

Special Report

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM



The Religion-State Relationship and the Right to Freedom of Religion or Belief:

A Comparative Textual Analysis of the
Constitutions of Majority Muslim Countries
and Other OIC Members

2012 Update

**THE U.S. COMMISSION
ON INTERNATIONAL
RELIGIOUS FREEDOM**

was created by the
International Religious
Freedom Act of 1998
to monitor the status
of freedom of thought,
conscience, and religion
or belief abroad, as
defined in the Universal
Declaration of Human
Rights and related
international instruments,
and to give independent
policy recommendations
to the President,
Secretary of State, and
Congress.

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Table of Contents

INTRODUCTION	3
I. THE RELATIONSHIP BETWEEN RELIGION AND THE STATE	8
A. ISLAM AS STATE RELIGION	8
B. CONSTITUTIONAL ROLE FOR ISLAMIC LAW, PRINCIPLES, OR JURISPRUDENCE	10
i) <i>Islam as a Source of Legislation</i>	10
ii) <i>Other Provisions for Recognition of Islamic Principles</i>	10
II. GUARANTEE OF THE RIGHT TO FREEDOM OF RELIGION OR BELIEF	12
A. MINIMUM INTERNATIONAL STANDARDS FOR CONSTITUTIONAL PROVISIONS	12
B. RELEVANT INTERNATIONAL HUMAN RIGHTS INSTRUMENTS	12
i) <i>Universal Declaration of Human Rights (UDHR)</i>	12
ii) <i>International Covenant on Civil and Political Rights (ICCPR)</i>	13
C. IMPLEMENTATION OF INTERNATIONAL STANDARDS IN MAJORITY MUSLIM COUNTRIES	13
i) <i>Freedom of Religion or Belief as a Right of Every Individual</i>	13
ii) <i>Constitutional Safeguards Against Coercion in Matters of Religious Belief</i>	14
iii) <i>Constitutional Provisions that Do Not Comply with International Standards</i>	14
<i>Table: Comparison of Constitutional Provisions on Freedom of Religion to International Standards</i>	15
D. CONSTITUTIONAL RESTRICTIONS ON THE RIGHT TO FREEDOM OF RELIGION OR BELIEF	16
E. PERMISSIBLE LIMITATIONS ON FREEDOM TO MANIFEST A RELIGION OR BELIEF UNDER INTERNATIONAL LAW	17
III. RELATED RIGHTS: FREEDOM OF EXPRESSION, ASSOCIATION, AND ASSEMBLY	19
A. OVERVIEW	19
B. APPLICATION OF RELATED RIGHTS	19
IV. EQUALITY AND PROHIBITION OF DISCRIMINATION	21
A. OVERVIEW	21
B. CONSTITUTIONAL PROVISIONS ON EQUALITY AND NONDISCRIMINATION	21
C. CONSTITUTIONAL AND OTHER LIMITATIONS ON THE RIGHTS TO EQUALITY AND NONDISCRIMINATION	22
V. CONSTITUTIONAL LAW: SUPREMACY, REMEDIES FOR RIGHTS VIOLATIONS, AND REVISIONS	24
A. LAWS INCONSISTENT WITH FUNDAMENTAL RIGHTS MAY BE VOID	24
B. CONSTITUTIONALLY RECOGNIZED RIGHTS MAY BE SUPERSEDED BY ORDINARY LAW	24
C. REVIEW OF CONSTITUTIONALITY MAY IMPLICATE THE CONFORMITY OF LEGISLATION WITH ISLAM	25

D. PROHIBITIONS ON CERTAIN REVISIONS TO THE CONSTITUTION _____	25
VI. REFERENCE TO INTERNATIONAL AGREEMENTS AND HUMAN RIGHTS INSTRUMENTS _____	27
A. OVERVIEW _____	27
B. AFFIRMATIVE OBLIGATION OR GENERAL REFERENCE TO INTERNATIONAL HUMAN RIGHTS INSTRUMENTS _____	27
VII. APPENDICES _____	28
A. SUMMARY TABLE OF MAJORITY MUSLIM COUNTRIES (BY REGION) AND OTHER OIC MEMBERS _____	28
B. TABLE OF CONSTITUTIONAL PROVISIONS ADDRESSING RELIGION, SPEECH, INTERNATIONAL LAW & EQUALITY FOR MAJORITY MUSLIM COUNTRIES (BY REGION) AND OTHER OIC MEMBERS _____	30
C. ABOUT THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM _____	155

Introduction

Current developments in constitutional drafting are spurring renewed analysis of the existing constitutional landscape in majority Muslim countries. New constitutions are being drafted in Egypt, Somalia,¹ Libya, Sudan, Tunisia, and Turkey, among others. Although the drafting and approval processes will no doubt be markedly different in each of these countries, international legal norms are clear about religious freedom standards. In each country, questions will be raised, as they have been in the past, about the relationship between international legal/human rights norms and existing political arrangements in Muslim countries—especially with respect to the internationally recognized right of freedom of thought, conscience, and religion or belief.

This study compiles and analyzes constitutional provisions currently in place concerning the relationship between religion and the state, freedom of religion or belief, and related human rights in the 46 majority Muslim countries and in 10 other countries that, while not majority Muslim, are members of the Organization of Islamic Cooperation (“OIC”).²

Table: Majority Muslim and Other OIC Member Countries

Majority Muslim Countries	Other OIC Member Countries
1. Afghanistan	1. Benin
2. Albania	2. Cameroon
3. Algeria	3. Gabon
4. Azerbaijan	4. Guinea-Bissau
5. Bahrain	5. Guyana
6. Bangladesh	6. Ivory Coast
7. Brunei	7. Mozambique
8. Burkina Faso	8. Suriname
9. Chad	9. Togo
10. Comoros	10. Uganda
11. Djibouti	
12. Egypt	
13. Gambia	
14. Guinea	
15. Indonesia	

¹ On August 1, 2012, the National Constituent Assembly approved the Provisional Constitution of Somalia. The document still requires adoption in a national referendum, at a time to be determined, following citizen consultations. Like the previous constitution, the Provisional Constitution declares Islam the state religion and requires that all laws comply “with the general principles of Shari’ah.” For USCIRF’s analysis of the draft Provisional Constitution, see here:

[http://www.uscirf.gov/images/Somalia%20Policy%20Brief%20Summer%202012%20Final\(1\).pdf](http://www.uscirf.gov/images/Somalia%20Policy%20Brief%20Summer%202012%20Final(1).pdf).

² It is an update of a similar study published by USCIRF in 2005 entitled “The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries,” Tad Stahnke & Robert C. Blitt (March 2005). This study does not address whether the issues raised herein are unique to majority Muslim and other OIC countries, as it was occasioned by constitutional development in several of these countries and does not survey the constitutions of all countries in the world. Religious freedom violations are not limited to Muslim countries, but can be found around the world, including in Europe. USCIRF has and will continue to address violations its work.

16. Iran	
17. Iraq	
18. Jordan	
19. Kazakhstan	
20. Kosovo	
21. Kuwait	
22. Kyrgyzstan	
23. Lebanon	
24. Libya	
25. Malaysia	
26. Maldives	
27. Mali	
28. Mauritania	
29. Morocco	
30. Niger	
31. Nigeria	
32. Oman	
33. Pakistan	
34. Qatar	
35. Saudi Arabia	
36. Senegal	
37. Sierra Leone	
38. Somalia	
39. Syria	
40. Tajikistan	
41. Tunisia	
42. Turkey	
43. Turkmenistan	
44. United Arab Emirates (UAE)	
45. Uzbekistan	
46. Yemen	

The area considered to be the “Muslim world” stretches from Europe to Africa, through the Middle East and into Asia. Indeed, its geographical diversity mirrors a central finding of this study, that majority Muslim countries and other OIC member countries encompass a variety of constitutional arrangements addressing the role of Islam and the scope of the right to freedom of thought, conscience, and religion or belief, and other related human rights. The documents surveyed here establish a broad assortment of constitutional views—ranging from Islamic republics with Islam as the official state religion, to secular states with strict separation of religion and state. Moreover, diversity on the role of Islam and the extent of guarantees for internationally-recognized human rights are also found in the constitutions of those states where Islam is proclaimed the religion of the state.

This wide diversity in the constitutional provisions of majority Muslim and other OIC member countries, and especially in those countries declaring Islam to be the state religion, is not necessarily well understood. Yet despite the diversity of constitutional structures, several important realities come to light through this comparative review:

- The global Muslim population is estimated at over 1.6 billion.³ Of this figure, slightly over 1.3 billion Muslims live in the 56 majority Muslim and other OIC member countries surveyed in this study.⁴
- Approximately 44% of the world’s Muslim population live in countries that have declared Islam to be the state religion,⁵ and the remaining 56% live in countries that either proclaim the state to be secular or make no pronouncements concerning an official state religion.⁶
- Only 6 countries, in all of which Islam is the declared state religion, provide no provision at all concerning religious freedom specifically.⁷ Other countries in which Islam is the declared state religion provide constitutional guarantees of the right to freedom of religion or belief, which comply in varying degrees to international norms.⁸
- Similarly, countries with Islam as the declared state religion may maintain constitutional provisions protecting the related rights to freedom of expression, association and assembly or the rights of equality and nondiscrimination with regard to, *inter alia*, religion or gender, again which comply in varying degrees to international norms.⁹ A number of constitutions of majority Muslim and other OIC member countries incorporate or otherwise reference international human rights instruments and legal norms.¹⁰

³See “The Future of the Global Muslim Population” by The Pew Forum on Religion & Public Life (<http://features.pewforum.org/muslim-population-graphic/>). Accurate and up-to-date population data for many of the countries surveyed either does not exist or varies widely. Figures presented here are estimates and, unless indicated otherwise, are based the percentage of Muslims for each country as set forth in “Mapping The Global Muslim Population: A Report on the Size and Distribution of the World’s Muslim Population,” Pew Research Center (Oct. 2009), and current country-by-country population statistics from CIA World Factbook (<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2119rank.html#top>).

⁴ See Appendix A for estimated population figures. All of the majority Muslim countries surveyed here, with the exception of Kosovo, are members of the Organization of the Islamic Cooperation (OIC). Although the OIC consists of 57 member states (including Palestine, which has not been recognized as a country by the United Nations), only 45 of these countries have a Muslim population greater than 50 percent.

⁵ These countries are Afghanistan, Bangladesh, Brunei, Iran, Malaysia, Maldives, Pakistan, Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libya, Morocco, Oman, Qatar, Saudi Arabia, Tunisia, United Arab Emirates, Yemen, Mauritania, and Somalia. (See Appendix A).

⁶ It also should be noted that of the approximately 300 million Muslims not living in majority Muslim and other OIC member countries, the vast majority are found in just a handful of states. In particular, India, China, Russia, Ethiopia, and Tanzania are home to over 240 million Muslims, or nearly 80 percent of those living outside of majority Muslim and other OIC countries. These Muslims live under constitutional structures which are either declared secular or silent with respect to a state religion.

⁷ They are Comoros, Mauritania, Algeria, Saudi Arabia, Yemen, and Maldives.

⁸ See discussion below at pages 13-18.

⁹ See discussion below at pages 19-23.

¹⁰ See, for example, the constitutions of Afghanistan, Libya, Qatar, Yemen, Kazakhstan, Tajikistan, Turkmenistan, Lebanon, Algeria, Morocco, Oman, Sudan, Burkina Faso, Gambia, Guinea, Mali, Somalia, Albania, Kosovo, Mozambique, Uganda, Togo, Guinea-Bissau, and Cameroon.

- Approximately 39% of the world’s Muslims live in 22 countries¹¹ whose constitutions provide that Islamic law, principles, or jurisprudence should serve as a source of, or limitation on, general legislation or, in the case of some countries, certain discrete matters.

Nevertheless, despite constitutional provisions that compare favorably with international standards, religious freedom abuses still occur. In some countries, constitutions have sections that undercut these protections or protections are limited by other laws, such as the criminal or family code. Governments often do not take sufficient action to actualize these protections, which result in abuses by state and/or non-state actors.

Human Rights as International and Universal Legal Norms

The freedom of thought, conscience, and religion or belief protects the rights not only of members of religious minorities within a society, but also protects the rights of individuals within a majority faith to debate and dissent from state-imposed orthodoxies. Promoting religious freedom and related human rights abroad therefore is vital to humanitarian and strategic interests. When observed, freedom of religion or belief is one of the cornerstones of stable, democratic, productive societies in which the rule of law and human rights are respected and accorded value. When denied, generations of intolerance, authoritarianism and resulting societal instability may be sown.

The Universal Declaration of Human Rights, adopted in 1948, recognizes in its first sentence the “inherent dignity and the equal and inalienable rights of all members of the human family” as the “foundation of freedom, justice and peace in the world.” Article 1 provides that “all humans are born free and equal in dignity and rights,” and Article 2 forbids distinctions of any kind, including on the basis of religion, with regard to the enjoyment of the rights and freedoms the Declaration guarantees. Article 18 states, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

The crucial role played by the delegate from Egypt, Dr. Mahmoud Azmi, during the drafting and passage of the Declaration serves as an illustration of the aspired universality

¹¹ The countries whose constitutions provide, at least in part, that Islamic law serves as a source of law or legislation are Afghanistan, Iran, Malaysia, Maldives, Pakistan, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libya, Oman, Qatar, Saudi Arabia, Somalia, Syria, UAE, Yemen, Mauritania, Gambia, Nigeria, and Sudan. (See Appendix A). In some countries, it is difficult to say whether Islamic law serves as a source of law or just as an “inspiration” for legal structures. For example, in the preamble to the Constitution of Comoros, it states that the Comorian people will “draw from Islam the permanent inspiration for the principles and rules that shall govern the union” Similarly, Article 9 of the Constitution of Algeria provides that “[t]he institutions shall not indulge in . . . practices contrary to Islamic morals and the values of the November Revolution.” Although either or both of these countries could arguably have been included in the list of countries whose constitutions provide that Islamic law should serve as the source of law or legislation, neither was included since they did not explicitly state that law or legislation must be based on Islamic law.

of this document.¹² Dr. Azmi was an active defender of human rights for all individuals, including for women and minorities. He fervently advocated the passage of the Declaration and pointed to the long, multi-civilizational and multi-religious history of his own country to demonstrate that commitment to human rights is not a western but a universal human concept.

