritius</a>, 1838</p>	<p>Fine not exceeding 10,000 rupees and imprisonment</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 206</b>  (1) (a) Any person who – (i) by words, exclamations or</p>	<p>Section 206</p>	<p>(1) (a) Shall on</p>	<p>Criminal</p>	<p>No</p>			

<p>threats used in a public place or meeting; (ii) by any writing, newspaper, pamphlet or other printed matter, or by any drawing, engraving, picture, emblem or image, sold or distributed or put up for sale or exhibited in any public place or meeting; or (iii) by any placard or handbill exhibited for public inspection, commits any outrage against any religion legally established, or against good morals or against public and religious morality ('la morale publique et religieuse') (b) Matters of opinion on religious questions, decently expressed or written, shall not be deemed to be an outrage.</p> <p>(2) Any person who hawks for sale, or circulates, or exhibits any such writing, newspaper, pamphlet, or other printed matter, drawing, engraving, picture, emblem or image, placard of handbill</p> <p>(3) The copy of any obscene writing, newspaper pamphlet or any other printed matter drawing, engraving, picture, emblem or image, placard or handbill which are exposed to public view or hawked for sale may be seized and forfeited</p>	<p><a href="#">Criminal Code of Mauritius</a>, 1838</p>	<p>conviction be liable to imprisonment for a term not exceeding one year and to a fine not exceeding 10,000 rupees. (2) Shall, on conviction, be liable to the penalty specified in subsection (1)</p>					
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	<p><b>Article 2</b></p> <p>Broadcasting licensees shall (a) not broadcast any material which is indecent, obscene or offensive to public morals or offensive to the religious convictions or feelings of any section of the population or likely to prejudice the safety of the State or the public order or relations between sections of the population;</p>	<p>Article 2</p> <p><a href="#">Code of Conduct for Broadcasting Services</a></p>		Civil	No			
	<p><b>Section 6.3</b></p> <p>During the broadcast of religious programmes, licensees must be aware of circumstances which may cause distress to sections of the audience. (i) The casual use of names, words or symbols regarded as sacred by different sets of believers can cause hurt as well as offence. People of all</p>	<p>Section 6.3</p> <p>of the</p> <p><a href="#">Code of Ethics of the Independent</a></p>		Civil	No			

	<p>faiths are distressed by affronts to their sacred words.</p> <p>(ii) Broadcast of programmes on the principal holy days of the main religions should not cause unnecessary offence in the way they are presented, though the same material may be more acceptable at other times.</p> <p>(iii) Offence may be caused by profane references or disrespect whether verbal or visual, directed at deities, scriptures, holy days and rituals which are at the heart of various religions.</p> <p>(iv) The promotion of religious views or beliefs, directly or indirectly, must not be done through the downgrading of other faiths.</p> <p>(v) Religious programmes must not influence audience members and viewers to join a particular religion or religious denomination.</p>	<p><a href="#">Broadcasting Authority</a></p>							
12.	<b>Rwanda</b>								

	<p><b>Article 154: Public Defamation of Religious Ritual</b></p> <p>Any person who publicly defames religious rituals, symbols and religious cult objects by use of actions, words, signs, writings, gestures or threats, whether carried out at the place where rituals are intended to be performed or where they are normally performed, commits an offence. Upon conviction, he/she is liable to imprisonment for a term of not less than fifteen (15) days but less than three (3) months and a fine of not less than one hundred thousand Rwandan francs (FRW 100,000) and not more than two hundred thousand Rwandan francs (FRW 2,000,000) or only one of the penalties.</p>	<p>Article 154 of Rwandan Criminal Code, 2013</p>	<p>Fine or imprisonment up to 3 months</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 278: Publicly humiliating a religious worship</b><sup>75</sup></p> <p>Any person who, by acts, speeches, gestures, writing or threats, publicly humiliates rites, symbols or objects of religion, either in place intended for or generally used for practice of religion shall be liable to a term of imprisonment of at least fifteen (15) days but less than six (6) months and a fine of fifty thousand (50,000) to five hundred thousand</p>	<p>Article 278 <a href="#">Penal Code</a>, 2012</p>	<p>Imprisonment of at least fifteen days but less than six months and/or a fine of 50,000 to 500,000</p>	<p>Criminal</p>	<p>No</p>			

<sup>75</sup> United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) 26 <[www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscirtf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 29 April 2023.

	(500,000) Rwandan francs or one of these penalties.		Rwandan francs					
	<p><b>Article 279: Insults, battery or injury upon a religious leader</b><sup>76</sup></p> <p>Any person who, by acts, speeches, gestures or threats, humiliates a religious leader shall be liable to a term of imprisonment of six (6) months to two (2) years. If that religious leader is beaten in the exercise of his/her ministry, the offender will be liable to a term of imprisonment of two (2) years to five (5) years and a fine of one hundred thousand (100,000) to five hundred thousand (500,000) Rwandan francs. If the battery results in bleeding, bodily injuries or illness, the offender shall be liable to a term of imprisonment of two (2) years to five (5) years and fine of one hundred thousand (100,000) to one million (1,000,000) Rwandan francs.</p>	<p>Article 279</p> <p><a href="#">Penal Code</a>, 2012</p>	<p>Imprisonment of six months to two years; imprisonment of two years to five years and a fine of 100,000 to 500,000 Rwandan francs; imprisonment of two years to five years and fine of 100,000 to 1,000,000</p>	Criminal	No			

<sup>76</sup> United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) 26 <[www.uscirf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscirf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 29 April 2020.

			Rwandan francs.					
13.	<b>Seychelles</b>							
	<p><b>125. Insult to religion of any class</b> Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of a misdemeanour.</p>	<p>Section 125 <a href="#">Penal Code of Seychelles, 1955</a></p>	<p>Punishable with imprisonment for a term not exceeding two years or with a fine or with both. (General Punishment for Misdemeanour- Section 35)</p>	Criminal	No			
	<p><b>126. Disturbing religious assemblies</b> Any person who voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious</p>	<p>Section 126 <a href="#">Penal Code</a></p>	<p>Punishable with imprisonment</p>	Criminal	No			

	worship or religious ceremony, is guilty of a misdemeanour.	<a href="#">of Seychelles,</a> 1955	for a term not exceeding two years or with a fine or with both. (General Punishment for Misdemeanour- Section 35)					
	<b>127. Trespassing on burial places, etc.</b> Every person who with the intention of wounding the feelings of any person or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or in any place of sepulture or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the purpose of funeral ceremonies, is	Section 127 <a href="#">Penal Code of Seychelles,</a> 1955	Punishable with imprisonment for a term not exceeding two years or with a fine or with both. (General Punishment for Misdemeanour	Criminal	No			

	guilty of a misdemeanour.		r- Section 35)					
	<p><b>128. Writing or uttering words with intent to wound religious feelings.</b></p> <p>Any person who, with the deliberate intention of wounding the religious feelings of any other person, writes any word, or any person who, with the like intention, utters any word or makes any sound in the hearing of any other person or makes any gesture or places any object in the sight of any other person is guilty of misdemeanour and is liable to imprisonment for one year.</p>	<p>Section 128</p> <p><a href="#">Penal Code of Seychelles, 1955</a></p>	<p>Imprisonment for one year.</p>	<p>Criminal</p>	<p>No</p>			

### Middle East and North Africa

S. No.	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penal	Current Legislative Status	Remarks	Important cases under the provisions
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1.	<b>Algeria</b>							
	<p><b>Article 11<sup>77</sup> : [Apostasy]</b></p> <p>Without prejudice to more serious penalties, any person who commits the following shall be punished by a term of imprisonment of two (2) to five (5) years and a fine of 500,000 DA to 1,000,000 DA:</p> <p>1. incites, coerces or uses means to persuade a Muslim to convert to another religion, or uses educational, health, social, cultural, or training institutions, or any other institution or financial means toward this purpose;</p> <p>2. produces, stores or distributes printed documents or films, or any other medium or means, to shake the faith of a Muslim.</p>	<p>Article 11</p> <p><a href="#">Ordinance 06-03 of 2006</a></p>	<p>Imprisonment of two to five years and a fine of 500,000 DA to 1,000,000 DA.</p>	Criminal	No		<p>This legislation is actively implemented in Algeria, with its application being solely to non-Muslims. It is regularly enforced against Christians, along with minority Muslim sects like the Ahmadis.<sup>78</sup></p>	<p>Anouar Rahmani, a 25-year-old law student and novelist, was interrogated by police on February 28, 2017 charges against him of insulting Islam in his novel “The City of White Shadows,”</p>

<sup>77</sup> Translated version taken from Immigration and Refugee Board of Canada, *Algeria: Situation of Christians, including the treatment of Christians by society and by the authorities; availability of state protection; the fire at Tafat church; whether there were convictions for proselytism* (2010 - July 2013) [DZA104491.FE] <[www.ecoi.net/en/document/1041957.html](http://www.ecoi.net/en/document/1041957.html)> accessed 29 April 2023.

<sup>78</sup> United States Commission on International Religious Freedom, *International Religious Freedom Report: Algeria*, (2017).

								published online on August 2016. <sup>79</sup>
	<p><b>Article 144 bis 2<sup>80</sup>.</b></p> <p>Any individual who insults the prophet and the messengers of God, or denigrates the creed or prophets of Islam through writing, drawing, declaration, or any other means, will receive three to five years in prison, and/or be subject to a fine of between 50,000 and 100,000 Algerian dinars.</p>	<p>Article 144 bis 2</p> <p><a href="#">Algerian Penal Code</a>, 1971</p>	<p>Imprisonment of three to five years and/or fine of 50,000 to 100,000 Algerian dinars.</p>	Criminal	No		<p>Algeria’s blasphemy laws are not in consonance with international human rights standards, due to the vague wording of the provisions and the scope of discretion provided to officials and judges. There have been instances of individuals being detained for not abiding by the state-supported belief system, for instance by failing to observe fasting during</p>	<p>Slimane Bouhafis was sentenced three years in prison for Facebook posts “insulting Islam.”. He was convicted and sentenced to five years in prison.</p>

<sup>79</sup> Human Rights Watch, ‘Algeria: Don’t Prosecute a Writer for Insulting Islam’ (*HRW*, 8 March 2017) <[www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam](http://www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam)> accessed 29 April 2023.

<sup>80</sup> Library of Congress, *Laws Criminalizing Apostasy in Selected Jurisdictions*, (May 2014) <[www.loc.gov/law/help/apostasy/apostasy.pdf](http://www.loc.gov/law/help/apostasy/apostasy.pdf)> accessed 29 April 2023.

							Ramadan. <sup>81</sup>	A court prosecutor charged him under article 144bis of the penal code. <sup>82</sup>
	<b>Article 160:</b> Anyone who willfully and publicly destroys, mutilates, degrades or defiles the Sacred Book of Quran	Article 160 <a href="#">Algerian Penal Code</a> , 1971	Imprisonment for period of five to ten years	Criminal	No			
2.	<b>Bahrain</b>							

<sup>81</sup> Freedom House, *Policing Belief: The Impact of Blasphemy Laws on Human Rights - Algeria*, (Freedom House, 21 October 2010) <[www.refworld.org/docid/4d5a700cc.html](http://www.refworld.org/docid/4d5a700cc.html)> accessed 13 February 2023.

<sup>82</sup> Human Rights Watch, 'Algeria: 3-Year Sentence for Insulting Islam' (*HRW*, 7 Sept 2016) <[www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam](http://www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam)> accessed 29 April 2023.

	<p><b>Article 309</b></p> <p>A punishment for a period not exceeding one year or a fine not exceeding BD 100 shall be inflicted upon any person who commits an offence by any method of expression against one of the recognized religious communities or ridicules the rituals thereof.</p>	<p>Article 309</p> <p><a href="#">Bahrain Penal Code, 1976</a></p>	<p>Imprisonment up to one year or fine up to BD 100.</p>		<p>No</p>		<p>In August, 2012, a court in Bahrain sentenced an individual to 2 years imprisonment for posting insulting comments about one of Prophet Mohammad’s wives - Aisha - online.<sup>83</sup></p> <p>In March 2015, feminist poet and journalist Joumana Haddad from Lebanon was banned from participating in a cultural event in Bahrain, due to allegations that she is likely to promote atheism and threaten Islamic values.<sup>84</sup></p>	<p>On 29 November 2016 a Bahraini court sentenced Faisal Hayyat, a journalist who hosts a satirical channel on YouTube, to three months in prison for a tweet deemed to have insulted a “religious symbol and</p>
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<sup>83</sup> Andrew Hammond, ‘Bahrain court jails man two years for insult to Prophet’s wife’ (*Reuters*, 12 August 2012) <[www.reuters.com/article/us-bahrain-insult/bahrain-court-jails-man-two-years-for-insult-to-prophets-wife-idUSBRE87B0C020120812](http://www.reuters.com/article/us-bahrain-insult/bahrain-court-jails-man-two-years-for-insult-to-prophets-wife-idUSBRE87B0C020120812)> accessed 13 February 2023.

<sup>84</sup> ‘Atheist poet banned in Bahrain’ (*Gulf News*, March 2015) <<https://gulfnews.com/world/gulf/bahrain/atheist-poet-banned-in-bahrain-1.1475328>> accessed 27 February, 2023.

								group” under article 309 of the criminal code. <sup>85</sup>
	<p><b>Article 310</b></p> <p>The punishment provided for in the preceding Article shall be inflicted upon any person who commits in public an insult against a symbol or a person that is glorified or considered sacred to members of a particular sect; (or) upon any person who imitates in public a religious ritual or ceremony with the intention of ridiculing it.</p>	<p>Article 310</p> <p><a href="#">Bahrain Penal Code</a>, 1976</p>						

<sup>85</sup> ‘Bahraini journalist Faisal Hayyat detained over tweet about religion’ (*RSF*, 13 Oct 2016) <<https://rsf.org/en/news/bahraini-journalist-faisal-hayyat-detained-over-tweet-about-religion>> accessed 29 April 2023.

