



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

LEGISLATION FACTSHEET

CONVERSION LAWS

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USCIRF's Mission

*To elevate and promote
international religious
freedom as a norm
and practice.*

By Kirsten Lavery, International Legal Specialist

Overview of Laws Related to Religious Conversion

Many countries maintain legislation that regulates religious conversions, including apostasy laws. Apostasy is the act of renouncing one's religion. At least [23 countries](#) maintain laws that penalize the act of apostasy, according to the Law Library of Congress. In some states, apostasy is a crime only when individuals renounce a specific religion. [Other countries](#) maintain anti-conversion laws that penalize changing one's religion or seeking to persuade someone else to do so. In some states, conversions are also indirectly regulated through other laws, such as those that tighten controls over nongovernmental organizations, especially foreign missionary groups.

- **Penalties:** Many laws related to conversion contain harsh penalties, including death sentences. In some states, there are significant civil implications for changing religions, resulting in legal consequences related to marriage, divorce, child custody, and inheritance. Sentencing sometimes depends on the defendant's behavior following the conviction. For example, in some countries, a conviction of apostasy can be overturned if the defendant denounces the apostasy within a specified timeframe.
- **Legal structure:** Laws that regulate conversion are often contained in criminal codes that are enforced by civil courts. In some countries, conversion is a crime through the application of religious laws or the existence of religious courts. In countries where conversion is not criminalized, the charge may still be raised in civil or religious courts during marriage, inheritance, or child custody cases.
- **Activities beyond conversion:** In several countries, broad laws extend criminal activity beyond renouncing or changing one's religion to include acts such as persuading or attempting to persuade another person to change religion. Several countries have adopted broadly-defined blasphemy laws, which based on their language, may also extend to apostasy. Apostasy laws in particular are also frequently used to charge persons for speech questioning or criticizing a religion.

Apostasy laws exist in regions including Africa, the Middle East, South Asia, and Southeast Asia.

Apostasy is a capital offense in countries including Afghanistan, Brunei, Mauritania, Qatar, Saudi Arabia, Sudan, the United Arab Emirates, and Yemen.

International Standards

The fundamental right to freedom of religion or belief includes the right to convert from one faith to another or to no faith at all. Article 18 of the [Universal Declaration of Human Rights](#) (UDHR) safeguards freedom of thought, conscience, and religion and includes the right to change one's religion. In the [International Covenant on Civil and Political Rights](#) (ICCPR), freedom of religion includes the "freedom to have or adopt a religion or belief of [one's] choice." The right extends to manifesting religion or belief in teaching, practice, worship, and observance.

This includes manifesting one's beliefs through expression intended to persuade another individual to change his or her religious beliefs or affiliation voluntarily. The ICCPR further provides the right to be free from coercion that would impair the freedom to have or adopt a religion or belief of one's choice.

The UDHR and the ICCPR also protect the right to freedom of opinion and expression, including the right to discuss and even criticize religion.

Human Rights Concerns

Any legislation that regulates religious conversion must ensure the right to freely choose and change one's religion. Apostasy laws and any other prohibition on voluntary conversion are inconsistent with international human rights standards, failing to respect recognized rights including freedom of religion and expression. USCIRF urges all countries to repeal their apostasy or anti-conversion laws and to free those detained or convicted for apostasy and related crimes.

1. Laws regulating conversion, particularly those that criminalize apostasy, can deny the right to freedom of religion: While narrow laws that protect individuals from coerced conversions are permissible under international human rights law, states must ensure that the right to convert based on the convert's free will and consent is protected.

States should repeal laws that criminalize apostasy or other types of conversion, as they prevent individuals from fully enjoying their freedom of religion or belief. Religious freedom includes the right to express a full range of thoughts and beliefs, including renouncing or changing one's religion. By criminalizing apostasy or conversion, these laws expressly impede this right. Apostasy laws further violate the right to choose one's religion and be free from coercion in doing so, particularly as apostates are often pressured to renounce to avoid harsh criminal penalties.

In [Saudi Arabia](#), a court sentenced Ahmad al-Shamri to death for apostasy following his arrest in 2014 on charges of atheism and blasphemy for posting social media content that allegedly insulted Islam and Prophet Muhammad.

2. Laws regulating conversion can violate freedom of expression: Broad definitions contained in conversion laws are often used to criminalize speech, resulting in violations of freedom of expression. The implementation of conversion laws in this manner suppresses debates and often silences dissidents.

In [Sudan](#), security officials have arrested more than 150 Muslims for apostasy because they practice an interpretation of Islam different from that espoused by the ruling party.

3. Laws regulating conversion can promote intolerance and discrimination: Even in cases where conversion is not criminalized, the civil penalties may amount to improper discrimination and often deprive apostates of civil rights. In many jurisdictions, a conviction of apostasy can result in civil penalties, such as the loss of inheritance, loss of employment, the annulment of marriage, or the loss of custody of children.



In states with official religions, often only those who belong to the official religion cannot renounce their religion, whether to convert to another religion or become non-religious. Anti-conversion laws are also often used to prohibit religious conversions from the dominant religious group, while conversions to the majority religion remain permissible and even encouraged. This leaves members of certain groups free to change their religion, but denies others this fundamental freedom. In some countries, broadly worded apostasy laws even target and discriminate against minority groups within state religions whose practice of the faith differs from that of the majority.

In **India**, state level anti-conversion laws contain broad definitions that can be interpreted as prohibiting any kind of conversion, whether consensual or not.

4. Laws regulating conversion are frequently vague and overbroad: Apostasy laws are often overly broad in their definitions of apostasy, extending to other activities such as seeking to persuade others to change beliefs. Apostasy laws also frequently fail to define or limit the forum in which apostasy can be expressed, and punish individuals who are engaging in protected speech.

Similarly, anti-conversion laws that aim to punish individuals for forced or induced conversions often contain overbroad definitions that leave little, if any, room for consensual legal conversion.

5. Laws regulating conversion are ripe for abuse: As laws criminalizing conversion are typically vague and broad, these laws are prime for arbitrary interpretation and application. This problem is compounded by these laws making governments the arbiters of truth and religious veracity. For example, in some states, apostates must obtain approval in religious courts to renounce a religion.

In addition, the application of these laws has resulted in individuals being jailed for merely questioning religious beliefs or being falsely accused. Allegations of apostasy have also sparked extrajudicial killings, assaults, and mob violence.

In **Malaysia**, Muslims who seek to convert to another religion must first obtain approval from a sharia court. Approval is rarely granted, and the courts can impose penalties on apostates, including enforced "rehabilitation."

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