In the end, out of 58 states then in existence, *no* country voted against the Universal Declaration.¹³ The Declaration thus represents an enduring consensus on the subject of fundamental human rights, including the freedom of thought, conscience, and religion or belief. From the early years of the United Nations, Christians, Jews, Muslims, Hindus, Sikhs, Buddhists and other religious people and groups have worked together and with one another to advance human rights. These religious groups have emphasized the religious bases for human rights within their own traditions.

Now, more than 60 years later, several Muslim majority countries have embarked on their own constitutional re-drafting and approval processes. Three contentious issues, in particular concerning religion, have permeated the constitutional drafting and approval process in other countries in the past: the appropriate constitutional role for Islam; the scope of guarantees for fundamental human rights, including the right to freedom of thought, conscience, and religion; and the equality of rights and freedoms, especially for women. In addressing these issues, guidance should be sought from these universal international norms.

To be certain, actual implementation of constitutional provisions is dependent on a number of diverse factors, including level of state control, system of government, independence of the judiciary, individual access to the courts, and enforcement of judicial remedies. Relatedly, constitutional text alone may not necessarily reflect what is being done in practice, especially in the field of human rights. That said, constitutional text remains important for setting forth aspirational norms. It lays the groundwork for legal and political reconstruction. Even if not fully implemented upon enactment, constitutional text remains fixed as fundamental law and as a statement of national principles, and can be invoked by future generations seeking to fulfill its promise.

¹² See Susan Waltz, "Universal Human Rights: The Contribution of Muslim States," *Human Rights Quarterly* 26 (2004) pp. 800-44.

¹³ Eight states abstained from the UN General Assembly vote on the UN Declaration of Human Rights: Byelorussia, Czechoslovakia, Poland, Saudi Arabia, South Africa, the former Soviet Union, Ukraine, and Yugoslavia.

I. The Relationship between Religion and the State

A. Islam as State Religion

The constitutions of 23 majority-Muslim countries proclaim Islam to be the official religion of the state, and 22 of them declare Islamic principles or law as a source for law or legislation. None of the constitutions of the ten OIC member countries that are not majority Muslim has similar provisions. Of course, the practical ramifications of a declaration of Islam as the religion of the state vary from state to state. Within these countries, there exist a range of legal provisions, policies, and practices in the political, social, religious, and economic spheres.

Table: Providing a Defining Constitutional Role for Islam

Declares Islam as the State's Religion	Provides Role for Islamic Law, Principles or Jurisprudence
1. Afghanistan	1. Afghanistan
2. Algeria	2. Bahrain
3. Bahrain	3. Egypt
4. Bangladesh	4. Gambia
5. Brunei	5. Iran
6. Egypt	6. Iraq
7. Iran	7. Jordan
8. Iraq	8. Kuwait
9. Jordan	9. Libya
10. Kuwait	10. Malaysia
11. Libya	11. Maldives
12. Malaysia	12. Mauritania
13. Maldives	13. Nigeria
14. Mauritania	14. Oman
15. Morocco	15. Pakistan
16. Oman	16. Qatar
17. Pakistan	17. Saudi Arabia
18. Qatar	18. Somalia
19. Saudi Arabia	19. Sudan
20. Somalia	20. Syria
21. Tunisia	21. UAE
22. UAE	22. Yemen
23. Yemen	

Approximately 44% of the world's Muslim population lives in the 23 countries that have declared Islam to be the state religion. Under international human rights standards, a state can adopt a particular relationship with the religion of the majority of the population, including establishing a state religion, provided that such a relationship does not result in violations of the civil and political rights of, or discrimination against, adherents of other religions or non-believers. According to the UN Human Rights Committee's General Comment on Article 18 (freedom of thought, conscience, and religion) of the International Covenant on Civil and Political Rights (ICCPR):

The fact that a religion is recognized as a state religion or that it is established as official or traditional or that its followers comprise the

majority of the population, shall not result in any impairment of the enjoyment of any of the rights under the Covenant, including articles 18 [freedom of thought, conscience, and religion] and 27 [rights of members of religious, ethnic and linguistic minorities], nor in any discrimination against adherents to other religions or non-believers. In particular, certain measures discriminating against the latter, such as measures restricting eligibility for government service to members of the predominant religion or giving economic privileges to them or imposing special restrictions on the practice of other faiths, are not in accordance with the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 [equal protection of the law without any discrimination].¹⁴

In a similar vein, the European Court of Human Rights has stated that the mere existence of a state religion or established church does not violate the right to freedom of religion or belief as long as individuals are free to leave that religion or church.¹⁵

There are alternatives to constitutional recognition of a state religion. Several countries around the world, Muslim and non-Muslim alike, have made a special recognition of a particular religion in the preamble or body of the constitution, without adopting a state religion or established church or any facially operative constitutional distinction between religions or among adherents of different religions. For example, the constitution of Greece states that the “prevailing religion in Greece is that of the Eastern Orthodox Church of Christ,”¹⁶ the Georgian constitution “recognizes [the] special role of the Apostolic Autocephalous Orthodox Church of Georgia,”¹⁷ and Bulgaria’s constitution asserts Eastern Orthodox Christianity as the “traditional religion.”¹⁸ In addition, the constitution of Thailand requires that the state “shall patronize and protect Buddhism and other religions,”¹⁹ and according to Argentina’s constitution, the “Federal Government supports the Roman Catholic Apostolic Faith.”²⁰

Finally, some constitutions make reference to God or other religious concepts but are otherwise secular in nature. For example, the Indonesian constitution provides that the “State shall be based upon the belief in the One and Only God.”²¹ The range of references to religion demonstrated here results in a variety of constitutional practices that characterize a given state’s relationship with religion. In practice, some of these

¹⁴ Para. 9, Human Rights Committee, “General Comment No. 22: The Right to Freedom of Thought, Conscience and Religion (Art. 18)”, UN Doc. CCPR/C/21/Rev.1/Add.4, July 30, 1993 ([http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/9a30112c27d1167cc12563ed004d8f15?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/9a30112c27d1167cc12563ed004d8f15?Opendocument)) (hereinafter General Comment 22).

¹⁵ *Darby v. Sweden*, 187 Eur. Ct. H.R. (ser. A) (1990), [1990] ECHR 24 (October 23, 1990), 13 E.H.R.R. 774 (1991) (<http://hudoc.echr.coe.int/Hudoc1doc/HEJUD/sift/227.txt>).

¹⁶ Article 3(1), Constitution of Greece, 1975 (as amended to 2002).

¹⁷ Article 9, Constitution of Georgia, 1995 (as amended to 2003).

¹⁸ Article 13(3), Constitution of the Republic of Bulgaria, 1991 (as amended to 2003).

¹⁹ Section 79, Constitution of the Kingdom of Thailand, 2007.

²⁰ Article 2, Constitution of the Argentine Nation, 1994.

²¹ Article 29(1), Constitution of the Republic of Indonesia, 1945 (as amended to 2002).

relationships may contribute to violations of the right to freedom of thought, conscience, and religion or belief, and other human rights.

B. Constitutional Role for Islamic Law, Principles, or Jurisprudence

i) Islam as a Source of Legislation

Twenty-two of the 56 majority Muslim and other OIC member countries recognize some constitutional role for Islamic law, principles, or jurisprudence, including by establishing Islamic law, principles, or jurisprudence as “the basis for,” “the principal source of,” “a principal source of,” or “the main source of” legislation. This practice of declaring Islam or Islamic law as a basis for legislation or law occurs in 18 of the 23 countries where Islam is the religion of the state, as well as four majority Muslim countries where Islam is not the declared state religion (see table above). In countries where a constitutional role for Islam is established, that role varies and in some cases may be restricted to specific matters, such as personal status issues or the creation of councils designed to advise the government concerning questions related to religion and religious life.²² (See Appendix A below.)

In several of these cases, no additional constitutional guidance is given to address the question of what governmental body, process, or mechanism, if any, is charged with assessing the conformity of legislation with Islamic principles or law. Moreover, many of these constitutions fail to provide any further definition of the terms “Islam,” “sharia” (Islamic law) or the “fundamentals,” “principles,” or “jurisprudence” of Islam. In Egypt, this role has fallen to the Supreme Constitutional Court, whereas in Pakistan, the constitution specifically assigns this role to the Federal Shariat Court. The ramifications of establishing a constitutionally-mandated legislative role for Islam vary from country to country.

ii) Other Provisions for Recognition of Islamic Principles

Other examples of how various constitutions lend meaning to or implement a function for Islamic principles demonstrate that diverse arrangements exist. Article 3 of Afghanistan’s constitution features a “repugnancy clause” that provides “no law can be contrary to the sacred religion of Islam and the values of this Constitution.” Moreover, under the constitution, ordinary legislation may be used to restrict or trump the rights of individual Afghans, since the scope of many of these rights are made subject to “provisions of the law.”²³ In a related vein, Afghanistan’s constitution also requires that courts render

²² For example, both the constitutions of Jordan and Malaysia limit the role of Islamic law. Under Jordan’s constitution, Islamic law applies only to personal status law and matters pertaining to *waqfs* (Muslim religious endowments or trusts). Arts. 104-190, Constitution of the Hashemite Kingdom of Jordan, 1952 (as amended). Likewise, in Malaysia, the application of Islamic law is restricted to certain enumerated areas, and in most cases falls within state jurisdiction under the federal division of powers. See Ninth Schedule, List II—State List, Constitution of Malaysia, 1957 (as amended). Although the constitution of Gambia does not declare Islam as the state religion, it similarly restricts the application of Sharia as a source of legislation to “matters of marriage, divorce and inheritance among members of the communities to which it applies.” Gambia, art.7.

²³ For example, under art.2, freedom to perform religious rites is permitted only “within the limits of the provisions of law.” See also arts. 23, 27, 35, 37, 39, 40, and 50.

decisions based on “provisions of the Hanafi jurisprudence” when “there is no provision in the Constitution or the laws with respect to a case under consideration”²⁴

For other countries, Islamic principles are constitutionally recognized, but neither self-executing nor judicially enforceable. Under Algeria’s constitution, state institutions are not permitted to engage in “practices contrary to Islamic morals.”²⁵ This provision is supported by a constitutionally mandated High Islamic Council charged with: (a) encouraging and promoting *ijtihad*, or interpretation of Islamic law; (b) providing its opinion on religious rules; and (c) presenting periodic reports of its activity to the President.²⁶ The constitutions of Mauritania, Comoros, and Pakistan also establish advisory bodies that assess laws or other official matters in light of Islamic principles.²⁷

²⁴ Afghanistan, art.130.

²⁵ Algeria, art.9.

²⁶ Algeria, art.171.

²⁷ Mauritania’s constitution establishes a High Islamic Council (art. 94), the Comoros constitution establishes a Council of the Ulemas to assist the government “in formulating decisions that affect the religious...life of the country” (art. 36), and Pakistan’s constitution creates a Council of Islamic Ideology (art. 228).

II. Guarantee of the Right to Freedom of Religion or Belief

A. Minimum International Standards for Constitutional Provisions

The minimum international standards required for an effective constitutional guarantee of the right of freedom of religion or belief can be found in the UDHR and the ICCPR. These minimum standards include:

- Universal applicability to everyone as individuals, regardless of religion or belief;
- The freedom to manifest a religion or belief, either individually or in community with others, in public or private;
- Freedom to manifest *all aspects* of a religion or belief, including worship, teaching, practice, and observance;
- No coercion that would impair the freedom to change, have or to adopt a religion or belief of one's choice. (Aspects of a constitution that could constitute coercion include: (a) no provision for equality or the prohibition of discrimination on the basis of religion; or (b) separate political rights for citizens of different religions); and
- Limitations on the right to freedom of thought, conscience, and religion or belief only in certain circumstances as provided for under international law.²⁸

According to the UN Human Rights Committee, “Article 18.2 [of the ICCPR] bars coercion that would impair the right to have or adopt a religion or belief, including the use of threat of physical force or penal sanctions to compel believers or non-believers to adhere to their religious beliefs and congregations, to recant their religion or belief or to convert. Policies or practices having the same intention or effect, such as, for example, those restricting access to education, medical care, employment or the rights guaranteed by article 25 [political rights] and other provisions of the Covenant, are similarly inconsistent with article 18.2. The same protection is enjoyed by holders of all beliefs of a non-religious nature.”²⁹

B. Relevant International Human Rights Instruments

i) Universal Declaration of Human Rights (UDHR)

Article 18 of the UDHR provides:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either

²⁸ For a more detailed discussion of these standards, see “International Standards for Constitutional Religious Freedom Protections,” Yale Journal of International Law, December 2011 (<http://www.uscirf.gov/news-room/press-releases/3679-international-standards-for-constitutional-religious-freedom-protections.html>).

²⁹ Para. 5, General Comment 22.

alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.³⁰

ii) International Covenant on Civil and Political Rights (ICCPR)

Article 18 of the ICCPR provides:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion, which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.³¹

C. Implementation of International Standards in Majority Muslim Countries

i) Freedom of Religion or Belief as a Right of Every Individual

Several countries with majority Muslim populations have constitutions that clearly specify that the right to freedom of religion or belief is to be extended to either every citizen or every individual. For example, Pakistan and Senegal extend the right of freedom of religion and belief to “every citizen” and “all citizens,” whereas Indonesia’s provision covers “every person.”³²

However, other constitutional provisions in many countries where Islam is declared to be the state religion are less clear, raising the possibility that only groups, rather than individuals, are afforded protection. Failure to provide explicit protection for individuals means that—depending upon interpretation and application—the group or the state may define the exact parameters of the right to freedom of religion or belief rather than the individual. Consequently, individuals may not be protected fully in their freedom to

³⁰ *Universal Declaration of Human Rights*, adopted and proclaimed by General Assembly resolution 217A (III), December 10, 1948 (<http://www.un.org/Overview/rights.html>).