	<p><b>Article 311</b></p> <p>A punishment of imprisonment for a period not exceeding one year or a fine not exceeding BD 100 shall be inflicted upon:</p> <p>any person who deliberately causes disturbance to the holding of religious rituals by a recognized sect, or to a religious ceremony or meeting or obstructing such events or preventing the holding thereof with the use of force or threat.</p> <p>any person who destroys, damages or desecrates a place of worship or a recognized sect or a symbol or other things having a religious inviolability.</p>	<p>Article 311 <a href="#">Bahrain Penal Code,</a> 1976</p>	<p>Imprisonm ent up to one year or a fine of a maximum 100 Bahrain Dinar</p>	<p>Criminal</p>	<p>No</p>			
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	<p><b>Article 19:</b></p> <p>As per a decision by the minister, it is possible to prohibit circulation of publications instigating hatred of the political regime, encroaching on the state's official religion, breaching ethics, encroaching on religions and jeopardizing public peace or raising issues whose publication is prohibited by the provisions of this law.</p> <p>Concerned parties can appeal the decision to prohibit circulation before the High Civil Court within 15 days of its issuance or notification. The court shall settle the case on an urgent basis.</p>	<p>Article 19</p> <p><a href="#">Regarding organizing the press, printing and publishing, 2002</a></p>	<p>The appropriate minister can make a decision to prohibit the publication and circulation</p>	<p>Civil</p>	<p>No</p>			
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	<p><b>[Apostasy]</b></p> <p>There is no explicit penal provision criminalizing apostasy. However, since the country has adopted Islam as the official religion and source of legislation, apostasy is believed to be criminalized in the country.<sup>86</sup></p>							
3,	<b>Egypt</b>							
	<p><b>Article 98(f)</b></p> <p>Detention for a period of not less than six months and not exceeding five years, or paying a fine of not less than five hundred pounds and not exceeding one thousand pounds shall be the penalty inflicted on whoever exploits and uses the</p>	<p>Article 98 (f)</p> <p><a href="#">Egyptian Penal Code</a>,</p>	<p>Detention for a period of not less than six months and not</p>	Criminal	No	<p>This provision appears to negate the constitutional protection for freedom of speech and</p>	<p>Article 98 (f) has long been criticized for including vague and imprecise terms such as “extremist ideologies”, “sedition” and “national unity”. This provision has enabled the</p>	

<sup>86</sup> Humanists International, *The Freedom of Thought Report - Bahrain*, <<https://fot.humanists.international/countries/asia-western-asia/bahrain/?print=pdf>> accessed 29 April 2023.

	<p>religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdain and contempting any of the heavenly religions or the sects belonging thereto, or prejudicing national unity or social peace.</p>	1937	<p>exceeding five years, or a fine of not less than five hundred pounds and not exceeding one thousand pounds.</p>		<p>belief. The movement to abrogate Article 98(f) has been active in the country. However, the fundamentalist Salafi members of Parliament have threatened to increase the penalty if the “secular” wing pushes the movement for reform “too far”.<sup>87</sup></p>	<p>Egyptian Government to restrict freedom of expression and of the media, criminalize the holding or expression of certain religious beliefs and views, prosecute members of religious minorities, punish critical academic research, censor forms of artistic expression deemed to contravene religious or moral codes, or justify official or societal bigotry against religious minorities, including minority groups or beliefs within the Muslim faith. Article 98 (f) has been invoked against journalists, writers, poets, bloggers, academics, human rights</p>	
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<sup>87</sup> ‘Egypt’s blasphemy law’ (*WorldWatch Monitor*, 2016) <[www.worldwatchmonitor.org/egypts-blasphemy-law](http://www.worldwatchmonitor.org/egypts-blasphemy-law)> accessed 13 February 2023.

							defenders and peaceful political dissidents.	
	<p><b>171.</b> Whoever induces one or more persons to commit a felony or misdemeanor, by talks, shouting in public, a deed, or a hint insinuated in public, by writing, drawing, pictures/photographs, marks and symbols, or any other method of representation made in public, or in any other means of public ness, shall be considered an accomplice in doing it, and shall be punished with the penalty prescribed therefor, if such inducement results in actual occurrence of the felony or misdemeanor.</p> <p>Talk or shouting shall be considered publicly made if it is declared openly or reiterated via any mechanical method at a general meeting, on a public road or any other frequented place, or if it is declared openly or reiterated, such that anyone found on that road or in that place can hear it, or if</p>	<p>Article 171, <a href="#">Egyptian Penal Code</a>, 1937</p>		Criminal	No			<p>Kareem Amer was convicted for posting blog entries of “blasphemous nature” and for "inciting strife and defaming Muslims on the internet by describing the Prophet of Islam and his comrades as murderers, which</p>

	it is diffused by wireless or any other method.							disturbs national peace", and "insulting the President of the Republic by writing on the internet". He was sentenced to three years' imprisonment for the first offence and one-year imprisonment for the second. The sentences were based on articles 171, 176 and
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								179 of the Egyptian Penal Code. On 12 March 2007, the Court of Appeal confirmed the sentence. <sup>88</sup>
	<b>[Apostasy]</b> No explicit provision criminalizing apostasy. <sup>89</sup> However, Sharia law is the main source of legislation, as per which apostasy is criminalized. <sup>90</sup>							

<sup>88</sup> *Mr. Abdul Kareem Nabil Suliman Amer v Egypt*, Working Group on Arbitrary Detention, (2008) 35 A/HRC 146 <<http://hrlibrary.umn.edu/wgad/35-2008.html>> accessed 29 April 2023.

<sup>89</sup> However, the State does not recognize any religion apart from Islam, which makes conversion to another religion extremely difficult. Further, there have been reports of extrajudicial force and threats being made against people suspected to have made such conversions from Isla, *see* United States Commission on International Religious Freedom, *Apostasy, Blasphemy, and Hate Speech Laws in Africa* (USCIRF, December 2019) 26 <[www.uscirf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL\\_0.pdf](http://www.uscirf.gov/sites/default/files/Africa%20Speech%20Laws%20FINAL_0.pdf)> accessed 29 April 2023.

<sup>90</sup> Constitution of The Arab Republic of Egypt, 2014, State Information Service of Egypt, <[www.sis.gov.eg/Newvr/Dustor-en001.pdf](http://www.sis.gov.eg/Newvr/Dustor-en001.pdf)>, accessed 29 April 2023.

4.	<b>Libya</b>							
	<p><b>Article 289: Interference with the Performance of Religious Rites and Insulting Sacred Things</b></p> <p>Anyone who interferes with the performance of a religious rite that is publicly performed or with the relevant religious celebration, or who hinders the same by violence or threats, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50. The same penalty shall apply to anyone who destroys, breaks, damages, or desecrates buildings designated for the performance of religious rites, or other items that are sacred to members of a religious sect or to any section of the country's inhabitants.</p>	<p>Article 289</p> <p><a href="#">Libya's Penal Code</a>, 1953</p>	<p>Detention for a period not exceeding one year or a fine not exceeding LYD 50</p>	Criminal	No			
	<p><b>Article 290: Attack upon Religions</b></p> <p>The penalty prescribed by the previous article shall apply to anyone who attacks, by any means of publicity, any religious faith that publicly performs</p>	<p>Article 290</p> <p><a href="#">Libya's Penal</a></p>	<p>Detention for a period not exceeding</p>	Criminal				

	<p>its rites. The following shall fall under the provisions of this article:</p> <p>1. Printing or publishing a book considered sacred by any religious sect that performs its rites publicly, if the text of the book is intentionally distorted so as to give the same a different meaning.</p>	<p><a href="#">Code</a>, 1953</p>	<p>one year or a fine not exceeding LYD 50</p>					
	<p><b>Article 291: Insult of the State Religion</b> Anyone who publicly attacks the Islamic religion, which is the official religion of the State according to the Constitution of Libya, through expressions that are inappropriate for God, prophets, or messengers, shall be punished by a penalty of detention for a period not exceeding two years.</p>	<p>Article 291 <a href="#">Libya's Penal Code</a>, 1953</p>	<p>Imprisonment up to two years.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Apostasy</b> Libya does not have any specific provision against apostasy in its law<sup>91</sup> however as per Article 8 of the draft Libyan Constitution, Shariya Law is the</p>							

<sup>91</sup> Office of the Commissioner General for Refugees and Stateless Persons, *Report Libya: Vulnerable Groups* (19 December 2014) <[www.justice.gov/coir/page/file/989526/download](http://www.justice.gov/coir/page/file/989526/download)> accessed 29 April 2023.

	source of legislation and the constitution is to be interpreted in accordance with it. <sup>92</sup>							
5.	<b>Kuwait</b>							
	<p><b>Article 111:</b></p> <p>Anyone who disseminates, in one of the public ways stated in Article 101, views that include ridicule or contempt or belittling of a religion or a religious sect, whether by defaming its doctrines, its rituals, its ceremonies, or its tenets, shall be punished by imprisonment for a period of not more than one year and a fine of not more than 1,000 dinars or by either one of these two penalties.</p>	<p>Article 111</p> <p><a href="#">Kuwaiti Penal Code</a>, 1960</p>	<p>Imprisonment up to one year and/or a fine of less than 1000 dinar.</p>	Criminal	No			<p>The case of Mohammed Al-Ajmi 2014</p> <p>On 27 August 2014 human rights defender Mr. Mohamed Al Ajmi was arrested inside the Criminal</p>

<sup>92</sup> Unofficial English Translation of the constitution can be found here  
[http://constitutionnet.org/sites/default/files/draft\\_constitution\\_of\\_libya\\_april\\_2016\\_unofficial\\_english\\_traslation.pdf](http://constitutionnet.org/sites/default/files/draft_constitution_of_libya_april_2016_unofficial_english_traslation.pdf)

								<p>Investigation Department of Al-Salmiya district and was initially detained for ten days on charges of “blasphemy” for a tweet. The tweet criticized Kuwait for the practice of withdrawing nationality.</p> <p>On 2 September 2014, the Kuwaiti</p>
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									Misdemeanor Court ordered the release of human rights defender Mr. Mohamed Al Ajmi on bail amounting to 100 Kuwaiti Dinar (approx. US \$350).
	<p><b>Article 112:</b></p> <p>There is no crime if research on a religion or a religious sect is disseminated in a lecture, an essay, or a scholarly book in a calm and balanced way that is free of statements that incite, and the good</p>	<p>Article 112  <a href="#">Kuwaiti Penal Code</a>,  1960</p>							

	intentions of the researcher have been proved by his propensity for pure scholarly criticism.							
	<p><b>Article 19:</b></p> <p>It shall be prohibited to meddle in matters related to God, the Holy Quran, Prophets, the Noble Companions of Prophet Muhammad, Wives of the Prophet, peace be upon him, or persons who are part of the Prophet's family, peace be upon them, by meddling, defamation, slander, or mocking in any forms of expression that are stipulated under Article (29) of the Law No (31) for the year 1970 on Amendment of Some of the Provisions of the Penalty Law No (16) for the year 1960.</p>	<p>Article 19</p> <p><a href="#">Press and publication law</a>, 2006</p>	<p>A fine between 3000 and 10,000 Dinars and confiscation of publication.</p>		No		<p>Penalty prescribed under Article 26 of the press and publications law.</p>	
	<p><b>[Apostasy]</b></p> <p>No explicit provision criminalizing apostasy.</p>						<p>While apostasy is not punishable, reports state that apostates may lose their right to inherit property from their Muslim relatives or</p>	

							spouses, <sup>93</sup> or personal status rights under the Family Code. <sup>94</sup>	
6.	<b>Morocco</b>							
	<p><b>Article 41:</b><sup>95</sup> Any offense committed against His Majesty the King, the royal princes and princesses by one of the means specified in Article 38 shall be punishable by imprisonment and a fine of 10,000 to 100,000 dirhams. The same punishment applies when a newspaper or other publication publishes a story that harms the Islamic religion, the monarchic regime or the country's territorial sovereignty. Should there be a conviction under the present article, the journal or publication may be suspended by the same judicial decision for a term</p>	<p>Article 41 <a href="#">Penal Code of Morocco</a>, 1962</p>	<p>Imprisonment and a fine of 10,000 to 100,000 dirhams</p>	<p>Criminal</p>	<p>No</p>			

<sup>93</sup> Kuwait 2017 International Religious Freedom Report, U.S. Department of State, 3, <[www.state.gov/documents/organization/222495.pdf](http://www.state.gov/documents/organization/222495.pdf)>

<sup>94</sup> Law 51/1984 is also known as the Kuwaiti Personal Status Law and an English translation is available at: Al Awadi, Badria et al. 2009, Appendix No. 1: Kuwaiti Personal Status Law of 1984 and Amendments in Women's Rights in the Kuwaiti Personal Status Law and Bahraini Shari'a Judicial Rulings, Freedom House, pp.15/footnote 5,198-283 <[www.freedomhouse.org/uploads/specialreports/WRAGTheoreticalPortion-ENGLISH-full.pdf](http://www.freedomhouse.org/uploads/specialreports/WRAGTheoreticalPortion-ENGLISH-full.pdf)>

<sup>95</sup> Official translation from USCIRF (United States Commission on International Religious Freedom) and LOC (Library of Congress).

