



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

LEGISLATION FACTSHEET **BLASPHEMY**

April 2020

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

By Kirsten Lavery, International Legal Specialist

Overview of Blasphemy Legislation

USCIRF defines blasphemy as “the act of insulting or showing contempt or lack of reverence for God or sacred things.” Blasphemy laws punish expression or acts deemed blasphemous, defamatory of religions, or contemptuous of religion or religious symbols, figures, or feelings.

- **Legal framework:** Blasphemy laws can be contained in a variety of legal instruments, including constitutions and statutory laws, and are often part of national penal codes.
- **Penalties:** Punishment for blasphemy ranges from fines to imprisonment and even death sentences.

Countries' Maximum Sanctions for Blasphemy

Maximum Sanction	Countries that Apply
Death Penalty	Brunei, Iran, Pakistan, Mauritania
Corporal punishment (whipping)	Sudan
Compulsory labor	Russia
Correctional labor	Kazakhstan, Moldova
Imprisonment	Algeria, Andorra, Austria, Antigua and Barbuda, Bangladesh, Bahrain, Botswana, Brazil, Burma, Cameroon, Comoros, Cyprus, Egypt, Eritrea, Ethiopia, Finland, Gambia, Germany, Grenada, Guyana, India, Indonesia, Iraq, Israel, Jordan, Kenya, Kuwait, Lebanon, Libya, Lichtenstein, Malaysia, Malawi, Maldives, Mauritius, Montenegro, Morocco, Nepal, Nigeria, Oman, Papua New Guinea, Philippines, Poland, Qatar, Rwanda, San Marino, Seychelles, Singapore, Somalia, South Sudan, Sri Lanka, St. Lucia, St. Vincent and the Grenadines, Suriname, Syria, Tanzania, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, Ukraine, Uzbekistan, Vanuatu, Yemen, Zambia, Zimbabwe
Fines	Italy, Spain, Switzerland, Tajikistan, Turkmenistan
No sanction specified in written law	Afghanistan, Cape Verde, Jamaica, Kyrgyzstan, Saudi Arabia

Global Prevalence

As USCIRF has identified a total of 84 countries with blasphemy provisions, more than one third of the world's countries maintain these laws. USCIRF's report on [Respecting Rights?: Measuring the World's Blasphemy Laws](#) reviewed the blasphemy laws in 71 countries, ranging from Brazil and Switzerland to Iran to Indonesia.¹ While implementation varies across these countries, [blasphemy laws still actively applied in many countries throughout the world.](#)

Regional Distributions of Laws (as of April 2020)

Regions of the World	Countries in Region with Blasphemy Laws
Middle East and North Africa (21.1%)	Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
Asia-Pacific (29.4%)	Afghanistan, Bangladesh, Brunei, Burma, Cyprus, India, Indonesia, Iran, Kazakhstan, Kyrgyzstan, Malaysia, Maldives, Nepal, Pakistan, Papua New Guinea, Philippines, Singapore, Sri Lanka, Tajikistan, Turkmenistan, Thailand, Turkey, Uzbekistan, Vanuatu
Europe (16.5%)	Andorra, Austria, Finland, Germany, Italy, Liechtenstein, Moldova, Montenegro, Poland, Russia, San Marino, Spain, Switzerland, Ukraine
Sub-Saharan Africa (22.4%)	Botswana, Cameroon, Cape Verde, Comoros, Eritrea, Ethiopia, Gambia, Kenya, Malawi, Mauritania, Mauritius, Nigeria, Rwanda, Seychelles, Somalia, South Sudan, Tanzania, Zambia, Zimbabwe
Americas (10.6 %)	Antigua and Barbuda, Brazil, Grenada, Guyana, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago

Human Rights Concerns

Blasphemy laws are inconsistent with universal human rights standards, failing to respect recognized rights including freedom of religion and expression. While it is legitimate to speak out against blasphemy, laws criminalizing blasphemy are detrimental to religious freedom and related human rights. USCIRF accordingly urges all countries to repeal their blasphemy laws and free those detained or convicted for blasphemy.

In **Pakistan**, blasphemy charges have been used to stifle discussion and dissent, including on college campuses. For example, Junaid Hafeez has been in jail since 2013 for blasphemy charges based on a guest lecture he organized on women's rights.

1. Blasphemy laws violate freedom of religion or belief:

Religious freedom includes the right to express a full range of thoughts and beliefs, including those that others might find blasphemous.

2. **Blasphemy laws violate freedom of expression:** Laws prohibiting blasphemy, by definition, place limits on speech and expression. Many blasphemy laws criminalize the expression of opinions that may be counter to religion or belief, further impeding free expression over open discourse concerning religion.

3. **Blasphemy laws promote intolerance and discrimination against minorities:** While advocates for blasphemy laws argue that they are needed to protect religious freedom and promote harmony, these laws empower authorities to sanction citizens who articulate minority views, and signal to society that those views are disfavored. In some countries, such as Pakistan, blasphemy laws aim to support the majority religion in a way that impermissibly discriminates against other groups.

In **Saudi Arabia**, Ahmad al-Shamri was sentenced to death by a court for posting social media content that allegedly insulted Islam and the Prophet Muhammad in April 2017

¹ The report, drafted in June 2016, reviewed legislation penalizing blasphemy in 73 countries. However, since that time, Mauritania added a blasphemy law (2018). USCIRF identified through additional research blasphemy law provisions in Botswana, Burma, Cameroon, Cape Verde, the Gambia, Jamaica, Kenya, Kyrgyzstan, Malawi, Maldives, Nepal, Seychelles, Tajikistan, Turkmenistan, Trinidad and Tobago, Ukraine, and Uzbekistan. Malta (2016), Denmark (2017), Canada (2018), New Zealand (2019), Greece (2019), and Ireland (2019).



4. **Blasphemy laws are often misused:** By making governments the arbiters of truth and religious doctrines, these laws are ripe for abuse. The application of these laws has resulted in individuals being jailed for merely expressing a different religious belief or being falsely accused of offensive statements. Blasphemy laws can embolden religious extremists to commit acts of violence. Accusations of blasphemy have resulted in arrests and arbitrary detentions and have sparked assaults, murders, and mob attacks.

5. **Blasphemy laws are frequently vague and overbroad:** Adding to their problematic nature, blasphemy laws are frequently vaguely worded and fail to contain the specificity needed to satisfy international law standards. Blasphemy laws are often overly broad in failing to define or limit the forum in which blasphemy can occur for purposes of punishment. Further, many blasphemy laws lack a requirement of specific intent.

In **Russia**, social media activist Ruslan Sokolovsky was convicted of blasphemy for having played the smartphone game Pokémon Go in a cathedral.

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