³¹ *International Covenant on Civil and Political Rights*, adopted by General Assembly resolution 2200A (XXI), December 16, 1966, entry into force March 23, 1976 (http://www.unhchr.ch/html/menu3/b/a_ccpr.htm) (hereinafter ICCPR).

³² Pakistan, art.20(a); Senegal, art.8; and Indonesia, art.28E(1)&(2)). Other countries with similar individual guarantees include Albania, Bangladesh, Malaysia, and Kyrgyzstan (see Appendix B).

dissent from established religious teachings (i.e., an individual's right to have a religion or belief that differs or dissents from the rules or doctrines of a religious group with whom that individual might be associated).³³

ii) Constitutional Safeguards Against Coercion in Matters of Religious Belief

Several constitutions contain provisions designed to protect individuals against coercion that would impair the freedom to have or to adopt a religion or belief, further bolstering protections for the freedom of thought, conscience, and religion or belief. Examples of countries that include such provisions in their constitutions include Albania, Bangladesh, Pakistan, Azerbaijan, Sierra Leone, Turkey, Malaysia, Uzbekistan, Iraq, and Sudan.³⁴

These provisions cover a wide range of areas and generally seek to protect individuals from being compelled to:

- Participate in religious practices or become a member of a religious community;
- Reveal or profess a religion or belief publicly;
- Receive religious instruction or education of a religion that is not one's own;
- Take an oath contrary to one's religion; or
- Pay a tax that is used for the purposes of a religion other than one's own.

iii) Constitutional Provisions that Do Not Comply with International Standards

Conversely, several countries where Islam is the state religion have constitutional provisions regarding the right to freedom of religion or belief that, on their face, do not appear to comply with all aspects of international standards. Examples include provisions:

- (a) Limited to worship or the practice of religious "rites" (Afghanistan, Morocco);³⁵
- (b) Limited to one or more religions or class of religions (Afghanistan, Iran);³⁶ or
- (c) Allowing limitations on freedom of religion by any ordinary law rather than only those limitations permitted under international law (Afghanistan, Kuwait).³⁷

³³ Several majority Muslim countries have constitutions that provide for freedom of religion and belief but which do not frame freedom of religion and belief specifically as an individual right, including Bahrain, art.22 (see Appendix B).

³⁴ Albania, art.24(3); Bangladesh, art.41(2); Pakistan, art.21; Azerbaijan, art.71(IV); Sierra Leone, art.24; Turkey, art.24; Malaysia, art.11(2); Uzbekistan, art.31; Iraq, art.35; and Sudan, art.38 (see Appendix B).

³⁵ See for example, Morocco (art. 6) and Afghanistan (art. 2).

³⁶ For example, under article 13 of Iran's constitution, "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies..." Under art.2 of Afghanistan's constitution, recognition of religious freedom is granted to non-Muslims, although it is limited to the ability "to perform their religious rites within the limits of the provisions of law." (See Appendix B).

³⁷ See for example, Afghanistan, art.2; Kuwait, art.35 (see Appendix B).

Table: Comparison of Constitutional Provisions on Freedom of Religion to International Standards

Establish Specific Safeguards Against Religious Coercion	No Provisions or Provision only for the Right to Worship	Provisions that Do Not Define Rights on an Individual Basis or Limit Rights to One or More Enumerated Groups	Provisions that Permit Limitations Not Enumerated Under International Standards
<p>Africa Nigeria Sierra Leone Sudan</p> <p>East Asia and the Pacific Malaysia</p> <p>Europe and Eurasia Albania Azerbaijan Kosovo Turkey</p> <p>Near East and North Africa Iraq</p> <p>South and Central Asia Bangladesh Pakistan Uzbekistan</p> <p>Western Hemisphere Guyana</p>	<p>Africa Comoros* Mauritania*</p> <p>East Asia and the Pacific Brunei</p> <p>Near East and North Africa Algeria* Bahrain Iran Kuwait Lebanon Libya Morocco Oman Qatar Saudi Arabia* Syria United Arab Emirates Yemen*</p> <p>South and Central Asia Afghanistan Maldives*</p> <p>(*) Countries with no constitutional provisions specifically concerning freedom of religion</p>	<p>Africa Burkina Faso</p> <p>Near East and North Africa Bahrain Iran Jordan Lebanon Libya Oman Syria United Arab Emirates</p> <p>South and Central Asia Afghanistan</p>	<p>Africa Benin Burkina Faso Djibouti Gambia Guinea Ivory Coast Guinea-Bissau Mali Niger Sierra Leone Somalia Togo</p> <p>East Asia and the Pacific Brunei Malaysia</p> <p>Europe and Eurasia Azerbaijan Turkey</p> <p>Near East and North Africa Bahrain Iran Iraq Jordan Kuwait Oman United Arab Emirates</p> <p>South and Central Asia Afghanistan Bangladesh Kazakhstan Kyrgyzstan Tajikistan Turkmenistan Uzbekistan</p> <p>Western Hemisphere Guyana</p>

D. Constitutional Restrictions on the Right to Freedom of Religion or Belief

Several countries with constitutions establishing Islam as the state religion either do not contain guarantees of the right to freedom of religion or belief, or they contain guarantees that, on their face, do not comply with all aspects of international standards. Examples of such countries include Iran, Libya, and Oman. Some countries, such as Saudi Arabia, assert that these restrictions flow from the position of Islam as a declared state religion and/or the role of Islam or sharia in the legal system.³⁸ Nevertheless, the United Nations Human Rights Committee (HRC), the body that assesses compliance with the International Covenant on Civil and Political Rights (ICCPR), has concluded that restrictions made on this basis constitute violations of the ICCPR. For example, the HRC expressed concern about “infringements of the right to freedom of religion or belief” in Egypt, deplored “the ban on worship imposed on the Bahai community,” and called on the government to ensure that “its legislation and practice are consistent with article 18 of the Covenant.”³⁹ In the case of Yemen, the HRC called on the government to “ensure that its legislation and practice are in line with the provisions of the Covenant and in particular that the right of persons to change their religion...is respected.”⁴⁰ In addition, the Committee noted “with concern the situation of discrimination against women in matters of personal status, more particularly in marriage and divorce as well as the rights and duties of spouses,” and requested that the government ensure that “in all fields in the life of society, women enjoy complete equality with men, both in law and in fact.”⁴¹ (see Part E below).

In all cases, it should be emphasized that differences may exist in practice between written provisions and actual enforcement of rights. Indeed, violations of the right to freedom of religion or belief are not restricted to countries with a declared state religion; similar violations likewise may occur in countries where the constitution does not provide for a state religion or established church.⁴²

³⁸ See UN Committee on the Elimination of Racial Discrimination, “Summary Record of the 1558th Meeting: Consideration of Reports, Comments and Information Submitted By Saudi Arabia Under Article 9 of the Convention,” UN Doc. CERD/C/SR.1558, March 10, 2003.

³⁹ Para. 17, Human Rights Committee, “Concluding Observations of the Human Rights Committee: Egypt” UN Doc. CCPR/CO/76/EGY, November 28, 2002.

⁴⁰ Para. 20, Human Rights Committee, “Concluding Observations of the Human Rights Committee: Yemen” UN Doc. CCPR/CO/75/YEM, July 26, 2002 ([http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/83b4694b87b1f1abc1256c0500253d65?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/83b4694b87b1f1abc1256c0500253d65?Opendocument)).

⁴¹ Para. 7, Human Rights Committee, “Concluding Observations of the Human Rights Committee: Yemen” UN Doc. CCPR/CO/75/YEM, July 26, 2002.

⁴² After reviewing the state party report submitted by Uzbekistan, the HRC concluded that the government must abolish legislation that requires “religious organizations and associations to be registered to be entitled to manifest their religion and beliefs,” as well as a Penal Code provision “which penalizes the failure of leaders of religious organizations to register their statutes,” since those provisions were found to violate article 18 of the ICCPR. Para. 24, Human Rights Committee, “Concluding Observations of the Human Rights Committee: Uzbekistan,” UN Doc. CCPR/CO/71/UZB 26/04/2001 April 24, 2001 ([http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.CO.71.UZB.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CCPR.CO.71.UZB.En?Opendocument)).

That said, several countries with a declared state religion or an established church provide generally effective protection in law and in practice to the right to freedom of religion or belief and related human rights.⁴³ The circumstances under which such protection occurs include:

- (a) Constitutional and/or legislative guarantees in line with international standards for upholding freedom of thought, conscience, and religion or belief and related human rights, as well as effective mechanisms to enforce these guarantees in practice;
- (b) Enforceable prohibitions of discrimination on account of religion or belief; and
- (c) Strong adherence to rule of law and international human rights norms, including access to enforcement mechanisms for these norms through international institutions such as the European Court of Human Rights.

E. Permissible Limitations on Freedom to Manifest a Religion or Belief Under International Law

Under international standards, no limitations whatsoever are permitted on the freedom to *change, or have or adopt* a religion or belief of one's choice. The guarantee of freedom from coercion to change a religion or belief and the liberty of parents and guardians to ensure religious and moral education also cannot be restricted.⁴⁴ However, the freedom to *manifest* a religion or belief may be limited in certain circumstances according to ICCPR Art. (18)(3). In the words of the UN's HRC:

- Article 18.3 [of the ICCPR] *permits restrictions on the freedom to manifest religion or belief only if limitations are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.*
- In interpreting the scope of permissible limitation clauses, States parties should proceed from the need to protect the rights guaranteed under the Covenant, including the right to equality and non-discrimination on all grounds specified in articles 2, 3 and 26.
- *Limitations imposed must be established by law and must not be applied in a manner that would vitiate the rights guaranteed in article 18.*
- Paragraph 3 of Article 18 is to be strictly interpreted: restrictions are not allowed on grounds not specified there, even if they would be allowed as restrictions to other rights protected in the Covenant, such as national security.
- Limitations may be applied only for those purposes for which they were prescribed and must be directly related and proportionate to the specific need

⁴³ Examples would include Iceland (official church is the Evangelical Lutheran Church), Monaco, Malta, and Luxembourg (official church in those three countries is the Roman Catholic Church).

⁴⁴ Para. 8, General Comment 22.

- on which they are predicated. Restrictions may not be imposed for discriminatory purposes or applied in a discriminatory manner.
- The Committee observes that the concept of morals derives from many social, philosophical and religious traditions; consequently, limitations on the freedom to manifest a religion or belief for the purpose of protecting morals must be based on principles not deriving exclusively from a single tradition.⁴⁵

Despite these principles laid out by the HRC, a number of majority Muslim countries that have ratified the ICCPR have constitutional provisions that, on their face, permit limitations that are not consistent with international standards.⁴⁶ For example, in Afghanistan, the right to manifest religion is contingent upon “provisions of the law”,⁴⁷ which may enable limitations of the right based on non-enumerated grounds. In addition, provisions in other countries introduce limitations not recognized under international standards including recognition of a limited list of religious communities,⁴⁸ “public policy,”⁴⁹ “established customs,”⁵⁰ “decorum,”⁵¹ “the order established by law and the regulations,”⁵² and state sovereignty and national security.⁵³

⁴⁵ Para. 8, General Comment 22 (emphasis added).

⁴⁶ At the same time, specific limitations not in accordance with the views of the HRC also exist in countries such as Maldives, which has not signed the ICCPR. Under the Maldives constitution, the rights to freedom of conscience and expression may only be exercised “in a manner that is not contrary to any tenet of Islam.” Maldives, art.27.

⁴⁷ Afghanistan, art.2.

⁴⁸ Iran, art.13.

⁴⁹ Kuwait, art.35.

⁵⁰ For example, Bahrain, art.22; Jordan, art.14; Kuwait, art.35; and Oman, art.28.

⁵¹ Jordan, art.14.

⁵² For example, Djibouti, art.11; Ivory Coast, art.9; Togo, art.14; Turkey, art.33; and Kosovo, art.55(1).

⁵³ For example, Gambia, art.25; Ivory Coast, art.9; Togo, art.14; Kyrgyzstan, art.22(2); Turkmenistan, art.21; and Turkey, art.33 .

III. Related Rights: Freedom of Expression, Association, and Assembly

A. Overview

Many manifestations of religion or belief also fall within the scope of the related rights of freedom of expression, association, and assembly. Thus, protection of the right to freedom of religion or belief is enhanced by effective constitutional guarantees of these related rights.

As with the freedom to manifest religion or belief, the rights to freedom of expression, association, and assembly also are subject to restriction only in limited circumstances under international standards such as the ICCPR. Restrictions on these rights may be imposed only as prescribed by law and where necessary “in the interests of national security or public safety, public order...the protection of public health or morals or the protection of the rights and freedoms of others.”⁵⁴

B. Application of Related Rights

In several countries where Islam is the religion of the state, the constitutional provisions on the rights to freedom of expression, association, and assembly provide that the right can be circumscribed by any ordinary act of the legislature, rather than under the specific circumstances envisioned under international law.⁵⁵ However, other countries having Islam as a state religion do maintain provisions on these rights that, on their face, comply with international standards.⁵⁶

From among the related human rights discussed above, the right to freedom of religion or belief is intimately linked with the right to freedom of expression. For example, enforcement of offenses of blasphemy and injury to religious feelings may conflict with both of these rights. Governments and extremist groups often use these types of laws against minorities and dissenting members of the majority faith, to suppress and punish the expression of unpopular religious beliefs and opinions. This not only violates universal rights, it exacerbates religious intolerance, extremism, and violence.