	<p>not to exceed three months. This suspension shall not affect the labor contracts that bind the employer, the latter remaining bound by all the resulting contractual or legal obligations. In the same decision, the court may pronounce the ban of the journal or publication.</p>							
	<p><b>Article 220</b> Whoever uses the means of temptation to destabilize the belief of a Muslim or convert it to another religion by exploiting his weakness or his need for help or the exploitation of educational or health institutions, shelters or orphans</p>	<p>Article 220 <a href="#">Penal Code of Morocco</a>, 1962.</p>	<p>Imprisonment from six months to three years and a fine up to five hundred dirhams.</p>	<p>Criminal</p>	<p>No</p>		<p>In the event of a judgement of indictment, the institution that was exploited for this purpose may be closed indefinitely or for a period not exceeding three years</p>	<p>The Case of Mohamed el Baladi In August 2013, Mohamed El Baladi, a Christian convert from Islam, was arrested for proselytizing two other Muslims. He was found guilty of</p>

								<p>attempting to incite at least one young Muslim to leave Islam and was sentenced to thirty months in prison, along with a fine of 1,500 dirhams (about US\$182). After filing an appeal, the court of appeal acquitted El Baladi for lack of evidence.</p>
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	<p><b>Article 221</b></p> <p>Whoever intentionally disrupts one of the acts of worship, or religious celebrations, or deliberately causes a disturbance that violates its peace and dignity.</p>	<p>Article 221  <a href="#">Penal Code of Morocco</a>, 1962.</p>	<p>Imprisonment of period from six months to maximum three years and a fine of a maximum five hundred dirhams.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 267-5</b></p> <p>Anyone who damages the Islamic religion</p>	<p>Article 267(5)  <a href="#">Penal Code of Morocco</a>, 1962.</p>	<p>Imprisonment of six months to two years and a fine of 20,000 to 200,000 dirhams or</p>	<p>Criminal</p>	<p>No</p>			

			<p>one of these two of these penalties only</p> <p>The penalty incurred is increased to two years to five years' imprisonment and a fine of 50,000 to 500,000 dirhams or one of these penalties only when</p>					
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			the acts referred to in the first paragraph above are committed either by speech, shout or threat uttered in public places or meetings, or by posters exposed to public view either by sale, distribution or any					
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			means fulfilling the condition of publicity including by electronic means, on paper and by audiovisual means.					
	<p><b>Article 31:</b></p> <p>The distribution, offering for sale, exposure to the public view and detention for the purpose of distribution, sale or exhibition for the purpose of distribution of foreign publications which offend the following may be prohibited: the Islamic religion or the monarchical regime or inciting against the territorial integrity of the Kingdom or</p>	<p>Article 31</p> <p><a href="#">Law relating to press and</a></p>	<p>Confiscation and fine of 100,000 to 500,000 dirhams.</p>	Civil	No		<p>The issue is confiscated by an order of the president of the competent court of first instance, at the request of the government authority concerned or the public prosecutor, within eight hours of receipt of the</p>	

	<p>defamation or insulting or breaking the privacy of the person of the King, the Heir to the Throne or members of the royal family, or violating to the respect due to the person of the King.</p> <p>The same prohibition may also be applied to the distribution, sale, exhibition to the public and detention for distribution, sale or exhibition for the purpose of distribution, foreign publications or foreign periodicals when they incite soldiers or military units to rebellion, or breach of duty, or include incitement to violence or hatred, provocation or defence of terrorism, incitement to racial and sexual discrimination or to harm minors.</p> <p>When they are made knowingly, the publication the sale, distribution or reproduction of foreign publications or periodicals comprising the acts referred to in the second paragraph of this article and which have been the subject of the provisional order prohibition of sale, distribution or reproduction</p>	<p><a href="#">publishi</a> <a href="#">ng</a>, 2016</p>					<p>request. This order is executed immediately.</p> <p>Until such order is made by the president of the responsible court of first instance, the government authority concerned or the public prosecutor may provisionally not authorize the distribution of the issue of the publication or periodical in question a fine of 100,000 to 500,000 dirhams.</p> <p>Judicial police officers proceed, in accordance with the court order issued by the president of the competent court of first instance, to seize copies and reproductions of prohibited foreign publications or periodicals. In the event of</p>	
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							conviction, the judgment will obligatorily order its confiscation and destruction	
	<p><b>Article 71:</b> a publication, a periodic publication or an electronic newspaper attacks the Islamic religion</p>	<p>Article 71 <a href="#">Law relating to press and publishing, 2016</a></p>	<p>Suspension of publication or blocking of electronic journal</p>	Civil	No		<p>The suspension of the periodic publication or the blocking of the electronic journal or the electronic support can be pronounced by virtue of a judicial decision, for a duration of one month if it is a daily, weekly or bimonthly publication or two consecutive editions, if the publication is monthly, quarterly, semi-annual or annual.</p>	
	<p><b>[Apostasy]</b> No explicit provision criminalizing apostasy.</p>						<p>It is assumed that as per the Fatwa published by the High Council of Ulemas declaring that Muslims who abandon</p>	

							their faith would receive the death penalty, <sup>96</sup> it has been clarified that this Fatwa was never applied to Morocco in the sense to penalize religious conversion. <sup>97</sup>	
7.	<b>Somalia</b>							
	<p><b>Article 313. Bringing the Religion of the State into contempt:</b></p> <p>1. Whoever publicly brings the religion of Islam into contempt shall be punished with imprisonment up to two years.</p> <p>2. Whoever publicly insults the religion of Islam by bringing into contempt persons professing it or</p>	<p>Article 313  <a href="#">Somalia Penal Code, 1962</a></p>	<p>Imprisonment up to two years</p>	<p>Criminal</p>	<p>No</p>			

<sup>96</sup> (IHEU 28 Oct. 2016; Middle East Online 18 Apr. 2013), as cited in Canada: Immigration and Refugee Board of Canada, Morocco: The situation of people who abjure Islam (who apostatize), including their treatment by society and by the authorities; the repercussions of a fatwa of the High Council of Ulemas condemning apostates to death, including the reaction of the government (2016-April 2018), April 24, 2018, <[www.refworld.org/docid/5b2281dd4.html](http://www.refworld.org/docid/5b2281dd4.html)>

<sup>97</sup> Mohammed Amine Benabou, 'Morocco's Human Rights Minister: Leaving Islam Is not Punishable by Law', (*Morocco World News*, 15 April 2019 <[www.morocoworldnews.com/2019/04/270687/moroccos-human-rights-minister-islam-law](http://www.morocoworldnews.com/2019/04/270687/moroccos-human-rights-minister-islam-law)> accessed 29 April 2023.

	places or objects dedicated to worship, shall be liable to the same punishment.							
	<p><b>Article 315. Crimes Against Forms of Worship Permitted in the State.</b></p> <p>Whoever commits any of the Acts referred to in art. 313 &amp; 314 against a religion permitted in the State shall be punished in accordance with the provisions of the aforesaid articles.</p>	<p>Article 315  <a href="#">Somalia Penal Code, 1962</a></p>	<p>Imprisonment up to two years</p>					

	<p><b>Article 559. Blasphemy and Offensive Acts Towards the Dead:</b></p> <p>1. Whoever publicly blasphemes, with invectives and insulting words, the Deity or the symbols or the person venerated in the religion of the State shall be punished with fine from Sh. So. 100 to 3,000.</p> <p>2. Whoever publicly commits any offensive acts towards the dead shall be subject to the same punishment.</p>	<p>Article 559  <a href="#">Somalia Penal Code, 1962</a></p>	<p>Fine of Sh. So. 100 to 3000</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>[Apostasy]</b></p> <p>No explicit provision criminalizing apostasy, however the Constitution states that “[n]o law which is not compliant with the general principles of Shari’ah can be enacted,” and that “[n]o religion other than Islam can be propagated in the Federal Republic of Somalia.”<sup>98</sup></p>							

<sup>98</sup> Constitution of Somalia 2012, Articles 2(1)– (2), 17 <[www.constituteproject.org/constitution/Somalia\\_2012.pdf](http://www.constituteproject.org/constitution/Somalia_2012.pdf)> accessed 29 April 2023.

8.	<b>Oman</b>							
	<p><b>Article 28:</b></p> <p>It is not allowed to publish anything that violates morals, public morals and heavenly religions.</p>	<p>Article 28</p> <p><a href="#">Sultanate Decree No. 84/49 Press and Publications Law, 1984</a></p>			No			
	<p><b>Article 19:</b></p> <p>The penalty with imprisonment for a period not less than one month and not exceeding three years and a fine not less than OMR one thousand and not exceeding OMR three thousands or by either</p>	<p>Article 19, <a href="#">The Cybercrime law, 2011</a></p>	<p>Imprisonment between one month and three years and a</p>	<p>Criminal</p>	No			

	<p>penalty, shall be applied to any person who uses the informational network or the information technology facilities to produce or publish or distribute or purchase or possess whatsoever that might prejudice the public order or religious values.</p>		<p>fine between OMR one thousand and OMR three thousand or by either penalty.</p>					
	<p><b>Article 269:</b></p> <p>Whoever commits any of the following acts shall be punished by imprisonment for a period no less than (3) three years and not exceeding (10) ten years:</p> <p>(a) disrespecting or offending the divine verbally, in writing, by drawing, by gesturing, or by using any other means.</p>	<p>Article 269 of <a href="#">Omani Penal Code</a>, 2018</p>	<p>Imprisonment between three to ten years</p>	<p>Criminal</p>	<p>No</p>			

	<p>(b) offending, distorting, or desecrating the Holy Quran.</p> <p>(c) offending the religion of Islam or any of its rites, or insulting an Abrahamic religion.</p> <p>(d) disrespecting or offending any of the prophets verbally, in writing, by drawing, by gesturing, or by using any other means.</p> <p>(e) sabotaging or desecrating buildings, or any of their contents, if prepared to conduct religious rites of Islam or those of other Abrahamic religions.</p>							
	<p><b>Article 270:</b></p> <p>Whoever, establishes, finds, organises, or manages a group, association, authority, organisation, or a branch thereof, aimed at opposing or disparaging the pillars upon which the religion of Islam is based, or promoting or calling for another shall be punished by imprisonment for</p>	<p>Article 270 <a href="#">Omani Penal Code</a>, 2018</p>	<p>Imprisonment for a period no less than (3) three years and not exceeding</p>	<p>Criminal</p>				

	<p>a period no less than (3) three years and not exceeding (7) seven years.</p> <p>Whoever joins any of those bodies, participates in them, or assists them by any means, with knowledge of their objectives, shall be punished by imprisonment for a period no less than (6) six months and not exceeding (3) three years.</p>		<p>(7) seven years.</p> <p>Imprisonment for a period no less than (6) six months and not exceeding (3) three years.</p>					
	<p><b>Article 271:</b></p> <p>Whoever calls or participates in the preparation of a meeting with the purpose of opposing or disparaging the pillars upon which the religion of Islam is based, or calling for another religion shall</p>	<p>Article 271 <a href="#">Omani Penal Code</a>, 2018</p>	<p>Imprisonment for a period no less than a year and not exceeding</p>	<p>Criminal</p>				

	<p>be punished by imprisonment for a period no less than a year and not exceeding (3) three years.</p> <p>Whoever obtains or receives funds directly or indirectly from a person or authority inside the State or abroad, shall be punished by the same punishment with the confiscation of obtained funds, if that occurs with the intention of committing one of the acts stipulated in the preceding Paragraph.</p>		(3) three years.					
	<p><b>Article 272:</b></p> <p>Whoever obtains or possesses, with the intention of publishing or promoting, documents, publications, or recordings, or any other effects, containing an opposition or disparagement of the pillars upon which the religion of Islam is based, or containing a call to another, shall be punished by imprisonment for a period no less than (6) six months and not exceeding (3) three years, and a fine no less than (100) one hundred Rial Omani and</p>	<p>Article 272 <a href="#">Omani Penal Code</a>, 2018</p>	<p>Imprisonment for a period no less than (6) six months and not exceeding (3) three years, and a fine no</p>	<p>Criminal</p>				

	<p>not exceeding (500) five hundred Rial Omani, or one of those two punishments.</p> <p>Whoever obtains or possesses, using any means of publication, recording, or broadcast designated for promoting thought, an association, an authority, or an organisation aimed at one of the purposes stipulated in the preceding Paragraph, with knowledge thereof, shall be punished by the same punishment.</p>		<p>less than (100) one hundred Rial Omani and not exceeding (500) five hundred Rial Omani, or one of those two punishments.</p>					
	<p><b>Article 273:</b></p> <p>Whoever produces, creates, sells, displays for sale or circulation, obtains, or possesses products,</p>	<p>Article 273</p>	<p>Imprisonment for a period no less than</p>	<p>Criminal</p>				

	<p>goods, publications, tapes, or any other material carrying drawings, logos, words, symbols, signs, or anything else offensive to the religion of Islam or another Abrahamic religion, or advertises them with knowledge thereof, shall be punished by imprisonment for a period no less than (10) ten days and not exceeding a year, and a fine no less than (100) one hundred Rial Omani and not exceeding (1,000) one thousand Rial Omani, or one of those two punishments.</p>	<p><a href="#">Omani Penal Code,</a> 2018</p>	<p>(10) ten days and not exceeding a year, and a fine no less than (100) one hundred Rial Omani and not exceeding (1,000) one thousand Rial Omani, or one of those two punishments.</p>					
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	<p><b>Apostasy</b></p> <p>Under the old penal code of Oman, apostasy was not explicitly mentioned however a section which penalised affronts to the religion of Islam was criminalised and it was argued that this meant apostasy in a public nature could be criminalised.<sup>99</sup></p> <p>Oman revised its penal code in 2018 and under Section 269 disrespecting and offending the divine is criminalised, similarly this could possibly include Apostasy.</p>								
9.	<b>Qatar</b>								
	<p><b>Article 1: [Apostasy]</b></p> <p>The provisions of Islamic law for the following offenses are applied if the defendant or victim is a Muslim:</p>	Article 1,	Death Penalty	Criminal	Yes		This provision has never been used to penalize apostasy. <sup>100</sup>		

<sup>99</sup> Humanist International, *Oman: Freedom of Thought Report* (<<https://fot.humanists.international/countries/asia-western-asia/oman>> accessed 29 April 2023).

<sup>100</sup> US Department of State, Bureau of Democracy, Human Rights and Labor, *International Religious Freedom Report 2012*, (20 May 2013), Qatar, (<[www.state.gov/documents/organization/208622.pdf](http://www.state.gov/documents/organization/208622.pdf)> accessed 29 April 2023).