The UN Human Rights Council addressed this issue in 2011 and 2012 through Resolutions 16/18 and 19/25 on “combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against, persons based on religion or

⁵⁴ See articles 19, 21 and 22, ICCPR.

⁵⁵ See for example Pakistan, art.19, which subjects the right of freedom of expression to, *inter alia*, “any reasonable restrictions imposed by law in the interest of the glory of Islam,” Bahrain, art. 23, which allows for freedom of expression “provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused,” and Yemen, art. 41, which provides that “The State shall by law secure freedom of thought and expression whether orally, in writing or in pictures and as provided for by law.”

⁵⁶ See for example Algeria, art. 36 (“The freedom of conscience and the freedom of opinion shall be inviolable.”).

belief.”⁵⁷ These resolutions provide that, consistent with international human rights standards, intolerant speech should be addressed through counter-speech and positive measures, including education and outreach. They emphasize that criminalization is only appropriate for incitement to imminent violence.⁵⁸

⁵⁷ Human Rights Council, “Resolution 16/18: Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against, persons based on religion or belief,” UN Doc. A/HRC/RES/16/18 (2011) (http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/16/18); Human Rights Council, “Resolution 19/25 : Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against, persons based on religion or belief,” UN Doc. A/HRC/RES/19/25 (2012) (http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/19/25).

⁵⁸ See also Leo, Gaer, and Cassidy, “Protecting Religions from ‘Defamation’: A Threat to Universal Human Rights Standards,” 34 Harv. J. Law & Pub. Pol. 769 (2011).

IV. Equality and Prohibition of Discrimination

A. Overview

Many of the constitutions of majority Muslim countries contain provisions addressing:

- (a) Equality before the law;
- (b) Equality of rights and freedoms (including in some cases specific provision of equal rights for men and women); and
- (c) Non-discrimination in rights or other official activities on the basis of, *inter alia*, religion or gender.

Article 26 of the ICCPR addresses religious and other forms of discrimination:

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

According to the HRC, discrimination, as used in the ICCPR, “should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.” In the same respect, the HRC also found that article 26 of the ICCPR does not “merely duplicate the guarantee already provided for in article 2 but provides in itself an autonomous right. It prohibits discrimination in law or in fact in any field regulated and protected by public authorities.”⁵⁹

B. Constitutional Provisions on Equality and Nondiscrimination

Not all countries with Islam as a declared state religion have opted to make equality subject to Islamic law. Several countries with Islam as the state religion maintain equality provisions that reflect international standards.

For example, Oman’s constitution states that “All citizens are equal before the Law and share the same public rights and duties. There is no discrimination between them on the ground of gender, origin, colour, language, religion, sect, domicile, or social status.”⁶⁰ Similarly, Algeria provides

⁵⁹ Para. 7 and 12, Human Rights Committee, “General Comment No. 18: Non-discrimination”, CCPR/C/21/Rev.1/Add.1 (1989), 10 November 1989

(<http://www.unhcr.ch/tbs/doc.nsf/0/3888b0541f8501c9c12563ed004b8d0e?Opendocument>).

⁶⁰ Oman, art.17.

that “citizens shall be equal before the law without any discrimination on the basis of birth, race, gender, opinion or any other personal or social condition or circumstances.”⁶¹

The constitutions of some majority Muslim countries go even further in asserting the right of equality and protection from discrimination. For example, Syria’s constitution guarantees “for women all opportunities enabling them to fully and effectively participate in the political, social, cultural, and economic life” and provides that “citizens are equal before the law in their rights and duties.”⁶² Likewise, Chad’s constitution ensures that “Chadians of both sexes have equal rights and duties” and extends “to all equally before the law without distinction of origin, race, sex, religion, political opinion, or social position.”⁶³

C. Constitutional and Other Limitations on the Rights to Equality and Nondiscrimination

At least four constitutions of countries where Islam is the religion of the state explicitly make equality subject to Islamic principles or the rules of Islamic jurisprudence regarding the treatment of men and women.⁶⁴ Depending on the prevailing interpretation of Islamic principles or jurisprudence in a particular country, qualifying equality in this way may subject women to discriminatory treatment in law and practice, particularly with regard to personal status issues such as marriage, divorce, and inheritance. Typically, this issue does not arise in secular states, where the principle of equality is expressed without qualification, although the actual application of that principle in secular states may still be problematic.

Still other majority Muslim countries’ constitutions provide exceptions from general nondiscrimination provisions for personal status issues such as adoption, marriage, and divorce,⁶⁵ or limit the application of equality to specific rights,⁶⁶ or do not address the issues of equality and discrimination altogether.⁶⁷

Finally, the constitutions of a number of majority Muslim countries may restrict to Muslim citizens the right to serve in government positions, and particularly to hold executive power.⁶⁸ This is achieved by requiring a specific Islamic oath or by stipulating that only Muslims can hold a given position. For example, in Yemen, the president, vice-president, members of the House of Representatives, prime minister, and other ministers must take the following constitutional oath: “I solemnly swear to God the Almighty that I shall abide by the Holy Koran and the Sunnah of Prophet Muhammed....”⁶⁹ Alternatively, according to the Tunisian constitution, only a Tunisian citizen “of Moslem religion... may present himself as a candidate for the Presidency of the

⁶¹ Algeria, art.29.

⁶² Syria, arts. 45 and 25(3).

⁶³ Chad, arts. 13 and 14.

⁶⁴ Bahrain, art. 5(b); Iran, arts. 20-21; Saudi Arabia, art.8; and Yemen, art.31.

⁶⁵ Sierra Leone, art.27(4)(d), and Gambia, art.33(5)(c).

⁶⁶ For example, compare the Moroccan constitution’s provision “Men and Women enjoy equal political rights” (art. 8), with Azerbaijan’s more broadly formulated, “Men and women have equal rights and freedoms” (art. 25(II)).

⁶⁷ See, for example, Brunei.

⁶⁸ USCIRF is aware that several non-Muslim countries also restrict certain offices to persons of a particular religion.

⁶⁹ Yemen, art.159.

Republic,” in Syria, “the religion of the President of the Republic shall be Islam,” and in Pakistan, “A person shall not be qualified for election as President unless he is a Muslim.”⁷⁰ In other majority Muslim countries, an Islamic oath is required by individuals before being permitted to take office.

This restriction also may manifest itself in more specific forms, whereby practice of a *particular strand* of Islam is established—often in favor of another Muslim community—as a prerequisite to political office. For example, in the Maldives, a the President must be “a Muslim and a follower of a Sunni school of Islam;” and in Brunei, “No person shall be appointed to be Prime Minister unless he is a Brunei Malay professing the Muslim religion *and belonging to the [Shafeite] sect of that religion.*”⁷¹

⁷⁰ Tunisia, art.40; Syria, art.3(1); and Pakistan, art.41(2).

⁷¹ Maldives, art.109(b), and Brunei, art.4(5) emphasis added.

V. Constitutional Law: Supremacy, Remedies for Rights Violations, and Revisions

A. Laws Inconsistent with Fundamental Rights May Be Void

The constitutions of some majority Muslim countries which have established Islam as the state religion contain a provision that makes void any law inconsistent with fundamental rights as set out in the constitution. For example, article 26 of Bangladesh's constitution provides:

- (1) All existing law inconsistent with the provisions [on fundamental rights] shall, to the extent of such inconsistency, become void on the commencement of this Constitution.
- (2) The State shall not make any law inconsistent with any provisions of this Part, and any law so made shall, to the extent of such inconsistency, be void.

Pakistan's constitution also provides safeguards for protection of fundamental rights under article 8:

- (1) Any law, or any custom or usage having the force of law, in so far as it is inconsistent with the rights conferred by this Chapter [on fundamental rights], shall, to the extent of such inconsistency, be void.
- (2) The State shall not make any law which takes away or abridges the rights so conferred and any law made in contravention of this clause shall, to the extent of such contravention, be void.⁷²

Malaysia's constitutional provision, while not as specific as Bangladesh's, still provides that the constitution:

is the supreme law of the Federation and any law passed... which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.⁷³

B. Constitutionally Recognized Rights May be Superseded by Ordinary Law

Some constitutions do not entrench supremacy for human rights guarantees and as a consequence, in certain situations these guarantees may be superseded by an ordinary act of legislation. As noted above, Afghanistan's constitution, on its face, permits ordinary legislation to restrict or trump fundamental individual rights. Other countries with similar provisions include Senegal, Yemen, and Iran.⁷⁴

⁷² It should be noted that Pakistan's constitution gives the Federal Shariat Court the authority to determine if a law is repugnant to Islamic injunctions. See Pakistan, arts. 203(D)(1) and (D)(3)(b).

⁷³ Malaysia, art.4(1).

⁷⁴ Senegal, art.8; Yemen, art.41; and Iran, art.13.

C. Review of Constitutionality May Implicate the Conformity of Legislation with Islam

In some states where Islamic principles, law, or jurisprudence are established in the constitution as a basis or standard of legislation, a judicial or other body empowered to assess the constitutionality of laws may also have the authority to review legislation for its conformity to Islam. If interpreted and applied to prioritize a strict interpretation of Islamic law over human rights guarantees, these provisions can become problematic and result in abuses.

For example, Iraq's constitution provides that, "No law that contradicts the established provisions of Islam may be established" and also provides that the Federal Supreme Court has jurisdiction to interpret the Constitution and to provide oversight of the constitutionality of laws and regulations.⁷⁵ Similarly, Afghanistan's constitution, which establishes that "no law can be contrary to the sacred religion of Islam and the values of this Constitution,"⁷⁶ empowers the Supreme Court to review legislation for conformity to the constitution, provided such a review is made at "the request of the Government and/or the Courts."⁷⁷ As noted above, the Afghan constitution also requires courts to apply Hanafi jurisprudence where the constitution or existing laws are silent.⁷⁸

Pakistan's constitution also tasks a Federal Shariat Court with examining "whether or not any law or provision of law is repugnant to the Injunctions of Islam, as laid down in the Holy Quran and the Sunnah of the Holy Prophet, hereinafter referred to as the Injunctions of Islam." If such a law is determined to be repugnant to those injunctions, "such law or provision shall, to the extent to which it is held to be so repugnant, cease to have effect on the day on which the decision of the Court takes effect."⁷⁹

D. Prohibitions on Certain Revisions to the Constitution

Another notable provision found in several constitutions seeks to entrench certain state-defining elements by preventing their modification. In some cases, such as Chad, these protected provisions guarantee the secular nature of the state and the fundamental rights of its citizens. The Chadian constitution specifies that:

- No amendment procedure may be commenced or continued if it affects:
- territorial integrity, independence or national unity;
 - the republican form of government, the principle of separation of powers and secularism;
 - fundamental rights and freedoms of citizens...⁸⁰

⁷⁵ Iraq, arts. 2(First)(A) and 90.

⁷⁶ Afghanistan, art.3.

⁷⁷ Afghanistan, art.121.

⁷⁸ Afghanistan, art.130. See Part I(B)(ii) above.

⁷⁹ Pakistan, arts. 203(D)(1) and (D)(3)(b).

⁸⁰ Chad, art.225.

In contrast, the prohibition on revisions found in the constitutions of several countries where Islam is the religion of the state protects the Islamic character of the state. According to Iran's constitution:

The contents of the Articles of the Constitution related to the Islamic character of the political system; the basis of all the rules and regulations according to Islamic criteria; the religious footing; the objectives of the Islamic Republic of Iran...and the...official religion of Iran [Islam]...are unalterable.⁸¹

Finally, Algeria's constitution demonstrates that both fundamental rights and Islam as a state religion may be considered essential state characteristics that cannot be subject to revision. According to the constitutional text, there can be no constitutional amendment with respect to "the role of Islam as the religion of the State [or] the fundamental liberties, on the rights of man and of the citizen."⁸²

⁸¹ Iran, art.177. See also Morocco, art.106.

⁸² Algeria, art.178(3) and (5). See also Qatar, arts. 145-146, and Afghanistan, art.149. Kuwait's constitution permits revisions with respect to the role of Islam; however, it prevents amendments with respect to "the principles of liberty and equality... [unless such an amendment serves] to increase the guarantees of liberty and equality." Kuwait, art.175.

VI. Reference to International Agreements and Human Rights Instruments

A. Overview

Protection of the right to freedom of religion or belief can be enhanced by constitutional references to international human rights instruments, including human rights treaties to which the country is a party. The application of these international human rights protections, if considered part of the domestic law of the state and enforceable through the courts or other means, can supplement other constitutional provisions on human rights.

B. Affirmative Obligation or General Reference to International Human Rights Instruments

The constitutions of predominately Muslim and other OIC countries address in a variety of ways international human rights documents such as the UDHR and other international agreements to which the state is a party, including the UN Charter and the ICCPR. Some of these constitutions may contain an affirmative obligation to abide by specific international human rights instruments. For example, article 7 of Afghanistan's constitution declares that the state "shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights." In a similar manner, article 6 of Yemen's constitution provides that the state "shall abide by the United Nations Charter, the Universal Declaration on Human Rights, the Arab League Charter and the universally recognized rules of international law."⁸³

States with constitutions that lack any specific affirmative obligation to abide by international human rights instruments may, nonetheless, make reference more generally to "international...treaties and the generally recognized norms of international Law conducive to the promotion of peace and security,"⁸⁴ subscribe "to the principles and objectives of the Charter of the United Nations,"⁸⁵ or respect "the international agreements, charters and treaties to which it is a party."⁸⁶ Other constitutions may allude to such documents in their preambles,⁸⁷ whereas others make no reference at all to any international documents or treaties.

⁸³ See also Guinea-Bissau, art.29; Togo, art.50; Kosovo, art.22; and Mozambique, art.43.

⁸⁴ Oman, art.10. See also Somalia, art.19.

⁸⁵ Algeria, art.28.