	<p>1. The Dogma/Qur'anic offences (<i>hudud</i> offences) related to theft, banditry, adultery, defamation, alcohol consumption, and apostasy.</p> <p>2. The offenses of retaliation (<i>qisas</i>) and blood money (<i>diyah</i>)</p>	<p><a href="#">Qatar's Penal Code, 2004</a></p>						
	<p><b>Article 256:</b></p> <p>Whoever commits the following acts shall be punished with imprisonment for a term not exceeding seven years:</p> <p>1- Insulting Allah through writing, drawing, gesturing or in any other way or through any other means.</p> <p>2- Offending, misinterpreting or violating the Holy Quran.</p> <p>3- Offending the Islamic religion or any of its rites and dictates.</p>	<p>Article 256</p> <p><a href="#">Qatar's Penal Code, 2004</a></p>	<p>Imprisonment of up to seven years.</p>	<p>Criminal</p>	<p>No</p>		<p>The provisions in this chapter, from articles 256-267 can be read in conjunction with Article 264 of the Penal Code:</p> <p>Any of the perpetrators who report one of the offences under the provisions of the preceding Articles of this Chapter to the competent authorities before being exposed shall be exempted from the penalty. If the notification comes after</p>	

	<p>4- Cursing any of the divine religions according to the regulations of Islamic law.</p> <p>5- Insulting any of the prophets through writing, drawing, gesturing or in any other way or through any other means.</p> <p>6- Sabotaging, breaking, damaging or violating sites or their contents if they are made to perform religious rites for one of the divine religions according to the regulations of Islamic law.</p>						<p>exposure of the offence, the court has the right to exempt the perpetrator from the penalty whenever the notification leads to other arrests.</p>	
	<p><b>Article 257:</b></p> <p>Whoever establishes, organizes or runs an assembly, association, organization or a branch aimed at opposing or challenging the basics and tenets of Islam, or calls upon, or favors or promotes another religion; cult or concept shall be punished with imprisonment for a term not exceeding ten years.</p>	<p>Article 257 <a href="#">Qatar's Penal Code, 2004</a></p>	<p>Imprisonment for a term not exceeding ten years.</p>	<p>Criminal</p>	<p>No</p>			

	<p><b>Article 258</b></p> <p>Any person who joins, participates or contributes in any way to one of the groups mentioned in the preceding Article shall be liable to a prison term up to five years.</p>	<p>Article 258</p> <p><a href="#">Qatar's Penal Code</a></p>	<p>Prison term up to five years.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 259:</b></p> <p>Whoever opposes or doubts any of the basics or tenets of Islam, or calls upon, or favors or promotes another religion, cult or concept shall be punished with imprisonment for a term not exceeding five years.</p>	<p>Article 259</p> <p><a href="#">Qatar's Penal Code, 2004</a></p>	<p>Imprisonment for a term not exceeding five years.</p>				<p>The provisions in this chapter, from articles 256-267 can be read in conjunction with Article 264 of the Penal Code:</p> <p>Any of the perpetrators who report one of the offences under the provisions of the preceding Articles of this Chapter to the competent authorities before being exposed shall be exempted from the penalty. If the</p>	
	<p><b>Article 260</b></p> <p>Whoever holds a meeting for the purpose of opposing or challenging the basics or tenets of Islam or promoting another religion shall be</p>	<p>Article 260</p> <p><a href="#">Qatar's Penal</a></p>	<p>Imprisonment for a term not</p>					

	<p>punished with imprisonment for a term not exceeding five years.</p> <p>The same penalty shall be imposed on any person who participates in the preparation of the meeting or joins it while being aware of its purpose.</p>	<p><a href="#">Code</a>, 2004</p>	<p>exceeding five years.</p>				<p>notification comes after exposure of the offence, the court has the right to exempt the perpetrator from the penalty whenever the notification leads to other arrests.</p>	
	<p><b>Article 261</b></p> <p>Whoever possesses documents, printed publications or recorded tapes or any other materials favoring or promoting the stipulations of Articles 256 and 259 with the intention of distributing them or revealing them to others, shall be punished with imprisonment for a term not exceeding two years and/or a fine not exceeding ten thousand Qatari Riyals (QR 10.000).</p> <p>The same penalty shall be imposed on any person who possesses any means of printing, recording or diffusing, or who prints, records or diffuses calls, anthems, or propaganda to a cult, assembly,</p>	<p>Article 261  <a href="#">Qatar's Penal Code</a>, 2004</p>	<p>Imprisonment for a term not exceeding two years and/or a fine not exceeding ten thousand Qatari Riyals (QR 10.000).</p>					

	<p>association or organization with the knowledge that the aim of such actions relate to one of the purposes stipulated in the previous Paragraph.</p>							
	<p><b>Article 263</b></p> <p>Whoever produces, sells, exposes for sale or circulation, or possesses products, merchandise, prints or tapes, including drawings, slogans, words, symbols, signals or anything else that may offend the Islamic religion or other divine religions according to the dictates of Islamic law, shall be punished with imprisonment for a term not exceeding one year and a fine not exceeding one thousand Qatari Riyals (QR 1.000).</p> <p>The same penalty shall be imposed on any person who uses disks, computer programs or magnetized tapes to offend Islam or other divine religions according to the dictates of Islamic law.</p>	<p>Article 263 <a href="#">Qatar's Penal Code</a>, 2004</p>	<p>Imprisonment for a term not exceeding one year and a fine not exceeding one thousand Qatari Riyals (QR 1.000).</p>					

	<p><b>Article 47:</b></p> <p>The following shall not be published:</p> <p>a. Any instigation for the overthrow of the system of governance, insult to such regime or damage to the superior interests of the State.</p> <p>b. Any material that could endanger the internal and external security of the State, including any propaganda to adopt any destructive principles.</p> <p>c. Any matters related to the armed forces, including individuals, constituents, movements, equipment, and military and strategic issues, unless written permission for this purpose is obtained in advance from the General Command of the armed forces.</p> <p>d. News about official and confidential communications and international agreements and conventions not yet concluded, unless a special</p>	<p>Article 47, <a href="#">Law on Prints and Publications</a>, 1979</p>	<p>Article 80: Any person convicted of violating the provisions of Article 47(a), (b), (f) or (m) shall be sentenced according to the provisions of the Penal Code.</p> <p>Article 83: A</p>	<p>Criminal</p>	<p>No</p>			
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	<p>permit is obtained from the Department of Publications and Publishing.</p> <p>e. All material prejudicial to the heads of states or disruptive to the bilateral relationships with Sister Arab and friendly countries.</p> <p>f. Any ridicule of or contempt toward any of the religions or their doctrines, including any motivation of sectarian, racial or religious trends.</p> <p>g. Any material that may damage the national currency or sow confusion about the economic position of the State.</p> <p>h. All material prejudicial to ethics, individual dignity or personal liberty.</p> <p>i. All material that motivates the commission of crimes or encourages hatred or sows' discord among the individuals of the society.</p>		<p>conviction of any person who violates the provisions of Articles 46 and 47 may result in an administrative investigation of the relevant publications and their subsequent confiscation and</p>					
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	<p>j. Proceedings of investigations and courts of law related to any individual persons or their personal status, unless authorised by a court.</p> <p>k. All material prejudicial or that causes damage to the goodwill, fortune or trade name of a person, either by defamation or by blackmail or otherwise depriving him of his work.</p> <p>l. News related to bankruptcy of traders, commercial institutions or banks, unless authorised by a court.</p> <p>m. Any slanderous material that challenges the performance of a public servant, unless written in good faith and based on reasonable conviction in the public interest.</p> <p>n. Any material which the Minister of Information requests the editor-in-chief or proprietor of the press publication not be published.</p>		<p>destruction .</p> <p>Article 84: A judge may order closure of the press publications house, the printing press, the distribution house or the publishing house, where a violation of Articles 46 and 47</p>					
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			has occurred.					
10.	<b>Sudan</b>							
	<p><b>Article 125. Insulting Religious Creeds</b></p> <p>Whoever by any means publicly abuses or insults any religion, their rights or beliefs or sanctifications or seeks to excite feelings of contempt and disrespect against the believers thereof, shall be punished with imprisonment for a term not exceeding one six months.</p>	<p>Article 125  <a href="#">Sudanes e Criminal Code</a>,  1991 (as amended in 2020)</p>	<p>Imprisonment of up to six months.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 127. Defiling and Disturbing Places of Worship</b></p> <p>Whoever destroys or defiles any place of worship or any object held sacred by any group of persons, or obstructs or disturbs any religious assembly</p>	<p>Article 127  <a href="#">Sudanes e Criminal Code</a></p>	<p>Imprisonment for a term not exceeding one year or with a fine</p>	<p>Criminal</p>				

	without lawful reason intending thereby to insult that religion or class of persons, shall be punished with imprisonment for a term not exceeding one year or with a fine or with both.	<a href="#">Code, 1979</a>	or with both.					
	<b>16. Violation of religious beliefs or the sanctity of private life</b>  Any person who violates or abuses any religious belief or the sanctity of private life through an information network, computer hardware or similar shall be liable to a prison sentence not exceeding three years or a fine or both penalties.	Article 16  <a href="#">Cyber Crime Act, 2007</a>	Imprisonment for a maximum of three years or fine	Criminal	No			
	<b>Article 26: Duties of Journalists</b>  (1) without prejudice to other commitments provided for in other laws, journalists shall adhere to the following:	Article 26  <a href="#">Press and Publicati</a>	Can be punished by a fine, suspending the print media for the period	Civil	No		Penalties are provided for under section 35 of the act which states-  Whoever is found of violation of this Act or its ensuing regulations shall be	

	<p>a. keenly observe honesty and integrity when performing their professional duties while observing the values and principles enshrined in the constitution and laws</p> <p>b. refrain from disclosing information on national security and operation, actions and plans of the armed forces save when duly authorized by the competent authorities</p> <p>c. refrain from obstructing the course of justice when covering the court proceedings or investigations conducted by the police or public prosecutors.</p> <p>d. avoid stirring commotion or exaggeration when covering or presenting crime-related news or civil violations</p> <p>e. Not to comment on inquiries, investigations or trials save upon final adjudication or conclusion thereof</p>	<p><a href="#">ons Act,</a> 2009</p>	<p>designated by the court, suspend the practice license in case of recidivism, suspend the editors-in-chief, publishers or journalists or revoke or freeze the journalist license for a period in the case of recidivism.</p>				<p>liable to any of the following penalties: a. a fine – to be designated by the court upon conviction</p> <p>b. suspending the print media for the period designated by the court c. suspend the practice license in case of recidivism for a period to be designated by the court</p> <p>d. suspend, for a period to be decide by the court, the editors in-chief, publishers or journalists who are found to be in violation of this Act</p> <p>e. revoke or freeze the journalist license for a period designated by the court in the case of recidivism</p>	
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	<p>f. refrain from publishing material that is anti-religious or in contradiction with the noble beliefs, norms or scholarly knowledge to spread sorcery or quackery</p> <p>g. abide by the values and rules embedded in the professional code of conduct approved by the GFSJ.</p> <p>h. not to stir faith-based, racial or ethnic turmoil, or incite violence or call for war</p> <p>i. respect and protect public manners, morals, religious values, individual honour, privacy and sanctity as well as to refrain from offending public decency.</p> <p>j. Avoid undermining the society's best interest when addressing the negative phenomena and covering of crime-related news.</p> <p>k. refrain from receiving foreign funds or donations that would undermine their integrity or impartiality</p>							
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	(2) The duties listed above shall apply to all individuals who are in charge or partially involved in editing, publishing or distribution of the print material.							
11.	<b>South Sudan</b>							
	<b>201. Insulting or Inciting Contempt of Religious Creed.</b> Whoever by any means publicly insults or seeks to incite contempt of any religion in such a manner as to be likely to lead to a breach of the peace, commits an offence, and upon conviction, shall be sentenced to imprisonment for a term not exceeding three years or with a fine or with both.	<a href="#">Section 201, Penal Code, 2008</a>	Imprisonment for a term not exceeding three years or with a fine or with both.	Criminal	No			

	<p><b>202. Abuse of Religious and Noble Beliefs.</b></p> <p>Whoever abuses religious or noble spiritual beliefs for political exploitation or with the intention to incite or promote feelings of hatred, enmity or discord among religious communities or commits an act intended or is likely to cause the same, commits an offence, and upon conviction, shall be sentenced to imprisonment for a term not exceeding three years or with a fine or with both.</p>	<p><a href="#">Section 202, Penal Code, 2008</a></p>	<p>Imprisonment for a term not exceeding three years or with a fine or with both.</p>					
	<p><b>203. Injuring or Defiling Place of Worship with Intent to Insult the Religion of any Class.</b></p> <p>Whoever destroys, damages or defiles any place of worship or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, commits an offence, and</p>	<p><a href="#">Section 203, Penal Code, 2008</a></p>	<p>Imprisonment for a term not exceeding three years or with a fine or with both.</p>	<p>Criminal</p>	<p>No</p>			

	upon conviction, shall be sentenced to imprisonment for a term not exceeding three years or with a fine or with both.							
	<p><b>205. Committing Trespass on Burial Places etc.</b></p> <p>Whoever, with the intention of hurting the feelings of any person, or of insulting the religion of any person or with the knowledge that the feelings of any person are likely to be injured thereby, commits any trespass in any place of worship or on any place of burial or offers any indignity to any human corpse or commits any act of disrespect towards such corpse or causes disturbance to any persons assembled for the performance of funeral ceremonies, commits an offence, and upon conviction, shall be sentenced to imprisonment for a term not exceeding three years or with a fine or with both.</p>	<p><a href="#">Section 205, Penal Code, 2008</a></p>	<p>Imprisonment for a term not exceeding three years or with a fine or with both</p>	<p>Criminal</p>	<p>No</p>			
12.	<b>Tunisia</b>							

<p><b>Articles 53:</b></p> <p>Anyone who intentionally and publicly undermines any of the authorized religious rites through writings, statements, or other means of communications shall be punished by a fine of 1,000 to 2,000 Tunisian dinars.</p>	<p>Article 53 <a href="#">Freedom of Press, Printing and Publishing, 2011</a></p>	<p>Fine of 1000 to 2000 dinars</p>	<p>Criminal</p>	<p>No</p>		<p>Means outlined in article 50 - Speeches, sayings, or threats in public places, either through publications, photos, engravings, symbols, or any of the written or illustrated forms offered for sale, or for public consideration in public places or public meetings, or by means of comments and advertisements offered for public viewing, or by any means Audiovisual and electronic media</p>	
<p><b>Article 14 (8):</b></p>	<p>Article 14 (8) <a href="#">Law on Fight</a></p>	<p>Imprisonment from one to five years and a fine from</p>	<p>Criminal</p>	<p>No</p>		<p>Takfir refers to the pronouncement of unbelief against someone. Under various interpretations of Islamic law, a kafer (the</p>	

	<p>It is considered a perpetrator of a terrorist crime whoever commits an act from the following actions:</p> <p>(8): Takfir or calling for it, or incitement of or calling for hatred or loathing among races, religions and faiths</p>	<p><a href="#">against Terrorism and Money Laundering, 2015</a></p>	<p>5000 to 10,000 Dinars. Imprisonment of 20 years and a fine of 100,000 Dinars if actions outlined in article 14 (8) led to physical damages</p>				<p>individual declared as an unbeliever) may be, among others, an apostate, a person who abandons Islam and adopts another religion, or a non-believer.</p>	
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	<p><b>Apostasy</b></p> <p>Tunisia has no penalty for apostasy<sup>101</sup> and the 2014 Tunisian Constitution goes so far as to protect citizens from ‘tafkir’ which are the accusations of apostasy as per Article 6.<sup>102</sup></p>							
13.	<b>Palestine</b>							
	<p><b>Article 273:</b></p> <p>Anyone who curses one of the recognised prophets are to be imprisoned for one to three years.</p>	<p>Article 273  <a href="#">Jordania n Penal Code, 1960</a></p>	<p>Imprisonment up to three years</p>	<p>Criminal</p>	<p>No</p>			<p>Walid Al-Husseini was accused of “blasphemy against the prophet and the Koran” for posts on his blog and on Facebook.</p>

<sup>101</sup> US Department of State, Bureau of Democracy, Human Rights and Labor, *International Religious Freedom Report 2018*, Tunisia, <[www.state.gov/wp-content/uploads/2019/05/TUNISIA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf](http://www.state.gov/wp-content/uploads/2019/05/TUNISIA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf)> accessed 29 April 2023.