⁸⁶ Qatar, art.6.

⁸⁷ See for example, Lebanon, Guinea, Gabon, Cameroon, and Mali.

VII. Appendices

A. Summary Table of Majority Muslim Countries (By Region) and Other OIC Members

Majority Muslim Countries	% Muslim (Number)	Islam State Religion?	Islamic Law Source of Law or Legislation
<i>Africa</i>			
Burkina Faso	59% (9,883,359)	No	No
Chad	55.8% (6,003,491)	No	No
Comoros	98.3% (781,173)	No	No
Djibouti	96.9% (733,605)	No	No
Gambia	95% (1,707,967)	No	In certain matters
Guinea	84.4% (8,947,252)	No	No
Mali	92.5% (13,097,911)	No	No
Mauritania	99.1% (3,252,099)	Yes	In certain matters
Niger	98.6% (16,238,322)	No	No
Nigeria	50.4% (78,228,649)	No	In certain matters
Senegal	96% (12,138,047)	No	No
Sierra Leone	71.3% (3,824,296)	No	No
Somalia	98.5% (9,776,755)	Yes	Yes
<i>East Asia and the Pacific</i>			
Brunei	67.2% (270,070)	Yes	No
Indonesia	88.2% (216,630,704)	No	No
Malaysia	60.4% (17,352,079)	No	In certain matters
<i>Europe and Eurasia</i>			
Albania	79.9% (2,392,739)	No	No
Azerbaijan	99.2% (8,305,394)	No	No
Kosovo	89.6% (1,635,766)	No	No
Turkey	98% (77,209,837)	No	No
<i>Near East and North Africa</i>			
Algeria	98% (34,295,038)	Yes	No
Bahrain	81.2% (986,340)	Yes	Yes
Egypt	90% (73,871,672)	Yes	Yes
Iran	99.4% (77,423,873)	Yes	Yes
Iraq	99% (30,095,576)	Yes	Yes
Jordan	98.2% (6,391,122)	Yes	In certain matters
Kuwait	95% (2,465,847)	Yes	Yes

Lebanon ⁸⁸	59.3% (2,456,859)	No	No
Libya	96.6% (6,373,629)	Yes	Yes
Morocco	99% (31,648,677)	Yes	No
Oman	87.7% (2,655,520)	Yes	Yes
Qatar	77.5% (657,212)	Yes	Yes
Saudi Arabia	97% (25,347,752)	Yes	Yes
Sudan	71.3% ⁸⁹ (32,118,869 – 44,146,552)	No	In certain matters
Syria	92.2% (20,761,366)	No	Yes
Tunisia	99.5% (10,576,040)	Yes	No
UAE	76.2% (3,923,282)	Yes	Yes
Yemen	99.1% (23,916,291)	Yes	Yes
<i>South and Central Asia</i>			
Afghanistan	99.7% (29,745,886)	Yes	Yes
Bangladesh	89.6% (142,079,199)	Yes	No
Kazakhstan	56.4% (8,754,618)	No	No
Kyrgyzstan	86.3% (4,821,963)	No	No
Maldives	98.4% (388,679)	Yes	Yes
Pakistan	96.3% (180,411,040)	Yes	Yes
Tajikistan	84.1% (6,414,475)	No	No
Turkmenistan	93.1% (4,652,675)	No	No
Uzbekistan	96.3% (27,087,842)	No	No
Other OIC Countries	% Muslim	Islam State Religion?	Islamic Law Source of Law or Legislation
Ivory Coast	36.7% (7,892,028)	No	No
Mozambique	22.8% (5,232,340)	No	No
Uganda	12.1% (4,188,082)	No	No
Benin	24.4 (2,275,308)	No	No
Suriname	15.9 (78,226)	No	No
Togo	12.2 (826,183)	No	No
Gabon	9.5 (149,783)	No	No
Guyana	7.2 (53,623)	No	No

⁸⁸ The official position of the government of Lebanon is that it is a majority Christian country, but there has not been a census in the country in many years. The sources for population numbers used in this report – the Pew Research Center and the CIA World Factbook – list Lebanon as majority Muslim. Lebanon is a member of the OIC.

⁸⁹ This percentage was measured in 2009 and would have encompassed what is now two independent countries, Sudan and South Sudan. In February 2011, President Omar al-Bashir estimated that, after South Sudan established its formal independence in January 2011, 98% of the people now residing in Sudan are Muslim; at the time of this writing, this has not been independently established. The Republic of the Sudan is a member of the OIC.

Guinea-Bissau	42.2 (673,798)	No	No
Cameroon	17.9 (3,528,321)	No	No

B. Table of Constitutional Provisions Addressing Religion, Speech, International Law & Equality for Majority Muslim Countries (By Region) and Other OIC Members

Majority Muslim Countries	% Muslim ⁹⁰ (Number) ⁹¹	Islam State Religion?	Islamic Law Source of Law or Legislation	Constitutional Provisions Addressing Religion, Speech, International Law & Equality
<i>Africa</i>				
Burkina Faso ⁹²	59% (9,883,359)	No	No	<p>Preamble We, the Sovereign People of Burkina Faso, - Engaged to preserve that acquired and animated by a will to construct a State of law guaranteeing the exercise of collective and individual rights, liberty, dignity, security, well-being, development, equality and justice as the fundamental values of a pluralist society of progress and disposing of all prejudice, - Subscribing to the Universal Declaration of the Rights of Man of 1948 and to the international instruments concerning economic, political, social and cultural problems, Approve and adopt this Constitution of which this preamble is made an integral part.</p> <p>Article 1 All the Burkinabians are born free and equal in rights. All have an equal vocation to enjoy all the rights and all the freedoms guaranteed by the present Constitution. Discrimination of all sorts, notably those founded on race, ethnic [character], region, color, sex, language, religion, caste, political opinions, wealth and birth, are prohibited.</p> <p>Article 4</p>

⁹⁰ Based on “Mapping The Global Muslim Population: A Report on the Size and Distribution of the World’s Muslim Population,” Pew Research Center (Oct. 2009).

⁹¹ Country-by-country population statistics from CIA World Factbook (<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2119rank.html#top>).

⁹² Constitution of Burkina Faso was approved by referendum June 2, 1991 and formally adopted on June 11, 1991; it was last amended in January 2002. Burkina Faso is a member of the OIC. As of this writing, the population of Burkina Faso is estimated to be 16,751,455.

			<p>All the Burkinabians and every person living in Burkina Faso benefit from equal protection of the law.</p> <p>Article 7 The freedom of belief, of non-belief, of conscience, of religious opinion, philosophy, of religious exercise, the freedom of assembly, the free practice of custom as well as the freedom of procession and its demonstration are guaranteed by the present Constitution subject to respect of the law, of the public order, of good morals and of the human person.</p> <p>Article 8 The freedoms of opinion, of the press and the right to information are guaranteed. Every person has the right to express and to disseminate his opinions within the order of the laws and regulations in force.</p> <p>Article 11 All Burkinabians enjoy civil and political rights according to the conditions specified by the law.</p> <p>Article 12 All Burkinabians without any distinction have the right to participate in the conduct of the affairs of the State and of Society.</p> <p>Article 13 Political parties and formations create themselves freely. They concur with the spirit [<i>animation</i>] of political life, to the information and to the education of the people as well as to the expression of suffrage. They freely conduct their activities with respect to the laws. All the political parties and formations are equal in rights and duties. However, tribalist, regional, confessional, or racist political parties or formations are not authorized.</p> <p>Article 19 The right to work is recognized and is equal for all. It is prohibited to discriminate in matters of employment and remuneration founded notably on sex, color, social origin, ethnicity or political opinion.</p> <p>Article 21 The freedom of association is guaranteed. Every person has the right to constitute associations and to participate freely in the activities of the associations created. The functioning of the associations must conform itself to the laws and regulations in force.</p> <p>Article 23 The family is the basic cell [<i>cellule</i>] of society. The State owes it protection. Marriage is founded on the free consent of the man and of the woman. Every discrimination founded on race, color, religion, ethnicity, caste, social origin, fortune is forbidden in the matter of marriage. Children are equal in rights and in duties within their familial relations. The parents have the natural right and the duty to bring up and to educate their children. They must give them respect and assistance.</p> <p>Article 31</p>
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				Burkina Faso is a democratic, unitary and secular State.
Chad ⁹³	55.8% (6,003,491)	No	No	<p>Article 1 Chad is a sovereign Republic, independent, secular, social, and one and indivisible, based on the principles of democracy, the rule of law and justice. It is asserted the separation of religion and the State.</p> <p>Article 5 Any propaganda on ethnic, tribal, regional or denominational aimed at undermining national unity or to the secularism of the State is prohibited.</p> <p>Article 6 The suffrage is universal, direct or indirect, equal and secret.</p> <p>Article 13 The Chadians of both sexes have equal rights and duties. They are equal before the law.</p> <p>Article 14 The State provides to all equally before the law without distinction of origin, race, sex, religion, political opinion or social position. It has a duty to ensure the elimination of all forms of discrimination against women and to ensure the protection of their rights in all areas of private and public life.</p> <p>Article 19 Everyone has the right to free development of his person in respect of rights of others, morality and public order.</p> <p>Article 27 The freedoms of opinion and expression, of communication, conscience, religion, press, association, assembly, movement, demonstrations and processions are guaranteed to all. They may not be limited except for the respect for the freedoms and rights of others and by the need to preserve the public order and morals. The law determines the conditions for their exercise.</p> <p>Article 28 Freedom of association is recognized.</p> <p>Article 54 No one may resort to his religious beliefs or philosophical opinions to avoid an obligation dictated by the national interest.</p>

⁹³ Constitution for the Republic of Chad was passed by referendum on March 31, 1996; a June 2005 referendum removed constitutional term limits. Chad is a member of the OIC. As of this writing, the population of Chad is estimated to be 10,758,945.

				<p>Article 225 No amendment procedure may be commenced or continued if it affects:</p> <ul style="list-style-type: none"> - territorial integrity, independence or national unity; - the republican form of government, the principle of separation of powers and secularism; - fundamental rights and freedoms of citizens; - political pluralism.
Comoros ⁹⁴	98.3% (781,173)	No	No	<p>Preamble The Comorian people solemnly affirm their will to:</p> <ul style="list-style-type: none"> - draw from Islam the permanent inspiration for the principles and rules that shall govern the union... <p>[The Comorian people] Proclaim:</p> <ul style="list-style-type: none"> - Equality for all in rights and duties without distinction to sex, origin, race, religion or belief. - Equality for all before the law... - Freedom of expression, assembly, association and freedom of union with respect for morals and public order, <p>This preamble forms an integral part of the Constitution.</p> <p>Article 9 The Union will have exclusive jurisdiction in the following matters: religion, nationality, currency, foreign relations, external defense, and national symbols.</p> <p>Article 36 ... the Council of the Ulemas and the Economic and Social Council shall assist as needed, the government of the Union ... in formulating decisions that affect the religious, economic and social life of the country.</p>
Djibouti ⁹⁵	96.9% (733,605)	No	No	<p>Article 1 The State of Djibouti shall be a democratic sovereign Republic, one and indivisible. It shall ensure the equality of all citizens before the law, without distinction as to origin, race, sex or religion. It shall respect all beliefs.</p> <p>Article 3 The Republic of Djibouti shall comprise all persons whom it recognizes as members and who accept its duties, without distinction of language, race, sex or religion.</p> <p>Article 5 All Djiboutian nationals of both sexes who have reached their majority and enjoy civil and political rights shall be eligible to vote under the conditions determined by law.</p> <p>Article 10</p>

⁹⁴ Constitution of the Union of the Comoros was adopted on December 23, 2001. Comoros is a member of the OIC. As of this writing, the population of Comoros is estimated to be 794,683.

⁹⁵ Constitution the Republic of Djibouti was approved by referendum on September 4, 1992. Djibouti is a member of the OIC. As of this writing, the population of Djibouti is estimated to be 757,074

				<p>The person is sacred. The State shall have the obligation to respect and protect it. All human beings shall be equal before the law.</p> <p>Article 11 Everyone shall have the right to freedom of thought, conscience, religion, worship and opinion in conformity with the order established by law and the regulations.</p> <p>Article 15 Everyone shall have the right freely to express and disseminate his opinions by word, pen, or image. These rights shall be subject to the provisions of the law as well as to respect for the honor of other persons. All citizens shall have the right freely to constitute associations and trade unions, subject to compliance with the formalities required by the laws and regulations.</p> <p>Article 37 Treaties or agreements duly ratified shall, upon their publication, have an authority superior to that of laws subject, for each agreement or treaty, to its application by the other party and to its conformity with the relevant provisions of the law of treaties.</p>
Gambia ⁹⁶	95% (1,707,967)	No	In certain matters	<p>Article 7 [The Laws of the Gambia] In addition to this Constitution, the laws of The Gambia consist of— (f) the Sharia as regards matters of marriage, divorce and inheritance among members of the communities to which it applies.</p> <p>Article 17 [Fundamental rights freedoms] (2) Every person in The Gambia, whatever his or her race, colour, gender, language, religion, political or other opinion, national or social origin, property, birth or other status, shall be entitled to the fundamental human rights and freedoms of the individual contained in this Chapter, but subject to respect for the rights and freedoms of others and for the public interest.</p> <p>Article 25 [Freedom of speech, conscience, assembly, association and movement] (1) Every person shall have the right to— (a) freedom of speech and expression, which shall include freedom of the press and other media; (b) freedom of thought, conscience and belief, which shall include academic freedom; (c) freedom to practice any religion and to manifest such practice; (d) freedom to assemble and demonstrate peaceably and without arms; (e) freedom of association, which shall include freedom to form and join associations and unions, including political parties and trade unions; (f) freedom to petition the Executive for redress of grievances and to resort to the Courts for the protection of his or</p>

⁹⁶ Constitution of the Republic of the Gambia was approved by national referendum on August 8, 1996 and went into effect on January 16, 1997. Gambia is a member of the OIC. As of this writing, the population of Gambia is estimated to be 1,797,860.

			<p>her rights.</p> <p>(4) The freedoms referred to in subsections (1) and (2) shall be exercised subject to the law of The Gambia in so far as that law imposes reasonable restrictions on the exercise of the rights and freedoms thereby conferred, which are necessary in a democratic society and are required in the interests of the sovereignty and integrity of The Gambia, national security, public order, decency or morality, or in relation to contempt of court.</p> <p>Article 28 [Rights of women]</p> <p>(1) Women shall be accorded full and equal dignity of the person with men.</p> <p>(2) Women shall have the right to equal treatment with men, including equal opportunities in political, economic and social activities.</p> <p>Article 32 [Culture]</p> <p>Every person shall be entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the terms of this Constitution and to the condition that the rights protected by this section do not impinge on the rights and freedoms of others or the national interest, especially unity.</p> <p>Article 33 [Protection from discrimination]</p> <p>(1) All persons shall be equal before the law.</p> <p>(2) Subject to the provisions of subsection (5), no law shall make any provision which is discriminatory either of itself or in its effect.</p> <p>(3) Subject to the provisions of subsection (5), no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office or any public authority.</p> <p>(4) In this section, the expression “discrimination” means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, colour, gender, language, religion, political or other opinion, national or social origin, property, birth or other status whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject, or are accorded privileges or advantages which are not accorded to persons of another such description.</p> <p>(5) Subsection (2) shall not apply to any law in so far as that law makes provision—</p> <ul style="list-style-type: none"> (a) with respect to persons who are not citizens of The Gambia or to qualifications for citizenship; (b) with respect to the qualifications prescribed by this Constitution for any office; (c) with respect to adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law; (d) for the application in the case of members of a particular race or tribe of customary law with respect to any matter in the case of persons who, under that law, are subject to that law. <p>(6) Subsection (3) shall not apply to anything which is expressly or by necessary implication authorised to be done by any such provision of law as is referred to in subsection (5).</p> <p>Article 35 [Derogations from fundamental rights under emergency powers]</p> <p>(1) An Act of the National Assembly may authorize the taking, during any period of public emergency, of measures that are reasonably justifiable for dealing with the situation that exists in The Gambia.</p>
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			<p>(2) Nothing contained in or done under the authority of such an Act shall be held to be inconsistent with or in contravention of sections 19, 23, 24 (other than subsections (5) to (8) thereof) or 25 of this Constitution to the extent that it is reasonably justifiable in the circumstances arising or existing during a period of public emergency for the purpose for dealing with the situation.</p> <p>Article 60 [Political parties] (1) Subject to the provisions of this section, political parties may be established to participate in the shaping of the political will of the people, to disseminate information of political ideas and on political, economic and social programmes of a national character, and to sponsor candidates for public elections. (2) Subject to the provisions of this section, an Act of the National Assembly may make provision for the registration and cancelling of registration by the Independent Electoral Commission, and the functioning and the operation, of political parties, including the prescription of penalties for the failure to register by associations which carry out the functions of political parties or the carrying out of such functions by associations which have been refused registration or the registration of which has been cancelled. (4) No association shall be registered, or remain registered, as a political party if— (a) it is formed or organized on an ethnic, sectional, religious or regional basis;</p> <p>Article 100 [The legislative power] (2) The National Assembly shall have no power to pass a Bill— (b) to establish any religion as a state religion;</p> <p>Article 137 [The Cadi Court] (1) A Cadi Court shall be established in such places in The Gambia as the Chief Justice shall determine. (2) The Cadi Court shall be composed— (a) for hearings at first instance, by a panel consisting of the Cadi and two other scholars of the Sharia qualified to be a Cadi or Ulama; (b) for hearings on review, by a panel consisting of the Cadi and four Ulama. (3) The decision of the majority of a panel of a Cadi Court shall constitute the decision of the Court. (4) The Cadi Court shall only have jurisdiction to apply the Sharia in matters of marriage, divorce and inheritance where the parties or other persons interested are Muslims. (5) Any party to a proceeding in the Cadi court who is dissatisfied with a decision at first instance may, within three months of the date of the decision, apply to the same court for a review of the decision and the Cadi court shall review the decision. (6) A person shall be required to be of high moral standing and professionally qualified in the Sharia in order to be appointed a Cadi or Ulama. (7) A party to proceedings in the Cadi court shall be entitled to be represented, at his or her own expense, by a person qualified in the Sharia.</p> <p>Article 207 [Freedom and responsibility of the Media] (1) The freedom and independence of the Press and other information media are hereby guaranteed.</p>
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				<p>Article 208 [Responsibility of State owned media] All state owned newspapers, journals, radio and television shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinion.</p> <p>Article 209 [Limitations on rights and freedoms] The provisions of sections 207 and 208 are subject to laws which are reasonably required in a democratic society in the interest of national security, public order, public morality and for the purpose of protecting the reputations, rights and freedoms of others.</p> <p>Article 212 [National Integration and Unity] (1) All organs of the State shall strive towards the realization of national unity, peace and stability. (2) Every effort shall be made to integrate the people of The Gambia and foster loyalty to The Gambia without discrimination. (3) All the people of The Gambia shall be entitled to their ethnic, religious and cultural values which do not disturb the unity or cohesion of the State.</p> <p>Article 216 [Social Objectives] (1) The State shall endeavor to secure and promote a society founded on the principles of freedom, equality, justice, tolerance, probity and accountability. (3) The State, in pursuing policies under subsection (2), shall be bound by the fundamental rights and freedoms in the Constitution and shall be guided by international human rights instruments to which The Gambia is a signatory and which recognize and apply particular categories of basic human rights to development processes.</p>
Guinea ⁹⁷	84.4% (8,947,252)	No	No	<p>Preamble ... The People of Guinea proclaim the equality and solidarity of all national without distinction of race, ethnicity, sex, origin, religion and opinion. Its adherence to the ideals, principles, rights and duties established in the Charter of the United Nations, the Universal Declaration of Human Rights, the Charter of the Organization of African Unity and the African Charter on Human Rights and of the People.</p> <p>Article 1 Guinea is a unitary republic, indivisible, secular, democratic and social. It ensures equality before the law for all citizens regardless of origin, race, ethnicity, gender, religion and opinion. It respects all beliefs.</p> <p>Article 3 Political parties contribute to the political education of citizens and the exercise of suffrage. ... They should not identify with one race, ethnicity, religion or territory. ... An organic law determines the conditions under which political parties are formed and operate.</p>

⁹⁷ Constitution (Loi Fundamentale) of the Republic of Guinea was adopted by Presidential decree on May 7, 2010, after the previous Constitution had been suspended in 2008. Guinea is a member of the OIC. As of this writing, the population of Guinea is estimated to be 10,601,009.

			<p>Article 4 The law punishes anyone who, by an act of racial discrimination, ethnic or religious or by an act of regionalist propaganda, deals a severe violation to the national unity, to the security of the State, to the integrity of the territory of the Republic or the democratic functioning of institutions.</p> <p>Article 5 The person and dignity of man are sacred. The State has the duty to respect and protect them. The rights and freedoms enumerated hereafter are inviolable, inalienable and imprescriptible. They are the basis of all human society, and guarantee peace and justice in the world.</p> <p>Article 7 He is free to believe, think and profess his religious faith, his political belief or philosophical opinions. He is free to express, to manifest, to disseminate his ideas and opinions by speech, writing and image. He is free to investigate and to inform sources accessible to all.</p> <p>Article 8 All human beings are equal before the law. Men and women have equal rights. No person shall be privileged or disadvantaged because of his birth, race, ethnicity, language, beliefs and political opinions, philosophical or religious.</p> <p>Article 10 All citizens have the right to protest and march. All citizens have the right to form associations and societies to exercise their collective rights and their political, economic, social or cultural.</p> <p>Article 11 Anyone who is persecuted on account of his political opinions, philosophical or religious, on account of his race, his ethnicity, his intellectual activities, scientific or cultural, for the defense of freedom is entitled to asylum in the territory of the Republic.</p> <p>Article 14 Freedom of worship is guaranteed. Institutions and religious communities are created and administered freely. They are not subject to state supervision.</p> <p>Article 20 Every citizen has the duty to participate in elections, to promote tolerance, the values of democracy, to be loyal to the nation. Every citizen has the duty to respect and honor the opinions of others.</p> <p>Article 22 The law guarantees to all the exercise of fundamental rights and freedoms. It determines the conditions under which they operate. It can set limits on these freedoms and human rights as are necessary for the maintenance of public order and</p>
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				<p>democracy. Groups whose purpose or activity is contrary to the law or manifestly against public order may be dissolved.</p> <p>Article 32 The President of the Republic is protected against offenses, insults and slander under conditions determined by law.</p> <p>Article 45 The President of the Republic may, after consultation with the President of the National Assembly, submit to the referendum on any bill on the organization of public authorities, concerning the fundamental rights and freedoms or the economic and social action of the State, or an act to authorize the ratification of a treaty. He must, if the National Assembly on request by a resolution adopted by a majority of two thirds of its members, submit to referendum any proposal of law on the organization of public authorities or concerning the fundamental rights and freedoms. Before convening the voters by decree, the President of the Republic shall obtain the opinion of the Supreme Court on the conformity of the project or the proposal to the Basic Law.</p> <p>Article 91 The initiative to revise the Fundamental Law belongs jointly to the President of the Republic and to the Members. ... The republican form of the State, the principle of secularism and the principle of separation of powers may not be the subject of a review.</p>
Mali ⁹⁸	92.5% (13,097911)	No	No	<p>Preamble The sovereign people of Mali, strong from their traditions of heroic struggle, pledge to remain faithful to the ideals of the victims of repression and the fallen martyrs of the battlefield for the rise of a state of law and pluralist democracy, ...</p> <ul style="list-style-type: none"> — undertake solemnly to defend the republican and secular form of the State, — proclaim their determination to defend the rights of Women and Children as well as the cultural and linguistic diversity of the national community, ... — subscribe to the Universal Declaration of the Rights of Man of December 10, 1948 and to the African Charter of the Rights of Man and People of June 27, 1981, <p>Article 2 Every Malian is born and remain free and equal in rights and duties. All discrimination founded on social origin, color, language, race, sex, religion and political opinion shall be prohibited.</p> <p>Article 4 Every person has the right to freedom of thought, conscience, religion, worship [culte], opinion, expression and creation with respect to the law.</p> <p>Article 7 The freedom of the press is recognized and guaranteed. It is exercised within the conditions specified by the law. Equal</p>

⁹⁸ Constitution of the Republic of Mali was adopted on January 12, 1992. Mali is a member of the OIC. As of this writing, the population of Mali is estimated to be 14,159,904.

				<p>access for all to the State media is assured by an independent organ whose statute is established by an organic law.</p> <p>Article 12 ... Any person persecuted by reason of his political or religious convictions, his ethnic connection, may benefit from the right of asylum in the Republic of Mali.</p> <p>Article 18 Every citizen has the right to education. Public education is obligatory, free and secular. Private education is recognized and exercised within the conditions defined by the law.</p> <p>Article 25 Mali is an independent, sovereign, indivisible, democratic, secular and social Republic.</p> <p>Article 116 The treaties or agreements regularly approved or ratified have, from their publication, an authority superior to that of the laws, under the reservation for each treaty or agreement of application by the other party.</p>
Mauritania ⁹⁹	99.1% (3,252,099)	Yes	No	<p>Article 1 Mauritania is an indivisible, democratic and social Islamic Republic. The Republic shall guarantee equality before the law to all of its citizens, without distinction as to origin, race, sex or social condition...</p> <p>Article 5 Islam shall be the religion of the people and of the State.</p> <p>Article 10 The State shall guarantee to all its citizens public and individual freedoms, that is: — the freedom of opinion and of thought; — the freedom of expression; — the freedom of assembly; — the freedom of association and the freedom to belong to any political or labor organization of one's choice. Freedom may be limited only by the law.</p> <p>Article 23 The President of the Republic shall be the chief of State. He shall be a Muslim.</p> <p>Article 94 There shall be instituted next to the President of the Republic a High Islamic Council composed of five (5) members. It shall formulate opinions concerning the questions about which it has been consulted by the President of the Republic.</p>

⁹⁹ Constitution of the Islamic Republic of Mauritania was adopted on July 12, 1991. Mauritania is a member of the OIC. As of this writing, the population of Mauritania is estimated to be 3,281,634.

Niger ¹⁰⁰	98.6% (16,238,322)	No	No	<p>Article 3 The Republic of Niger is a unitary state. It is one and indivisible, democratic and social. Its fundamental principles are: - The separation of state and religion;</p> <p>Article 8 The Republic of Niger is a State of law. It ensures to all equality before the law without distinction of sex, social origin, racial, ethnic or religious. It respects and protects all beliefs. No religion, no belief can arrogate to itself the political power or interfere in the affairs of State. Any propaganda of regional, racial or ethnic origin, any manifestation of racial discrimination, social, gender, ethnic, political or religious, is punishable by the law.</p> <p>Article 9 As part of freedom of association recognized and guaranteed by this Constitution, political parties, groups of political parties, trade unions, non-governmental organizations and other associations or groups of associations are formed and operate freely, while respecting the laws and regulations in force. Parties and groups of political parties contribute to the exercise of the vote. The same privileges are granted to every citizen of Niger enjoying his civil and political rights and fulfilling the eligibility conditions prescribed by law. Political parties, ethnic, regional or religious are prohibited. No party can be created for the purpose of promoting an ethnic group, region or religion, subject to the penalties provided by law.</p> <p>Article 10 All Nigerians are born and remain free and equal in rights and duties. However, access to certain categories of citizens to electoral mandates, to hold elective office and public jobs can be promoted by means of special measures provided for by law.</p> <p>Article 17 Everyone has a right to free development of his personality in its dimensions material, intellectual, cultural, artistic and religious provided that it does not violate the right of others, nor does it violate the constitutional order, the law or morals.</p> <p>Article 22 The State shall ensure the elimination of all forms of discrimination against women, girls, and the disabled. Public policies in all areas provide their full development and participation in national development. The State shall, in addition, take measures to combat violence against women and children in public and private life. It provides them with a fair representation in public institutions through the national gender policy and the observance of quotas.</p> <p>Article 30 Everyone has the right to freedom of thought, opinion, expression, conscience, religion and worship. The State</p>
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¹⁰⁰ Constitution of the Republic of Niger was adopted by referendum on October 31, 2010. Niger is a member of the OIC. As of this writing, the population of Niger is estimated to be 16,468,886.