<sup>102</sup> English Translation can be found <[www.constituteproject.org/constitution/Tunisia\\_2014.pdf](http://www.constituteproject.org/constitution/Tunisia_2014.pdf)>

								Al-Husseini spent 10 months in prison. After being released, Al-Husseini, fearing for his personal safety, sought asylum in France, which was granted to him in 2012. <sup>103</sup>
	<b>Article 278:</b>	Article 278 <a href="#">Jordania</a>	Imprisonment up to three	Criminal	No			

<sup>103</sup> Agence France Presse, 'Atheist' Palestinian blogger being kept in jail 'for his own safety' (*The Daily Star*, 7 December 2010) <[www.dailystar.com.lb/ArticlePrint.aspx?id=90453&mode=print](http://www.dailystar.com.lb/ArticlePrint.aspx?id=90453&mode=print)> accessed 29 April 2023.

	<p>i. Anyone who publishes, through writings, pictures, drawings, or symbols, anything that insults the religious feelings or beliefs of other persons</p> <p>ii. Any person who publicly and in the hearing of another person utters similar insulting words to religious feelings</p>	<p><a href="#">n penal Code, 1960</a></p>	<p>months or fine of 20 dinars</p>					
	<p><b>Article 21:</b></p> <p>Anyone who creates a website, an application or an electronic account, or disseminates information on the Internet or an information technology device with the intention of offending or violating a sacred or religious rite or belief shall be punished by imprisonment for a period of at least one year or by a fine of no less than two thousand Jordanian dinars and no more than five thousand Jordanian dinars or by a combination of both punishments.</p>	<p>Article 21 of <a href="#">Presidential Decree regarding Cyber Crime, 2017</a></p>	<p>Fine of a maximum five thousand Jordanian Dinars or imprisonment for at least one year</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 51:</b></p> <p>If any of the offenses set out in this resolution are committed for the purpose of disturbing public</p>	<p>Article 51 of <a href="#">Presidential</a></p>	<p>Hard Labor or temporary</p>	<p>Criminal</p>	<p>No</p>			

	<p>order, endangering the safety and security of the community, endangering the lives of the citizens, preventing or obstructing the exercise of public works by the public authorities or obstructing the provisions of the Constitution, the Basic Law, or with the intention of harming national unity, social peace, contempt of religion, or that violate the rights and freedoms guaranteed by the Constitution or the Basic Law, the penalty shall be hard labor or temporary hard labor.</p>	<p><a href="#">tial Decree regarding Cyber Crime, 2017</a></p>	<p>hard work</p>					
	<p><b>Article 37</b>  Publication is precluded from publishing the following:  Articles and material that Contain contempt to religious rites, the freedom of which is guaranteed by the law.</p>	<p>Press and Publication Law of 2005<sup>104</sup></p>						
	<p><b>Apostasy</b></p>							

<sup>104</sup> Taken from Regional Report.

	Under Article 4 of the Palestinian Basic Law, Shari'a law is the principal source of legislation. <sup>105</sup> In 2020, a blogger Waleed Hasayin who described themselves as “an atheist from Jerusalem-Palestine” was arrested on charges of blasphemy. <sup>106</sup>							
14.	<b>Iraq</b>							
	<p><b>Article 372:</b></p> <p>The following persons are punishable by a period of detention not exceeding 3 years or by a fine not exceeding 300 dinars:</p> <p>(1) Any person who attacks the creed of a religious minority or pours scorn on its religious practices.</p>	<p>Article 372</p> <p><a href="#">Iraqi Penal Code, 1969</a><sup>107</sup></p>	<p>Imprisonment up to three years or fine up to 300 dinars</p>	<p>Criminal</p>	<p>No</p>			

<sup>105</sup> Palestinian Basic Law, Article 4. <[www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law](http://www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law)> accessed 29 April 2023.

<sup>106</sup> Humanists International, *Palestine: Freedom of Thought Report*, <<https://fot.humanists.international/countries/asia-western-asia/palestine>> accessed 29 April 2023.

<sup>107</sup> Unofficial English translation by the UNHCR; Iraq: Penal Code [Iraq], No. 111 of 1969, July 1969, available at: [www.refworld.org/docid/452524304.html](http://www.refworld.org/docid/452524304.html) [accessed 12 February 2020]

	<p>(2) Any person who willfully disrupts a religious ceremony, festival or meeting of a religious minority or who willfully prevents or obstructs the performance of such ritual.</p> <p>(3) . Any person who wrecks, destroys, defaces or desecrates a building set aside for the ceremonies of a religious minority or symbol or anything that is sacred to it.</p> <p>(4) Any person who prints or publishes a book sacred to a religious minority and deliberately misspells the texts so that the meaning of the text is altered or who makes light of its tenets or teachings.</p> <p>(5) Any person who publicly insults a symbol or a person who constitutes an object of sanctification, worship or reverence to a religious minority.</p> <p>(6) Any person who publicly imitates a religious ceremony or celebration with intent to deceive.</p>							
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	<p><b>Article 201:</b></p> <p>Any person who promotes or acclaims Zionist principles including freemasonry or who associates himself with, Zionist organisations or assists them by giving material or moral support or works in any way towards the realisation of Zionist objectives is punishable by death.</p>	<p>Article 201 <a href="#">Iraqi Penal Code</a>, 1969</p>	<p>Death Penalty</p>	<p>Criminal</p>	<p>Yes</p>			
	<p><b>Apostasy</b></p> <p>Apostasy does not have any penal provision explicitly meant to deal with apostasy however personal status law and regulations prohibit the conversion of Muslims to other religions. Article 26 prescribes the process for non-Muslims to convert to islam however there is no process given for the reverse therefore Muslims cannot change</p>							

	their religion on identity cards and will remain as Muslims. <sup>108</sup>							
15.	<b>Syria</b>							
	<p><b>Article 462:</b></p> <p>(a) Anyone who, by any means, expresses contempt for religious rites performed in public or who encourages mockery of such a rite shall be subject to a penalty of from two months to two years in prison;</p> <p>(b) These means include:</p> <p>Actions and gestures in a public place or a place that is accessible to the public or open to public</p>	<p>Article 462</p> <p><a href="#">Syrian Penal Code, 1949</a><sup>109</sup></p>	<p>Imprisonment between two months to two years in prison</p>	<p>Criminal</p>	<p>No</p>			<p>The Court of First Instance of the Second Criminal Court of the Syrian city of Douma sentenced Shawkat Gharz al-Din, a</p>

<sup>108</sup> Home Office, *Country Police and Information Note, Iraq: Religious Minorities*, (October 2019), para 2.1.100, <[www.justice.gov/eoir/page/file/1215081/download](http://www.justice.gov/eoir/page/file/1215081/download)> accessed 29 April 2020.

<sup>109</sup> Actual translation of the Code is unavailable. The translation has been taken from a report of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families <<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsi%2FoPYMyG0jxTsIaFs84sIax7psGC7g2aU%2FQKUC40RQfm7LA1MZjD82b5aAWHUpmpkyUn4jMTkFz2mWbul7vMLAyKJaZqhADqtTu0ej8WR2>>

	<p>view or that are witnessed by someone who has nothing to do with the act because of an error on the part of the perpetrator;</p> <p>Speech or cries that can be heard or are broadcast by mechanical means;</p> <p>Writing or images displayed in a public place or a place that is accessible to the public or open to public view or that are offered for sale or distributed to one or more persons.</p>							<p>journalist for Rising for Freedom, and Laila Safadi, the editor of the magazine, to two months in prison on blasphemy charges stemming from Gharz al-Din's February 21 article entitled, "Hold me, Dad" which was held to be blasphemous</p>
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	<p><b>Article 463</b></p> <p>1- Whoever disturbs any of the religious rituals, ceremonies or religious drawings related to those rituals or impedes them by acts of force or threat.</p> <p>2- Whoever demolishes, destroys, deforms, defiles, or impure a building dedicated to worship, a slogan, or other things that people of religion or a group of people honor.</p> <p>2- Violating the sanctity of the dead and the crimes against their burial system</p>	<p>Article 463</p> <p><a href="#">Syrian Penal Code</a>, 1949</p>	<p>Imprisonment for a period of one month to a maximum of one year</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 12</b></p> <p>The media is prohibited from publishing any content that would prejudice national unity and</p>	<p>Article 12</p>	<p>Stopping the media from</p>	<p>Civil</p>	<p>No</p>			

<sup>110</sup> Committee to Protect Journalists, 'Court sentences two Syrian journalists for blasphemy, shuts magazine' (CPJ, 16 August 2017) <<https://cpj.org/2017/08/court-sentences-two-syrian-journalists-for-blasphemy.php>> accessed 29 February 2020.

	<p>national security, offend divine religions and religious beliefs, or incite sectarian or sectarian strife.</p>	<p><a href="#">Press law, 2011</a></p>	<p>publishing or broadcasting for a period of not less than three months at the first time, and cancelling the license in the event of repetition, shall be punished with the penalties stipulated in the</p>					
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			applicable laws.					
	[Apostasy] No explicit provision criminalizing apostasy. <sup>111</sup>							
16.	<b>Lebanon</b>							
	<b>Article 473:</b>  Anyone who publicly curses the name of God will be punished with imprisonment of one month to one year.	Article 473  <a href="#">Lebanon's Penal Code, 1943</a>	Imprisonment between one month and one year	Criminal	No			

<sup>111</sup> ISIS deems apostasy punishable by death, see US Department of State, Bureau of Democracy, Human Rights and Labor, *International Religious Freedom Report 2018*, Syria, <[www.state.gov/wp-content/uploads/2019/05/TUNISIA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf](http://www.state.gov/wp-content/uploads/2019/05/TUNISIA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf)> accessed 29 April 2020.

	<p><b>Article 474:</b></p> <p>Anyone who publicly acts in contempt of the rites of any religion or encourages such acts is punishable by six months to three years' imprisonment</p>	<p>Article 474 <a href="#">Lebanon's Penal Code</a>, 1943</p>	<p>Imprisonment of up to six months to three years</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 475</b></p> <p>Whoever demolishes, smashes, deforms, defiles, or impure buildings that are devoted to worship or its rituals and other things that people of religion or a group of people honor.</p>	<p><a href="#">Lebanon's Penal Code</a>, 1943</p>	<p>Imprisonment from six months to three years.</p>	<p>Criminal</p>	<p>No</p>		<p>Deprived throughout the execution of his sentence of exercising the following civil rights:</p> <ol style="list-style-type: none"> <li>1.The right to assume jobs and services in managing the civil affairs of the sect or managing the union to which they belong.</li> <li>2.The right to be a voter or elected in all sectarian and union organizations</li> </ol>	<p>Mustafa Sbeity was arrested for "insulting" the Virgin Mary in a Facebook post and was detained for 16 days. He was charged under articles 474 and 317</p>

									of Lebanon's criminal code. <sup>112</sup>
17.	<b>UAE</b>								
	<p><b>Article 312:</b></p> <p>Shall be sentenced to detention and/or a fine whoever perpetrates one of the following crimes:</p> <ol style="list-style-type: none"> <li>1. Offense to any of the Islamic sacred beliefs or rites:</li> <li>2. Insult to any of the divine recognized religions.</li> <li>3. Approving, encouraging or promoting sin or do any act that tempts towards committing it.</li> <li>4. Knowingly eating pork meat by Moslems.</li> </ol>	<p>Article 312</p> <p><a href="#">UAE's Penal Code</a></p> <p><a href="#">Penal Code</a>, 1987</p>	<p>Detention of at least one year and a fine</p>	<p>Criminal</p>	<p>No</p>		<p>To be read in conjunction with article 324 of the penal code which states</p> <p>The penalty for attempting the crimes provided for in this chapter shall range from half the maximum and minimum penalty prescribed for each crime.</p>		

<sup>112</sup> 'Lebanon: Pattern of Prosecutions for Free Speech' (*Human Right Watch*, 31 January 2018) <[www.hrw.org/news/2018/01/31/lebanon-pattern-prosecutions-free-speech](http://www.hrw.org/news/2018/01/31/lebanon-pattern-prosecutions-free-speech)> accessed 29 April 2020.