				<p>guarantees the free exercise of religion and expression of beliefs. These rights are exercised in respect of public order, of social peace and national unity.</p> <p>Article 32 The State recognizes and guarantees the freedom to come and go, freedom of association, freedom of assembly, of procession and demonstration under the conditions defined by law.</p> <p>Article 146 The action of the State on policies for economic and social development is supported by a strategic vision. The creation of wealth, of growth and the fight against inequalities is a major focus of its interventions.</p> <p>Article 175 The republican form of government, a multiparty system, the principle of separation of state and religion and the provisions of paragraphs 1 and 2 of Article 47 and Article 185 of this Constitution shall not be subject to any review.</p>
Nigeria ¹⁰¹	50.4% (78,228,649)	No	In certain matters	<p>Article 10 The Government of the Federation or of a State shall not adopt any religion as State Religion.</p> <p>Article 14 (1) The Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice. (3) The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few State or from a few ethnic or other sectional groups in that Government or in any of its agencies. (4) The composition of the Government of a State, a local government council, or any of the agencies of such Government or council, and the conduct of the affairs of the Government or council or such agencies shall be carried out in such manner as to recognize the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the Federation.</p> <p>Article 15 (2) Accordingly, national integration shall be actively encouraged, whilst discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited. (3) For the purpose of promoting national integration, it shall be the duty of the State to: (c) encourage inter-marriage among persons from different places of origin, or of different religious, ethnic or linguistic association or ties; and (d) promote or encourage the formation of associations that cut across ethnic, linguistic, religious and or other sectional barriers.</p>

¹⁰¹ Constitution of the Federal Republic of Nigeria was adopted on May 5, 1999 and went into effect on May 29, 1999; it was amended on January 10, 2011 (pertaining to elections). Nigeria is a member of the OIC. As of this writing, the population of Nigeria is estimated to be 155,215,573.

			<p>Article 17 (1) The State social order is founded on ideals of Freedom, Equality and Justice. (2) In furtherance of the social order- (a) every citizen shall have equality of rights, obligations and opportunities before the law; (3) The State shall direct its policy towards ensuring that- (a) all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment; (b) conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life;</p> <p>Article 23 The national ethics shall be Discipline, Integrity, Dignity of Labor, Social, Justice, Religious Tolerance, Self-reliance and Patriotism.</p> <p>Article 24 It shall be the duty of every citizen to - (c) respect the dignity of other citizens and the rights and legitimate interests of others and live in unity and harmony and in the spirit of common brotherhood;</p> <p>Article 38 (1) Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance. (2) No person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction ceremony or observance relates to a religion other than his own, or religion not approved by his parent or guardian. (3) No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination. (4) Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society.</p> <p>Article 39 (1) Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.</p> <p>Article 40 (1) Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests: (2) Provided that the provisions of this section shall not derogate from the powers conferred by this Constitution on the Independent National Electoral Commission with respect to political parties to which that Commission does not accord recognition.</p>
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			<p>Article 42 (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person: (a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject; or (b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions. (2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth.</p> <p>Article 222 No association by whatever name called shall function as a political party, unless- (b) the membership of the association is open to every citizen of Nigeria irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping; (e) the name of the association, its symbol or logo does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to a part only of the geographical area of Nigeria;</p> <p>Article 237 (1) There shall be a Court of Appeal. (2) The Court of Appeal shall consist of – (a) a President of the Court of Appeal; and (b) such number of Justices of the Court of Appeal, not less than forty-nine of which not less than three shall be learned in Islamic personal law,</p> <p>Article 244 (1) An appeal shall lie from decisions of a Sharia Court of Appeal to the Court of Appeal as of right in any civil proceedings before the Sharia Court of Appeal with respect to any question of Islamic personal law which the Sharia Court of Appeal is competent to decide.</p> <p>Article 247 (1) For the purpose of exercising any jurisdiction conferred upon it by this Constitution or any other law, the Court of Appeal shall be duly constituted if it consists of not less than three Justices of the Court of Appeal and in the case of appeals from – (a) a Sharia Court of Appeal if it consists of not less than three Justices of the Court of Appeal learned in Islamic personal law;</p> <p>Article 260</p>
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			<p>(1) There shall be a Sharia Court of Appeal of the Federal Capital Territory, Abuja.</p> <p>(2) The Sharia Court of Appeal of the Federal Capital Territory, Abuja shall consist of -</p> <ul style="list-style-type: none"> (a) a Grand Kadi of the Sharia Court of Appeal, and (b) such number of Kadis of the Sharia Court of Appeal as may be prescribed by an Act of the National Assembly. <p>Article 261</p> <p>(1) The appointment of a person to the office of the Grand Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja shall be made by the President on the recommendation of the National Judicial Council, subject to confirmation of such appointment by the Senate.</p> <p>(2) The appointment of a person to the office of a Kadi of the Sharia Court of Appeal shall be made by the President on the recommendation of the National Judicial Council.</p> <p>(3) A person shall not be qualified to hold office as Grand Kadi or Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja unless -</p> <ul style="list-style-type: none"> (a) he is a legal practitioner in Nigeria and has so qualified for a period of not less than ten years and has obtained a recognized qualification in Islamic law from an institution acceptable to the National Judicial Council; or (b) he has attended and has obtained a recognized qualification in Islamic law from an institution approved by the National Judicial Council and has held the qualification for a period of not less than twelve years; and (i) he either has considerable experience in the Practice of Islamic law, or (ii) he is a distinguished scholar of Islamic law. <p>Article 262</p> <p>(1) The Sharia Court of Appeal shall, in addition to such other jurisdiction as may be conferred upon it by an Act of the National Assembly, exercise such appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law.</p> <p>(2) For the purpose of subsection (1) of this section, the Sharia Court of Appeal shall be competent to decide -</p> <ul style="list-style-type: none"> (a) any question of Islamic personal law regarding a marriage concluded in accordance with that law, including a question relating to the validity or dissolution of such a marriage or a question that depends on such a marriage and relating to family relationship or the guardianship of an infant; (b) where all the parties to the proceeding are Muslims, any question of Islamic personal law regarding a marriage, including the validity or dissolution of that marriage, or regarding family relationship, a foundling or the guardianship of an infant; (c) any question of Islamic personal law regarding a wakf, gift, will or succession where the endower, donor, testator or deceased person is a Muslim; (d) any question of Islamic personal law regarding an infant, prodigal or person of unsound mind who is a Muslim or the maintenance or the guardianship of a Muslim who is physically or mentally infirm; or (e) where all the parties to the proceedings, being Muslims, have requested the court that hears the case in the first instance to determine that case in accordance with Islamic personal law, any other question. <p>Article 275</p> <p>(1) There shall be for any State that requires it a Sharia Court of Appeal for that State.</p>
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- (2) The Sharia Court of Appeal of the State shall consist of -
- (a) A Grandi Kadi of the Sharia Court of Appeal; and
 - (b) such member of Kadi of the Sharia Court of Appeal as may be prescribed by the House of Assembly of the State.

Article 276

- (1) The appointment of a person to the office of the Grandi Kadi of the Sharia Court of Appeal of a State shall be made by the Governor of the State on the recommendation of the National Judicial Council, subject to confirmation of such appointment by the House of Assembly of the State.
- (2) The appointment of a person to the office of a Kadi of the Sharia Court of Appeal of a State shall be made by the Governor of the State on the recommendation of the National Judicial Council.
- (3) A person shall not be qualified to hold office as a Kadi of the Sharia Court of Appeal of a State unless -
- (a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years and has obtained a recognized qualification in Islamic law from an institution acceptable to the National Judicial Council; or
 - (b) he has attended and has obtained a recognized qualification in Islamic law from an institution approved by the National Judicial Council and has held the qualification for a period of not less than ten years; and (i) he either has considerable experience in the practice of Islamic law, or (ii) he is a distinguished scholar of Islamic law.

Article 277

- (1) The Sharia Court of Appeal of a State shall, in addition to such other jurisdiction as may be conferred upon it by the law of the State, exercise such appellate and supervisory jurisdiction in civil proceedings involving questions of Islamic personal law which the court is competent to decide in accordance with the provisions of subsection (2) of this section.
- (2) For the purposes of subsection (1) of this section, the Sharia Court of Appeal shall be competent to decide –
- (a) any question of Islamic personal law regarding a marriage concluded in accordance with that law, including a question relating to the validity or dissolution of such a marriage or a question that depends on such a marriage and relating to family relationship or the guardianship of an infant;
 - (b) where all the parties to the proceedings are Muslims, any question of Islamic personal law regarding a marriage, including the validity or dissolution of that marriage, or regarding family relationship, a foundling or the guardianship of an infant;
 - (c) any question of Islamic personal law regarding a wakf, gift, will or succession where the endower, donor, testator or deceased person is a Muslim;
 - (d) any question of Islamic personal law regarding an infant, prodigal or person unsound mind who is a Muslim or the maintenance or the guardianship of a Muslim who is physically or mentally infirm; or
 - (e) where all the parties to the proceedings, being Muslims, have requested the court that hears the case in the first instance to determine that case in accordance with Islamic personal law, any other question.

Article 288

- (1) In exercising his powers under the foregoing provisions of this Chapter in respect of appointments to the officers of Justices of the Supreme Court and Justices of the Court of Appeal, the President shall have regard to the need to ensure that there are among the holders of such officers persons learned in Islamic personal law and persons learned in Customary law.

				(2) For the purposes of subsection (1) of this section – (a) a person shall be deemed to be learned in Islamic person law if he is a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years in the case of a Justice of the Supreme Court or not less than twelve years in the case of a Justice of the Court of Appeal and has in either case obtained a recognized qualification in Islamic law from an institution acceptable to the National Judicial Council;
Senegal ¹⁰²	96% (12,138,047)	No	No	<p>Article 1 The Republic of Senegal is secular, democratic, and social. It assures the equality before the law of all citizens, without distinction of origin, race, sex (or) religion. It respects all faiths.</p> <p>Article 5 Any act of racial, ethnic, or religious discrimination, as well as any regionalist propaganda which carries affects to the internal security of the State or to the territorial integrity of the Republic, are punished by law.</p> <p>Article 7 ... All human beings are equal before the law. There is in Senegal no subject, no privilege of birth, person or family.</p> <p>Article 8 The Republic of Senegal guarantees to all citizens fundamental individual freedoms, economic and social rights as well as the collective rights. These freedoms are in particular civil and political freedoms: freedom of opinion, freedom of association, freedom of assembly, freedom of movement, freedom of manifestation, the cultural freedoms, the religious freedoms, the philosophical freedoms, the syndical freedoms, the freedom of enterprise, the right to education, the right to know how to read and write, the right of property, the right to work, the right to health, right to a sound environment, the right to plural information. These freedoms and these rights are exercised within the conditions provided by law.</p> <p>Article 10 Everyone has the right of expression and to disseminate his opinion by word, pen or image, peaceful march, provided that the exercise of these rights does not attack the honor and the consideration of others, nor the public order.</p> <p>Article 11 The creation of a press organ for political, economic, cultural, sports, social, recreative and scientific information is free and not subject to previous censorship. The press regime is regulated by law.</p> <p>Article 12 All citizens have the right to freely constitute associations, economic, cultural and social groups as well as societies on the condition that they conform to the formalities stipulated by the laws and regulations.</p> <p>Article 15</p>

¹⁰² Constitution of the Republic of Senegal was adopted on January 7, 2001, and has been amended several times. Senegal is a member of the OIC. As of this writing, the population of Senegal is estimated to be 12,643,799.

				<p>... Men and women have the right of equal access to possession and to land ownership under conditions determined by law.</p> <p>Article 18 The forced marriage is a violation of individual freedom. It is forbidden and punishable under conditions fixed by law.</p> <p>Article 19 The woman has the right to patrimony (equally) as her husband. She has the right to the personal management of her belongings.</p> <p>Article 24 The freedom of conscience, the freedoms and the religious and cultural practices, the profession of the religious educator are (sic.) guaranteed, subject to the public order. The institutions, the religious committees have the right to develop themselves without hindrance. They are detached from the tutelage of the State. They regulate and administer their affairs in an autonomous manner.</p> <p>Article 98 The treaties or agreements regularly ratified or approved have, on their publication, an authority superior to that of the laws, subject, for each treaty or agreement, to its application by the other party.</p>
Sierra Leone ¹⁰³	71.3% (3,824,296)	No	No	<p>Chapter II [Fundamental Principles of State Policy]</p> <p>Article 4 [Fundamental obligations of Government] All organs of Government and all authorities and persons exercising legislative, executive or judicial powers shall conform to, observe and apply the provisions of this Chapter.</p> <p>Article 5 [Government and the people] (1) The Republic of Sierra Leone shall be a State based on the principles of Freedom, Democracy and Justice.</p> <p>Article 6 [Political objectives] (2) ... [T]he State shall promote national integration and unity and discourage discrimination on the grounds of place of origin, circumstance of birth, sex, religion, status, ethnic or linguistic association or ties.</p> <p>Article 8 [Social objectives] (1) The Social Order of the State shall be founded on the ideals of Freedom, Equality and Justice. (2) In furtherance of the Social Order— (a) every citizen shall have equality of rights, obligations, and opportunities before the law, and the State shall ensure that every citizen has an equal right and access to all opportunities and benefits based on merit;</p>

¹⁰³ Constitution of the Republic of Sierra Leone was adopted on October 1, 1991, and has been amended several times. Sierra Leone is a member of the OIC. As of this writing, the population of Sierra Leone is estimated to be 5,363,669.