	Should any of these crimes be perpetrated publicly, the penalty shall be detention for a minimum period of one year in addition to a fine.							
	<p><b>Article 315:</b></p> <p>Shall be sentenced to detention and/or a fine, whoever offends the sacred beliefs or rites prescribed by the other religions whenever these beliefs and rites are protected according to the rules of the Islamic Shari'a.</p>	<p>Article 315  <a href="#">UAE's Penal Code</a>,  1987</p>	<p>Detention and a fine</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 319:</b></p> <p>Whoever opposes or vilifies the foundations or teachings on which is based the Muslim religion, or whatever he essentially knows of, offends this religion, preaches another religion, advocates for a doctrine or ideology that embraces any of the matters mentioned above, or commend or</p>	<p>Article 319  <a href="#">UAE's Penal Code</a>,  1987</p>	<p>Imprisonment of up to five years</p>	<p>Criminal</p>	<p>No</p>		<p>Articles 317- 324 can be read in conjunction with Article 326 which states-</p> <p>Pardon shall be granted to any felon involved in the crimes indicated in Articles (317) to (324) if he informs</p>	

	propagate any of these, shall be sentenced to imprisonment for a term not exceeding five years.						the judicial or administrative authorities of the crime before it is disclosed; if the information is made known	
	<p><b>Article 320</b></p> <p>It is prohibited to hold any conference or meeting, in any place in the State, by a group, organization or society in case any of these aims, directly or indirectly from such meeting to oppose or vilify the foundations or teachings on which is based the Muslim religion, or whatever he essentially knows of, or to preach another religion.</p> <p>The public authority is essential to disband such a conference or meeting, with the use of force if required.</p> <p>Whoever takes part in the preparation of such a conference or meeting or participates in it, shall be</p>	<p>Article 320</p> <p><a href="#">UAE's Penal Code</a>, 1987</p>	<p>Imprisonment for a minimum term of five years but not to exceed ten.</p>	<p>Criminal</p>	<p>No</p>		<p>after detection of the crime, the court may exempt him from the penalty if the notification leads to the arrest of other culprits.</p>	

	sentenced to imprisonment for a minimum term of five years but not to exceed ten.							
	<p><b>Article 322</b></p> <p>Whoever is in possession of written instruments, printings or recordings that include commend or propagation of any of the things stipulated in Article (320) and where these writings, printings or recordings are meant for distribution or perusal by others, shall be sentenced to detention for a minimum period of one year and/or a fine not in excess of five thousands dirham.</p> <p>Shad be sentenced to the same penalty provided for in the preceding paragraph, whoever is in possession of any means of printing or recording or publicity that have been used to print, record or diffuse slogans, hymns or propaganda for a doctrine, association, organization or society that</p>	<p>Article 322</p> <p><a href="#">UAE's Penal Code</a>, 1987</p>	<p>Detention for a minimum period of one year and/or a fine not in excess of five thousand dirham.</p>	<p>Criminal</p>	<p>No</p>			

	aims at one of the objectives provided for in Article (320)							
	<p><b>Section 71:</b></p> <p>Any material which includes an incitement to, and is harmful to Islam, or the system of Government in the country, or harms the country's interests or the basic systems on which the society is founded shall be prohibited.</p>	<p>Section 71</p> <p><a href="#">Law Governing Publications and Publishing, 1980</a></p>	<p>Imprisonment between one month, and six months, a fine between 100 and 5,000 dirhams or either of these two penalties.</p> <p>The tribunal shall have</p>				<p>The penalties are prescribed under article 86.</p>	

			the right to suspend a newspaper , or close down an entertainment hall as the case may be for a maximum period of one month.					
	<p><b>Article 35:</b></p> <p>Without prejudice to the provisions of the Islamic Sharia, shall be punished by imprisonment and a fine not less than two hundred fifty thousand dirhams and not in excess of one million dirhams or either of these two penalties whoever commits through the computer network or any information</p>	<p>Article 35, <a href="#">Law on Combating Cybercrimes</a>, 2012</p>	<p>Without prejudice to the provisions of the Islamic Sharia</p>					

	<p>technology means or a website any of the following crimes:</p> <p>1- Insult to any of the Islamic sanctities or rituals.</p> <p>2- Insult to any of the sanctities or rituals of other religions where these sanctities and rituals are inviolable pursuant to the provisions of Islamic Sharia.</p> <p>3- Insult to any of the recognized celestial religions.</p> <p>4- Condoning, provoking or promoting sin.</p> <p>If the crime contains any insult to the Divinity (Allah, God) or to the messengers and prophets or be against the religion of Islam or injures its basis and principles which constitute its foundation, or whoever oppose or injures the well-known teachings and rituals of Islamic religion or prejudices the religion of Islam or preaching another religion or calls for, praises or promotes a</p>		<p>Fine between two hundred fifty thousand and one million dirhams.</p> <p>If the crime contains any insult to the Divinity- it shall be punished with imprisonment up to 7 years.</p>					
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	doctrine or a notion which involves any of the aforementioned shall be punished by imprisonment up to seven years.							
	<p><b>Article 4:</b></p> <p>Any person who commits any of the following acts shall be sentenced for the crime of blasphemy:</p> <p>1- Offending, showing contempt or irreverence toward the Divine Entity.</p> <p>2- Offending, insulting, challenging, defaming or disrespecting any religion or any of its rituals or sacred things, or disrupting or preventing licensed religious observances or ceremonies by violence or threat.</p> <p>3- Distorting, destroying, desecrating or insulting, in any way, any of the holy books.</p>	<p>Article 4</p> <p><a href="#">Law on Combating Discrimination and Hatred,</a></p> <p>2015</p>	<p>Imprisonment for at least five years and fine between two hundred fifty thousand dirhams and one million dirhams.</p>	<p>Criminal</p>	<p>No</p>			

	<p>4- Insulting, disrespecting, offending or defaming one of the messengers or their spouses, family or companions.</p> <p>5- Destroying, damaging or desecrating the sanctity of places of worship, cemeteries or graves, appurtenances or any of their contents.</p>							
	<p>[Apostasy] No explicit provision criminalizing apostasy, however Article 1 of the Penal Code provides: “The provisions of the Islamic Shari’a shall apply to the crime of doctrinal punishment, punitive sanctions and blood money. Crimes and reprehensive sanctions shall be specified in accordance with the provisions of this code and the other penal laws”. Thus, the Sharia, which penalizes apostasy with death as a hudud crime, applies.<sup>113</sup></p>	<p><a href="#">The Penal Code, 1987</a></p>						
18.	<b>Jordan</b>							

<sup>113</sup> The Penal Code of UAE, Article 66 <[www.adjd.gov.ae/sites/Authoring/AR/ELibrary%20Books/E-Library/PDFs/Penal%20Code.pdf](http://www.adjd.gov.ae/sites/Authoring/AR/ELibrary%20Books/E-Library/PDFs/Penal%20Code.pdf)> accessed 29 April 2020.

	<p><b>Article 273:</b></p> <p>Any individual who insults the Prophet Mohammed shall be punished with a term of imprisonment of one to three years.</p>	<p>Article 273  <a href="#">Jordanian Penal Code, 1960</a><sup>114</sup></p>	<p>Imprisonment of one to three years</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 278:</b></p> <p>Anyone who publishes anything, whether it be printed, a manuscript, a picture, a drawing, or a symbol, that results in offending religious feelings or beliefs is punishable by a term of imprisonment not exceeding three months or a fine not exceeding twenty dinars.</p>	<p>Article 278  <a href="#">Jordanian Penal Code, 1960</a></p>	<p>Imprisonment of up to three months or fine up to twenty dinars</p>	<p>Criminal</p>	<p>No</p>			

<sup>114</sup> Official English translation unavailable, paraphrased from Library of Congress, Laws Criminalizing Apostasy in Selected Jurisdictions, (May 2014) <[www.loc.gov/law/help/apostasy/apostasy.pdf](http://www.loc.gov/law/help/apostasy/apostasy.pdf)> accessed 29 April 2020.

	<p><b>[Apostasy]</b> No explicit provision criminalizing apostasy.</p>						<p>Jordan has, however, had history of judicial decisions criminalizing apostasy, as well as state intent. For example, converting from Islam to Christianity is considered to be apostasy,<sup>115</sup> and such a person can be charged and tried before a Sharia Court.<sup>116</sup></p> <p>A person was also once charged with apostasy for writing poems that resulted in conversion (without him having converted himself).<sup>117</sup></p>	
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<sup>115</sup> Decision from Cassation court in Jordan No. 3574/ 2005. Original copy of case in unavailable, see Tarik Arida, ‘Apostate from Islam in Jordan’, (*HG.org*) <[www.hg.org/legal-articles/apostate-from-islam-in-jordan-22836](http://www.hg.org/legal-articles/apostate-from-islam-in-jordan-22836)> accessed 29 April 2020, as cited in Library of Congress, *Laws Criminalizing Apostasy in Selected Jurisdictions*, Iran (May 2014) <[www.loc.gov/law/help/apostasy/apostasy.pdf](http://www.loc.gov/law/help/apostasy/apostasy.pdf)> accessed 29 April 2020.

<sup>116</sup> Sharie court in Jordan No. 1136/43107 in 30 of June 1997 (see above).

<sup>117</sup> Tom A. Peter, ‘A Poet Faces Death for “Killing” God’, (*Global Post*, 2 January 2010) <[www.globalpost.com/dispatch/jordan/090922/jordanian-poet-trial-apostacy](http://www.globalpost.com/dispatch/jordan/090922/jordanian-poet-trial-apostacy)> accessed 29 April 2020.

							As per advisable opinion issued by the Jordanian public Fatwa under the No. 237 dated 28 May 2009 – “The apostate Muslim shall be asked to repent and come back to Islam, and if he repent and come back to Islam then his repent shall be accepted and he will not be killed because of his apostate from Islam.” <sup>118</sup>	
19.	<b>Iran</b>							
	<b>Article 262:</b>  Anyone who swears at or commits <i>qazf</i> against the Great Prophet [of Islam] (peace be upon him) or any of the Great Prophets, shall be considered as	Article 262  <a href="#">Islamic Penal</a>	Death Penalty is proven.	Criminal	Yes		To be read in conjunction with article 263-  When the accused of a sabb-e nabi (swearing at the Prophet) claims that his/her statements have been under	Pouyan Khoshhal was convicted of blasphemy over his use

<sup>118</sup> Tarik Arida, ‘Apostate from Islam in Jordan’, (*HG.org*) as cited in Library of Congress, *Laws Criminalizing Apostasy in Selected Jurisdictions*, Iran (May 2014) <[www.loc.gov/law/help/apostasy/apostasy.pdf](http://www.loc.gov/law/help/apostasy/apostasy.pdf)> accessed 29 April 2020.

	<p><i>Sāb ul-nabi</i> [a person who swears at the Prophet], and shall be sentenced to the death penalty.</p> <p>Note- Commission of <i>qazf</i> against, or swearing at, the [twelve] <i>Shi'ite</i> Imams (peace be upon them) or the Holy Fatima (peace be upon her) shall be regarded as <i>Sab-e nabi</i>.</p>	<p><a href="#">Code</a>, 1991</p>	<p>Punishment of up to 74 lashes if done on accident.</p>				<p>coercion or mistake, or in a state of drunkenness, or anger or slip of the tongue, or without paying attention to the meaning of the words, or quoting someone else, then s/he shall not be considered as <i>Sāb ul-nabi</i> [a person who swears at the Prophet].</p> <p>Note- When a <i>sabb-e nabi</i> (swearing at the Prophet) is committed in the state of drunkenness, or anger or quoting someone else, if it is considered to be an insult, the offender shall be sentenced to a <i>ta'zir</i> punishment of up to seventy-four lashes.</p>	<p>of the word death, rather than martyrdom to describe a Shiite saint in an article. He was sentenced to six years in prison, and is presently in exile.<sup>119</sup></p>
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<sup>119</sup> Committee to Protect Journalists, 'Iranian journalist imprisoned, fired, and forced into exile over a single word' (CPJ, 11 December 2019) <<https://cpj.org/blog/2019/12/iran-journalist-pouyan-khoshhal-arrest-exile-censored.php>> accessed 29 April 2020.

	<p><b>Article 499:</b></p> <p>Anyone who, with intent to cause violence or tension in society, or with knowledge of their occurring as a result, insults Iranian ethnicities, divine religions, or branches of Islam, as recognised under the Constitution, and causes thereby violence or tension — unless subject to Hadd — and [the conduct] results in violence or tensions is sentenced to imprisonment and a monetary fine of a fifth degree, or one of these two punishments; otherwise, to imprisonment and a monetary fine of a sixth degree, or one of the two.</p> <p>Note 1 – The term ‘insult’ is defined, as per ‘the law of Estefsarieh– ratified on 4/10/1379 [24 December 2000] – pertaining to the meaning of insult, the use offensive language or desecration of someone’s honour as stipulated under the penal provisions, Articles (513), (514), (608) and (609) of the Islamic Penal Code and Para (7) and (8) of</p>	<p>Article 499</p> <p><a href="#">Book Five of the Islamic Penal Code of the Islamic Republic of Iran, 1996</a><sup>120</sup></p>	<p>Imprisonment of 2-5 years and monetary fine of and/or a monetary fine of 80–180 million rials (app. 1,905-4,283 USD).</p> <p>Note 2 provides punishments may be further increased</p>	<p>Criminal</p>	<p>No</p>			
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<sup>120</sup> Official translation unavailable, English translation taken from resources of Article 19.

	<p>Article (6), and Articles (26) and (27) of the Press Law.’</p> <p>Note 2 – In the event that the crime described in this Article is committed by an organised criminal group or is committed by government or public officials or employees while performing their duties, or in relation to them, or is delivered through speeches in public gatherings or through the use of tools of mass communication in real or cyber spaces, the stipulated penalty is increased by one degree.</p>		<p>by one degree:</p> <p>Imprisonment of 5-10 years and/or a monetary fine of 180–380 million rials) if the ‘offence’ includes one of the aggravating circumstances enumerated under Note 2 to</p>					
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			Article 499 bis					
	<p><b>Article 513:</b></p> <p>Anyone who insults the sacred values of Islam or any of the Great Prophets or [twelve] Shi'ite Imams or the Holy Fatima, if considered as Saab ul-nabi [as having committed actions warranting the hadd punishment for insulting the Prophet], shall be executed; otherwise, they shall be sentenced to one to five years' imprisonment.</p>	<p>Article 513</p> <p><a href="#">Book Five of the Islamic Penal Code of the Islamic Republic of Iran, 1996</a><sup>121</sup></p>	<p>Death penalty, or imprisonment of one to five years</p>	Criminal	Yes			

<sup>121</sup> Official translation unavailable, English translation provided by Iran Human Rights Documentation Center (IHRDC).

	<p><b>Article 6:</b></p> <p>The Press is free, except for items which undermine Islam’s bases and commandments, and public and private rights, as set forth in this chapter:</p> <p>i. Publishing heretical articles which violate Islamic values and spreading material which harms the bases of the Islamic Republic.</p> <p>ii. Spreading fornication and forbidden practices and publishing photographs, pictures, and material which violate public chastity.</p> <p>iii. Propagating and spreading overconsumption and profligacy.</p> <p>iv. Creating conflicts between social layers, particularly through raising racial or ethnic issues.</p> <p>v. Encouraging people and groups to become implicated in actions against the Islamic</p>	<p>Article 6 <a href="#">Press Law</a>, 2002</p>	<p>Imprisonment between two months and two years and up to 74 lashes.</p>	<p>Criminal</p>	<p>No</p>		<p>A violation of what is set forth in this Article is subject to punishments as determined in Article 698 of the Islamic Penal Code and in the event of persistence, they are subject to an intensification of the punishments and the forfeiture of one’s license.</p>	
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	<p>Republic's security, reputation, and interests, domestically or abroad.</p> <p>vi. Exposing or publishing classified documents, orders, and issues; secrets of the Islamic Republic's armed forces, military plans, and fortifications; the Islamic Consultative Assembly's private deliberations; and private decisions of the judiciary and decisions of the judicial authorities without legal permission.</p> <p>vii. Insulting the true religion of Islam and its sanctities, as well as insults to the Office of the Supreme Leader and the recognized Sources of Emulation.</p> <p>viii. False charges against the officials, institutions, organs, and each person in the country and abusing actual or legal figures who are respected under sharia law, even if by publishing photographs or cartoons.</p>							
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<p>ix. Cultural theft and acts like quoting material from the deviant press, parties, or groups which oppose Islam (domestically or abroad) in such a way as to propagate them. (The limitations of the above is specified in the Bylaws.)</p> <p>Note 1: Cultural theft consists of the intentional passing off of a significant portion of someone else’s works or writings, in whole or in part [sic], as one’s own or as belonging to a third party, even in the form of a translation.</p> <p>x. Objectifying use of a person (either of a female or a male) in pictures or in text, humiliating and abusing the female gender, propagating extravagance and illegitimate and illegal grandeur.</p> <p>xi. Spreading rumors and untrue articles or distorting the articles of others.</p> <p>xii. Publishing articles against the Constitution’s principles.</p>							
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	<p><b>Article 26:</b></p> <p>Whenever the Press is used to insult the true religion of Islam and its sanctities, if it amounts to heresy, the judgment of heresy will be issued against him and executed, and if not, he will be treated in accordance with the view of the sharia judge based on the law of ta'zirat [religious chastisement].</p>	<p>Article 26 <a href="#">Press Law</a>, 2002</p>	<p>Judgement of Heresy, or be given religious chastisement.</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Apostasy</b></p> <p>Iran's current Penal Code has no provisions criminalising apostasy however the draft of the code had various sections criminalising apostasy which did not make it into the final document.<sup>122</sup> However courts in the country have relied on Islamic Law and Fatwas in order to convict people</p>							

<sup>122</sup> Library of Congress, *Laws Criminalizing Apostasy in Selected Jurisdictions*, Iran (May 2014) <[www.loc.gov/law/help/apostasy/apostasy.pdf](http://www.loc.gov/law/help/apostasy/apostasy.pdf)> accessed 29 April 2020.

	of apostasy and even sentence them to death at times. <sup>123</sup>							
20.	<b>Israel</b>							
	<p><b>Article 170. Insult to Religion</b></p> <p>If a person destroys, damages or desecrates a place of worship or any object which is held sacred by a group of persons, with the intention of to reviling their religion, or in the knowledge that they are liable to deem that act an insult to their religion, then he is liable to three years imprisonment.</p>	<p>Article 170</p> <p><a href="#">Israeli Penal Law, 1977</a></p>	<p>Imprisonment of three years</p>	<p>Criminal</p>	<p>No</p>			
	<p><b>Article 173. Injury to religious sentiment</b></p>	<p>Article 173</p>	<p>Imprisonment of one year.</p>	<p>Criminal</p>				

<sup>123</sup> ‘Written Observations submitted to ECtHR in F.G. v. Sweden’, European Centre for Law and Justice (2014) ECLJ <<https://7676076fde29cb34e26d-759f611b127203e9f2a0021aa1b7da05.ssl.cf2.rackcdn.com/eclj/FG-v-Sweden-ECHR-GC-ECLJ-OBSERVATIONS.pdf>> accessed 29 April 2020.

	<p>If a person does any of the following, then he is liable to one year imprisonment:</p> <p>(1) he publishes a publication that is liable crudely to offend the religious faith or sentiment of others;</p> <p>(2) he voices in a public place and in the hearing of another person any word or sound that is liable crudely to offend the religious faith or sentiment of others.</p>	<a href="#">Israeli Penal Law, 1977</a>							
21.	<b>Yemen</b>								
	<p><b>Article 194: Ridiculing Religion and Instigation that Disturbs Public Peace</b></p> <p>To be sentenced to imprisonment for a period not exceeding three years or to a fine:</p> <p>First: Whoever disseminates in public ideas containing ridicule or contempt of religion in its beliefs or rituals or teachings. Second: Whoever</p>	<p>Article 194</p> <p><a href="#">Law Concerning Crimes and Penalties</a></p>	<p>Imprisonment for a period not exceeding three years or a fine.</p>	Criminal	No				

	instigates in public or ridicules a faction of people or empowers a faction to dominate for the purpose of disturbing public peace.	<a href="#">(Penal Code), 1994</a>						
	<p><b>Article 195: Ridiculing Religion and Instigation that Disturbs Public Peace</b></p> <p>The sentence shall be imprisonment for a period not exceeding five years</p> <p>or a fine if the religion or the sect which is affected by ridicule or contempt or inferiority is the Islamic religion.</p>	<p>Article 195</p> <p><a href="#">Law Concerning Crimes and Penalties (Penal Code, 1944</a></p>	<p>Imprisonment for a period not exceeding five years or a fine</p>	Criminal	No			
	<p><b>Article 103: Prohibitions of Publication</b></p> <p>Persons employed in radio, television and written journalism and especially those employed in</p>	<p>Article 103</p>	<p>The penalties are provided</p>		No			

<p>responsible positions in radio and television journalism, owners and editors-in-chief of newspapers, owners of printing presses and publishing houses and journalists, shall be bound to abstain from printing, publishing, circulating or broadcasting:</p> <p>a) Anything which prejudices the Islamic faith and its lofty principles or belittles religions or humanitarian creeds,</p> <p>b) In accordance with the law, any secret document or information which might jeopardise the supreme interests of the country or expose any of its security or defence secrets.</p> <p>c) Anything which might cause tribal, sectarian, racial, regional or ancestral discrimination, or which might spread a spirit of dissent and division among the people or call on them to apostasise,</p> <p>d) Anything which leads to the spread of ideas contrary to the principles of the Yemeni</p>	<p><a href="#">Press and Publications Law, 1990</a></p>	<p>under Article 104 of the Act.</p> <p>Without prejudice to any more severe penalty under another law, any person who contravenes the provisions of this law shall be subject to a fine not exceeding</p>					
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	<p>Revolution, prejudicial to national unity or distorting the image of the Yemeni, Arab or Islamic heritage.</p> <p>e) Anything which undermines public moral or prejudices the dignity of individuals or the freedom of the individual by smears and defamation,</p> <p>f) Deliberations behind closed doors of the supreme bodies of the state,</p> <p>g) The details of cases during the stages of investigation and trial in ways which might prejudice the course of justice. During these stages, the criminal investigation departments, the police, the prosecution and the judiciary determine the items publication of which is forbidden,</p> <p>h) The intentional publication of false data or information with the aim of influencing the economic trends and situation or of spreading chaos and confusion in the country,</p>		<p>ten thousand riyals or a period of imprisonment not exceeding one year.</p>					
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	<p>i) Incitement to use violence or terrorism,</p> <p>j) Advertisements containing texts or pictures which are inconsistent with Islamic values and public ethics, to defame or libel individuals, attack the rights of others or mislead the public,</p> <p>k) Advertisements for pharmaceutical preparations, beauty aids or foodstuffs without the permission of the body concerned,</p> <p>l) To criticise the person of the head of state, or to attribute to him declarations or pictures unless the declarations were made or the picture taken during a public speech. These provisions do not necessarily apply to constructive criticism.</p>							
	<p><b>Article 12 - The Definition and Number of the Jurisdictional [hodoud] Punishments</b></p> <p>There are seven crimes for which punishments prescribed by religious jurisdiction are meted out; they are crimes for which a specific religious</p>	<p>Article 12, <a href="#">Yemen Penal</a></p>	<p>Death Penalty</p>	<p>Criminal</p>	<p>Yes</p>			<p>Firass Al-Yafi'ee was accused of committing blasphemy</p>

	<p>Jurisdictional [hodoud] stipulation exists and is a pure or mixed Divine right, which religious jurisdiction expresses as "limits."<sup>3</sup> These are seven in number as follows:</p> <ol style="list-style-type: none"> <li>1. Transgression</li> <li>2. <b>Apostasy</b></li> <li>3. Banditry</li> <li>4. Adultery</li> <li>5. Drinking Alcohol</li> <li>6. Theft</li> <li>7. Slander</li> </ol>	<p><a href="#">Code, 1994</a></p>						<p>and drinking alcohol. The charges relating to blasphemy were eventually dropped. Received eighty lashes for drinking alcohol in accordance with Islamic Sharia law.<sup>124</sup></p>
	<p><b>Article 259 [Crimes Related Religion and the Sanctity of The Dead] [Apostasy]</b></p>	<p>Article 259, <a href="#">Yemen Penal</a></p>	<p>Death Penalty</p>	<p>Criminal</p>	<p>Yes</p>			

<sup>124</sup> 'Journalist fears for life after being accused of blasphemy (Local).' (*The Free Library*, 2009) [www.thefreelibrary.com/Journalist+fears+for+life+after+being+accused+of+blasphemy+\(Local\).-a0204641562](http://www.thefreelibrary.com/Journalist+fears+for+life+after+being+accused+of+blasphemy+(Local).-a0204641562) accessed 25 April 2020.

	Anyone who turns back from or denounces the religion of Islam, is punished by the death penalty after being questioned for repentance three times and after giving him a respite of thirty days. The Apostasy in public by speech or acts is considered contradictory to the principles of Islam and its pillars in intention and determination. If the intention or determination is not established and the guilty shows repentance, there will be no punishment.	<a href="#">Code, 1994</a>							
22.	<b>Saudi Arabia</b>								
	<b>Article 36</b>  In case of necessity the Ministry may withdraw any issue of the issues of the journal without compensation if it contains anything conflicting with the rules of the Sharia Law on the basis of a resolution issued by the committee provided for in Article Thirty Seven.	<a href="#">Article 36 Law of Printing and Publication, 1994</a>	Withdrawi ng issues of journal without compensat ion	Civil	No		Article 3 and Article 8 of this law specify the following:  Call to Islam, noble manners, leading to all that is good and proper and spreading of culture and knowledge shall be among		

							<p>the purposes of printed matters and publication.</p> <p>Freedom of expression is guaranteed in the different media of publication within the limits of Sharia Rules and Law.</p>	
	<p><b>Article 6:</b></p> <p>Any person who commits one of the following cyber crimes shall be subject to imprisonment for a period not exceeding five years and a fine not exceeding three million riyals or to either punishment:</p> <p>1. Production, preparation, transmission, or storage of material impinging on public order, religious values, public morals, and privacy, through the information network or computers.</p>	<p>Article 6</p> <p><a href="#">Anti-Cyber Crime Law, 2007</a></p>	<p>Imprisonment for period of a maximum five years or fine of a maximum three million riyals</p>	<p>Criminal</p>	<p>No</p>			

	<p>2. The construction or publicizing of a website on the information network or computer to promote or facilitate human trafficking.</p> <p>3. The preparation, publication, and promotion of material for pornographic or gambling sites which violates public morals.</p> <p>4. The construction or publicizing of a web site on the information network or computer to trade in, distribute, demonstrate method of use or facilitate dealing in narcotic and psychotropic drugs.</p>							
	<p><b>[Apostasy]</b></p> <p>No Penal Code, therefore there is no codified criminalization of apostasy.</p> <p>However, the Islamic Sharia is the source of law in Saudi Arabia, which explicitly criminalizes apostasy or renunciation from Islam and punishes it with death.</p>						<p>Any act indicating disagreement with Islam is, however, actively persecuted. In 2012, Saudi authorities charged a Saudi writer, with apostasy for expressing his personal religious views on</p>	<p>Ashraf Fayadh was convicted of blasphemy and apostasy and sentenced to death in</p>

							<p>Twitter.<sup>125</sup> He was extradited to Saudi Arabia where, after having repented, he was placed in protective custody.<sup>126</sup> Saudi authorities also charged two men with apostasy for adopting the Ahmadiyya interpretation of Islam.<sup>127</sup> Following the Supreme Court's decision in 2020, flogging may no longer be used as punishment for blasphemy convictions.<sup>128</sup></p>	<p>2015. However, the death sentence was subsequently commuted to 800 lashes and imprisonment for eight years, in exchange for Fayadh publicly renouncing his poetry. He was</p>
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<sup>125</sup> 'Saudi Arabia: Writer Faces Apostasy Trial', (*Human Rights Watch*, 13 February 2012) <[www.hrw.org/news/2012/02/13/saudi-arabia-writer-faces-apostasy-trial](http://www.hrw.org/news/2012/02/13/saudi-arabia-writer-faces-apostasy-trial)> accessed 29 April 2020 .

<sup>126</sup> US Department of State, Bureau of Democracy, Human Rights and Labor, *International Religious Freedom Report 2012*, (20 May 2013), Saudi Arabia, <[www.state.gov/documents/organization/208622.pdf](http://www.state.gov/documents/organization/208622.pdf)> accessed 29 April 2020.

<sup>127</sup> 'Saudi Arabia: 2 Years Behind Bars on Apostasy Accusation', (*Human Rights Watch*, 15 May 2014) <[www.hrw.org/news/2014/05/15/saudi-arabia-2-years-behind-bars-apostasy-accusation](http://www.hrw.org/news/2014/05/15/saudi-arabia-2-years-behind-bars-apostasy-accusation)> accessed 29 April 2020.

<sup>128</sup> U.S. Department of State, '2021 Report on International Religious Freedom: Saudi Arabia', <[www.state.gov/reports/2021-report-on-international-religious-freedom/saudi-arabia](http://www.state.gov/reports/2021-report-on-international-religious-freedom/saudi-arabia)> accessed 11 April 2023.

									charged with an array of blasphemy and apostasy-related offenses, including blaspheming “the divine self” and the Prophet Mohammad, spreading atheism and promoting it among the youth in public places, mocking the verses of God and the
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									prophets, refuting the Quran, denying the day of resurrection, and objecting to “fate and divine decrees” cited in Sunnah (speeches and actions of the Prophet) and Quranic text.
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## South Caucasus

S. No	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
2.	<b>Azerbaijan</b>							
	<p><b>Article 1. Freedom of Religious Belief</b></p> <p>Carrying out religious propaganda by foreigners and persons without citizenship shall be prohibited.</p>	<p>Article 1</p> <p><a href="#">Law of the Republic of Azerbaijan on freedom of religious beliefs, 1992</a></p>						
	<p><b>Article 168-1</b></p>	<p>Article 168-1</p>	<p>Imprisonment up to</p>	<p>Criminal</p>	<p>No</p>			

	<p>Conducting ceremonies and rituals pertaining to Islam by a citizen of the Republic of Azerbaijan, received religious education abroad, without consent of the relevant executive authority in the manner prescribed by the Law of the Republic of Azerbaijan "On freedom of religion" – is punishable by the penalty at the rate from two thousand to five thousand manats or imprisonment for up to one year. 168-1.2. Engaging in religious propaganda by a foreigner or a stateless person, except for religious figures, invited by the religious center - is punishable by imprisonment for the term from one year to two years. 168-1.3. The acts provided by articles 168-1.1 and 168-1.2 of this Code: 168-1.3.1. committed repeatedly; 168-1.3.2. committed by a group of persons in prior collusion or by an organized group - is punishable by imprisonment for the term from two to five years</p>	<p><a href="#">Criminal Code of Azerbaijan,</a> 1999</p>	<p>five years</p>					
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**Central Asia**

S. No	Text of Provision	Primary Source	Penalty	Nature and Classification of Offence	Death Penalty	Current Legislative Status	Remarks	Notable Cases
1.	<b>Afghanistan</b>							
	<p><b>Article 1. Scope of Application</b></p> <p>The law regulates the “Tazeeri” crime and penalties. Those committing crimes of “Hodod”, “Qessass” and “Diat” shall be punished in accordance with the provisions of Islamic religious law (the Hanafi religious jurisprudence).</p>	<p>Article 1  <a href="#">Penal Code of Afghanistan</a>,  1976</p>						

	<p><b>Article 347:</b> The following persons shall be sentenced to medium imprisonment and/or cash fine of not less than 12,000 and not more than 60,000 Afghanis.</p> <p>1– A person who forcefully and with aversion disturbs or stops the conduct of religious rituals or rites of any religion;</p> <p>2– A person who destroys or damages the permitted places of worship where religious rituals of one of the religions are conducted or destroys or damages any other sign of symbols respectable to followers of any religion.</p>							<p>Ali Mohaqiq Nasab was convicted of blasphemy in 2005 or reprinting articles criticising stoning and corporal punishment. He was sentenced to two years in prison at the end of a summary trial on blasphemy charges.<sup>129</sup></p>
	<p><b>Article 348:</b> A person who attacks a follower of any of the</p>							<p>Sayeed Mahdawi and Ali Reza</p>

<sup>129</sup> Committee to Protect Journalists, ‘Editor goes on trial for blasphemy’ (CPJ, 11 Oct 2005) <<https://cpj.org/2005/10/editor-goes-on-trial-for-blasphemy.php>> accessed 29 February 2020.

	religions, who performs his religious rituals “publicly” by word, act, writing, and other “public” means, shall be sentenced to short imprisonment of not less than 3 months and cash fine of not less than 3,000 and not more than 12,000 Afghanis.							Payam were convicted of blasphemy and sentenced to death in August 2003. They were accused of blasphemy for saying the Islam practised in Afghanistan was reactionary and for criticising the political use of the religion by conservative leaders. <sup>130</sup>
	<b>[Apostasy]</b> There is no explicit penal provision that criminalizes apostasy; however, the Hannafu School of Sunni Islam	<a href="#">Afghanistan Penal Code, 1976</a>	Death Penalty	Criminal	Yes			

<sup>130</sup> Reporters Without Borders, ‘Supreme court confirms death sentence for two journalists for blasphemy’ (*RSF*, 20 Jan 2016) <<https://rsf.org/en/news/supreme-court-confirms-death-sentence-two-journalists-blasphemy>> accessed 29 Feb 2020.

<p>is the source of legislation,<sup>131</sup> which provides for the death penalty for apostasy.</p> <p>Though some schools of Islamic jurisprudence view them separately, under the Hanafī interpretation of Islamic law that is predominant in Afghanistan, those who make blasphemous statements are considered apostates. Blasphemy as apostasy is seen as a hudud crime, a class of crimes that stipulates fixed punishments. Since non-Muslims cannot be apostates, blasphemy is punished through ta'zir, a discretionary punishment.</p> <p>Article 1 of the Penal Code also criminalizes “hudud” crimes, which includes apostasy.</p>							
<p>2. <b>Kazakhstan</b></p>							
<p><b>Article 174. Institution of social, national, generic, racial, class or religious discord</b></p> <p>1. Intentional actions, directed to institution of social, national, generic, racial, class or religious hatred, insult of the national honour and dignity or religious feelings of citizens, as well as propaganda of</p>	<p>Article 174 <a href="#">Penal Code of the Republic of Kazakhstan</a>, 2014</p>	<p>Restriction of liberty for the term of two to seven years or</p>	<p>Criminal</p>	<p>No</p>			

<sup>131</sup> Constitution of Afghanistan, articles 130 and 131, <[www.asianlii.org/af/legis/const/2004/1.html](http://www.asianlii.org/af/legis/const/2004/1.html)> accessed 29 April 2020.

<p>exclusivity, superiority or inferiority of citizens on grounds of their relation to religion, class, national, generic or racial assignment, if these actions are committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, generic, racial, class or religious discord, - shall be punished by restriction of liberty for the term of two to seven years or imprisonment for the same term.</p> <p>2. The same actions, committed by group of persons, group of persons on previous concert or repeatedly or connected with violence or threat of its use, as well as committed by person with the use of his (her) official position or leader of a public association, - shall be punished by imprisonment for the term of five to ten years with deprivation of the right to occupy determined positions or to engage in a determined activity for the term of up to three years or without it.</p> <p>3. The actions, provided by first or second parts of this Article, committed by criminal group or entailed the grave consequences, - shall be punished by imprisonment for the term of twelve to twenty years</p>		<p>imprisonment ranging from two to twenty years depending on classification of the person with deprivation of the right to occupy determined positions or to engage in a determined activity for the term of up to three years or without it.</p>					
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	with deprivation of the right to occupy determined positions or to engage in a determined activity for the term of up to three years or without it.							
3.	<b>Russia</b>							
	<p><b>Article 148. Infringement of the right to freedom of conscience and religion</b></p> <p>1. Public actions expressing overt disrespect for society and committed for the purpose of offending the religious feelings of believers, - shall be punishable by a fine of up to three hundred thousand rubles or the amount of the earned or other income of the convicted offender for a period of up to two years, or mandatory community service of up to two hundred and forty hours, or compulsory labor for up to one year, or incarceration for the same period of time.</p> <p>2. Criminal acts covered by part one hereof which are committed in places specially designated for worship and other religious observances and ceremonies, - shall be punishable by a fine of up to five hundred</p>	<p>Article 148<sup>132</sup>  <a href="#">Criminal Code of the Russian Federation</a>, 1996</p>	<p>Fine of up to three hundred thousand rubles or the amount of the earned or other income of the convicted offender for a period of up to two years, or</p>			<p>This was amended by the federal Law No. 136-FZ dated 29 June 2013 of the Russian Federation Moscow.</p>	<p>A Russian video-blogger Ruslan Sokolovsky was convicted for offending the feelings of religious believers and inciting hatred toward a social group through the publication of a series of nine videos he published on</p>	

<sup>132</sup> United States Commission on International Religious Freedom, *Respecting Rights? Measuring the World's Blasphemy Laws*, (July 2017) <[www.uscirf.gov/sites/default/files/Blasphemy%20Laws%20Report.pdf](http://www.uscirf.gov/sites/default/files/Blasphemy%20Laws%20Report.pdf)> accessed 4 February 2020.

<p>thousand rubles or the amount of the earned or other income of the convicted offender for a period of up to three years, or mandatory community service of up to four hundred and eighty hours, or compulsory labor for up to three years, or incarceration for the same period of time with or without restriction of freedom for up to one year.</p> <p>3. Unlawful obstruction of the activity of religious organizations or the conduct of worship or other religious observances and ceremonies - shall be punishable by a fine of up to three hundred thousand rubles or the amount of earned or other income of the convicted offender for a period of up to two years, or mandatory community service of up to three hundred and sixty hours, or remedial labor for up to one year, or confinement for up to three months. 4. Criminal acts covered by part three hereof committed: a) by a person using their official position; b) with the use or threat of force, - shall be punishable by a fine of up to two hundred thousand rubles or the amount of the earned or other income of the convicted offender for a period</p>		<p>mandatory community service of up to two hundred and forty hours, or compulsory labor for up to one year, or incarceration for the same period of time.</p> <p>For acts committed in places of worship - fine of up to five</p>					<p>YouTube.</p> <p>One of the videos was of him playing the game Pokemon Go in church.<sup>133</sup></p>
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<sup>133</sup> ‘The Case of Ruslan Sokolovsky, (*Columbia Global Freedom of Expression*), <<https://globalfreedomofexpression.columbia.edu/cases/case-ruslan-sokolovsky>> accessed 13 April, 2020.

	<p>of up to one year, or mandatory community service for up to four hundred and eighty hours, or remedial labor for up to two years, or compulsory labor for up to one year, or incarceration for the same period of time with disqualification from holding certain positions or engaging in certain activities for up to two years.”.</p>		<p>hundred thousand rubles or the amount of the earned or other income of the convicted offender for a period of up to three years, or mandatory community service of up to four hundred and eighty hours, or compulsory labor for up to three</p>					
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			years, or incarceration for the same period of time with or without restriction of freedom for up to one year.					
	<p><b>Article 5.26. Violation of the law on freedom of conscience and freedom of religion and on religious associations</b></p> <p>1. Obstruction of the exercise of the right to freedom of conscience and freedom of religion, including acceptance or rejection of religious or other convictions, or of entry into or withdrawal from a religious association, - shall incur an administrative fine on citizens of ten thousand to thirty thousand rubles; and on officials from fifteen thousand to one hundred thousand rubles.</p>	<p>Article 5.26  <a href="#">Code of Administrative Offences, 2001</a></p>	<p>For Obstruction - administrative fine on citizens of ten thousand to thirty thousand rubles; on officials</p>					

	<p>2. Intentional public desecration, damage or destruction of religious or liturgical literature, items of religious worship, signs or emblems of belief symbolism and attributes shall incur an administrative fine on citizens of thirty thousand to fifty thousand rubles or mandatory community service of up to one hundred and twenty hours; and on officials from one hundred thousand to two hundred thousand rubles.</p>		<p>from fifteen thousand to one hundred thousand rubles.</p> <p>For Intentional desecration - Administrative fine on citizens of thirty to fifty thousand rubles or mandatory community service of up to one hundred</p>					
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			and twenty hours; and on officials from one hundred thousand to two hundred thousand rubles.						
4.	<b>Kyrgyzstan</b>								
	Law No. 282 of December 31, 2008, on Freedom of Conscience and Religious Organizations in the Kyrgyz Republic- Art 5(4)- Persistent actions aimed at converting believers from one faith to another (proselytism), as well as any illegal missionary activity, are prohibited. Persons guilty of violation of this rule bear responsibility established by the legislation of the Kyrgyz Republic	Art 5.4 - Freedom of Conscience and Religious Organizations in the Kyrgyz Republic, 2008							

5.	<b>Tajikistan</b>							
	86. Individuals in Tajikistan who insult the religious feelings of others or desecrate items, signs, and symbols of worship are punished with a fine in the amount of ten to fifty base units.	Art 86, Procedure Code on Administrative Offences of Republic of Tajikistan, 2013	Fine in the amount of ten to fifty base units (approxima tely US\$63 to \$317).	Civil	No			
6.	<b>Turkmenistan</b>							
	Insulting religious feelings and disseminating religious materials without a positive conclusion from the state's theological examination is a misdemeanor under the Turkmen Code on Administrative Offenses. These violations of the Code are punishable by a fine of 2 to 20 base units (approximately US\$57 to \$571).	Arts. 75, 76, Code of Turkmenistan on Administrative Offenses, 2013	Fine of 2 to 20 base units (approxima tely US\$57 to \$571)	Civil	No			
7.	<b>Uzbekistan</b>							
	<b>Article 216(2) Violation of Legislation on Religious Organizations</b>	Article 216(2) of the <a href="#">Criminal Code</a> of	Fine from fifty to one hundred	Criminal	No			

	<p>Performance of illegal religious activity, evasion from the registration of an organization's chart by leaders of religious organizations, and conducting special meetings for juveniles, labor circles, and other circles and groups, unrelated to worship, by religious leaders and members of religious organizations, after infliction of administrative penalty for the same acts – shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six, or imprisonment up to three years. Conversion of believers belonging to certain religion to other religions (proselytism) and other missionary activities, after infliction of administrative penalty for the same actions – shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment up to three years.</p>	<p><a href="#">Uzbekistan</a> , 1994</p>	<p>minimum monthly wages, or arrest up to six months, or imprisonment up to three years.</p>					
	<p>The Code on Administrative Offenses also prohibits the unauthorized importation or dissemination of religious materials.</p>							