			<p>Article 13 [Duties of the citizen] Every citizen shall— (e) respect the dignity and religion of other individuals, and the rights and interests of others;</p> <p>Article 14 [Fundamental principles not justiciable] Notwithstanding the provisions of section 4, the provisions contained in this Chapter shall not confer legal rights and shall not be enforceable in any court of law, but the principles contained therein shall nevertheless be fundamental in the governance of the State, and it shall be the duty of Parliament to apply these principles in making laws.</p> <p>Chapter III [The Recognition and Protection of Fundamental Human Rights and Freedoms of the Individual] Article 15 [Fundamental Human Rights and Freedoms of the Individual] Whereas every person in Sierra Leone is entitled to the fundamental human rights and freedoms of the individual, that is to say, has the right, whatever his race, tribe, place of origin, political opinion, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following— (b) freedom of conscience, of expression and of assembly and association; the subsequent provisions of this Chapter shall have effect for the purpose of affording protection to the aforesaid rights and freedoms, subject to such limitations of that protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others, or the public interest.</p> <p>Article 24 [Protection of freedom of conscience] (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience and for the purpose of this section the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private to manifest and propagate his religion or belief in worship, teaching, practice and observance. (2) Except with his own consent (or if he is a minor [sic] the consent of his parent or guardian) no person attending any place of education shall be required to receive religious instruction or to take part in or to attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his own. (3) No religious community or denomination shall be prevented from providing religious instruction for persons of that community or denomination in the course of any education provided by that community or denomination. (4) No person shall be compelled to take any oath which is contrary to his religion or belief or to take any oath in a manner which is contrary to his religion or belief. (5) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes a provision which is reasonably required— (a) in the interest of defense, public safety, public order, public morality or public health; or (b) for the purpose of protecting the rights and freedoms of other persons including the right to observe and practice any religion without the unsolicited intervention of the members of any other religion; and except in so far as that provision or, as the case may be, the thing done under the authority thereof, is shown not to be reasonably justifiable in a democratic society.</p>
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			<p>Article 25 [Protection of freedom of expression and the press]</p> <p>(1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions, and academic freedom in institutions of learning: Provided that no person other than the Government or any person or body authorized by the President shall own, establish or operate a television or wireless broadcasting station for any purpose whatsoever.</p> <p>(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—</p> <ul style="list-style-type: none"> (a) which is reasonably required— <ul style="list-style-type: none"> (i) in the interests of defense, public safety, public order, public morality or public health; or (ii) for the purpose of protecting the reputations, rights and freedoms of other persons, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, or regulating the telephony, telegraphy, telecommunications, posts, wireless broadcasting, television, public exhibitions or public entertainment; or (b) which imposes restrictions on public officers or members of a defense force; <p>and except in so far as that provision or, as the case may be, the thing done under the authority thereof, is shown not to be reasonably justifiable in a democratic society.</p> <p>Article 26 [Protection of freedom of assembly and association]</p> <p>(1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons and in particular to form or belong to any political party, trade unions or other economic, social or professional associations, national or international, for the protection of his interests.</p> <p>(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—</p> <ul style="list-style-type: none"> (a) which is reasonably required— <ul style="list-style-type: none"> (i) in the interests of defense, public safety, public order, public morality, public health, or provision for the maintenance of supplies and services essential to the life of the community; or (ii) for the purpose of protecting the rights and freedoms of other persons; or (b) which imposes restrictions upon public officers or upon members of a defense force; or (c) which imposes restrictions on the establishment of political parties, or regulates the organization, registration, and functioning or political parties and the conduct of its members; <p>and except in so far as that provision, or as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society.</p> <p>Article 27 [Protection from discrimination]</p> <p>(1) Subject to the provisions of subsection (4), (5) and (7), no law shall make any provision which is discriminatory either of itself or in its effect.</p> <p>(2) Subject to the provisions of subsections (6), (7) and (8), no person shall be treated in a discriminatory manner by any</p>
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			<p>person acting by virtue of any law or in the performance of the functions of any public office or any public authority.</p> <p>(3) In this section the expression “discriminatory” means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, political opinions, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject, or are accorded privileges or advantages which are not accorded to persons of another such description.</p> <p>(4) Subsection (1) shall not apply to any law so far as that law makes provision—</p> <ul style="list-style-type: none"> (a) for the appropriation of revenues or other funds of Sierra Leone or for the imposition of taxation (including the levying of fees for the grant of licenses); or (b) with respect to persons who are not citizens of Sierra Leone; or (c) with respect to persons who acquire citizenship of Sierra Leone by registration or by naturalization, or by resolution of Parliament; or (d) with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal law; or (e) for the application in the case of members of a particular race or tribe or customary law with respect to any matter to the exclusion of any law with respect to that matter which is applicable in the case of other persons; or (f) for authorising the taking during a period of public emergency of measures that are reasonably justifiable for the purpose of dealing with the situation that exists during that period of public emergency; or (g) whereby persons of any such description as mentioned in subsection (3) may be subjected to any disability or restriction or may be accorded any privilege or advantage which, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other such description, is reasonably justifiable in a democratic society; or (h) for the limitation of citizenship or relating to national registration or to the collection of demographic statistics. <p>(5) Nothing contained in any law shall be held to be inconsistent with or in contravention of subsection (1) to the extent that it makes provision with respect to qualifications for service as a public officer or as a member of a defense force or for the service of a local government authority or a body corporate established directly by any law or of membership of Parliament.</p> <p>(6) Subsection (2) shall not apply to anything which is expressly or by necessary implication authorized to be done by any such provisions of law as is referred to in subsection (4) or (5).</p> <p>(7) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision whereby persons of any such description as is mentioned in subsection (3) may be subjected to any restriction of the rights and freedoms guaranteed by sections 18, 22, 24, 25 and 26 being such a restriction as is authorized by subsection (3) of section 18, subsection (2) of section 22, subsection (5) of section 24, subsection (2) of section 25 or subsection (2) of section 26, as the case may be.</p> <p>(8) The exercise of any discretion relating to the institution, conduct or discontinuance of civil or criminal proceedings in any court that is vested in any person under or by this Constitution or any other law shall not be enquired into by any Court on the grounds that it contravenes the provision of subsection (2).</p>
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Somalia ¹⁰⁴	98.5% (9,776,755)	Yes	No	<p>Article 3 [Religion and Language] 1. Islam shall be the state religion.</p> <p>Article 6 [Equality of Citizens] All citizens regardless of sex, religion, origin and language shall be entitled to equal rights and duties before the law.</p> <p>Article 19 [International Legal Norms] The Somali Democratic Republic shall recognize the Universal declaration of human rights and generally accepted rules of international law.</p> <p>Article 20 [Political, Economic, and Social Rights] Every citizen shall be entitled to participate fully in the political, economic, social and cultural activities in accordance with the constitution and laws.</p> <p>Article 24 [Freedom of Processions, Publications and Opinion] 1. Every citizen shall be free to participate in an assembly, demonstration, or in their organization. 2. The citizen shall further be entitled to express his opinion in any manner, freedoms of publication and speech. 3. The exercise of the freedoms mentioned in paragraph 1 and 2 of this article shall not contravene the Constitution, the laws of the land, general morality and public order, or the freedoms of other citizens.</p> <p>Article 31 [Freedom of Religion] Every person shall be entitled to profess any religion or creed.</p> <p>Article 112 [Amendments to the Constitution] 3. Amendments to the Constitution shall not affect the following: d) the fundamental rights and freedoms of the citizen and individual.</p>
Sudan ¹⁰⁵	71.3% ¹⁰⁶ (32,118,869 – 44,146,552)	No	In certain matters	<p>Article 1 [Nature of the State] (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralized, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist. (2) The State is committed to the respect and promotion of human dignity; and is founded on justice, equality and the</p>

¹⁰⁴The Constitution of Somalia went into effect following Presidential approval in September, 1979. Since the outbreak of the Somali Civil War in 1991, there has been no central government control over most of the territory in the Republic of Somalia. The formation of transitional governing institutions, known as the Transitional Federal Government, is currently ongoing. Somalia is a member of the OIC. As of this writing, the population of Somalia is estimated to be 9,925,640.

¹⁰⁵ An Interim National Constitution of the Republic of Sudan was ratified on July 5, 2005. Sudan is a member of the OIC. As of this writing, the population of Sudan is estimated to be 45,047,502.

¹⁰⁶ This percentage was measured in 2009 and would have encompassed what is now two independent countries, Sudan and South Sudan. In February 2011, President Omar al-Bashir estimated that, after South Sudan established its formal independence in January 2011, 98% of the people now residing in Sudan are Muslim; at the time of this writing, this has not been independently established. The Republic of the Sudan is a member of the OIC.

			<p>advancement of human rights and fundamental freedoms and assures multi-partism.</p> <p>(3) The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration.</p> <p>Article 4 [Fundamental Bases of the Constitution] This Constitution is predicated upon and guided by the following principles:</p> <ul style="list-style-type: none"> (a) the unity of the Sudan is based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, accountability, equality, respect and justice, (b) religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people, (c) the cultural and social diversity of the Sudanese people is the foundation of national cohesion and shall not be used for causing division, <p>Article 5 [Sources of Legislation]</p> <p>(1) Nationally enacted legislation having effect only in respect of the Northern states of the Sudan shall have as its sources of legislation Islamic Sharia and the consensus of the people.</p> <p>(2) Nationally enacted legislation applicable to Southern Sudan or states of Southern Sudan shall have as its sources of legislation popular consensus, the values and the customs of the people of the Sudan, including their traditions and religious beliefs, having regard to Sudan's diversity.</p> <p>(3) Where national legislation is currently in operation or is to be enacted and its source is religion or custom, then a state, and subject to Article 26 (1) (a) herein in the case of Southern Sudan, the majority of whose residents do not practice such religion or customs may:</p> <ul style="list-style-type: none"> (a) either introduce legislation so as to allow practices or establish institutions, in that state consistent with their religion or customs, or (b) refer the law to the Council of States to be approved by a two-thirds majority of all the representatives or initiate national legislation which will provide for such necessary alternative institutions as may be appropriate. <p>Article 6 [Religious Rights] The State shall respect the religious rights to:</p> <ul style="list-style-type: none"> (a) worship or assemble in connection with any religion or belief and to establish and maintain places for these purposes, (b) establish and maintain appropriate charitable or humanitarian institutions, (c) acquire and possess movable and immovable property and make, acquire and use the necessary articles and materials related to the rites or customs of a religion or belief, (d) write, issue and disseminate religious publications, (e) teach religion or belief in places suitable for these purposes, (f) solicit and receive voluntary financial and other contributions from individuals, private and public institutions, (g) train, appoint, elect or designate by succession appropriate religious leaders called for by the requirements and standards of any religion or belief, (h) observe days of rest, celebrate holidays and ceremonies in accordance with the precepts of religious beliefs, (i) communicate with individuals and communities in matters of religion and belief at national and international
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				<p>levels.</p> <p>Article 13 [Education, Science, Art and Culture] (5) The State shall protect Sudan’s cultural heritage, monuments and places of national historic or religious importance, from destruction, desecration, unlawful removal or illegal export.</p> <p>Article 15 [Family, Women and Marriage] (1) The family is the natural and fundamental unit of the society and is entitled to the protection of the law; the right of man and woman to marry and to found a family shall be recognized, according to their respective family laws, and no marriage shall be entered into without the free and full consent of its parties. (2) The State shall protect motherhood and women from injustice, promote gender equality and the role of women in family, and empower them in public life.</p> <p>Article 16 [Morals and Public Integrity] (1) The State shall enact laws to protect the society from corruption delinquency and social evils and steer the society as a whole towards virtuous social values consistent with religions and cultures of the Sudan. (2) The State shall enact laws and establish institutions to eliminate corruption, inhibit abuse of power and ensure integrity in public life.</p> <p>Article 20 [Fiscal Levies] (2) Zakat is a duty on Muslims; its collection, expenditure and administration shall be regulated in the Northern states by law.</p> <p>Article 23 [Duties of the Citizen] (1) It shall be the duty of every Sudanese citizen to pledge allegiance to the Republic of the Sudan, abide by this Constitution, respect the institutions created hereunder and safeguard the territorial integrity of the country. (2) In particular every citizen shall: (b) abhor violence, promote harmony, fraternity and tolerance among all people of the Sudan in order to transcend religious, regional, linguistic, and sectarian divisions,</p> <p>Article 27 [Nature of the Bill of Rights] (1)The Bill of Rights is a covenant among the Sudanese people and between them and their governments at every level and a commitment to respect and promote human rights and fundamental freedoms enshrined in this Constitution; it is the cornerstone of social justice, equality and democracy in the Sudan. (2) The State shall protect, promote, guarantee and implement this Bill. (3) All rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan shall be an integral part of this Bill. (4) Legislation shall regulate the rights and freedoms enshrined in this Bill and shall not detract from or derogate any of these rights.</p>
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			<p>(3) No association shall function as a political party at national, Southern Sudan or state level unless it has:</p> <ul style="list-style-type: none"> (a) its membership open to any Sudanese irrespective of religion, ethnic origin or place of birth, (b) a programme that does not contradict the provisions of this Constitution, (c) democratically elected leadership and institutions, (d) disclosed and transparent sources of funding. <p>Article 44 [Right to Education] (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability.</p> <p>Article 47 [Ethnic and Cultural Communities] Ethnic and cultural communities shall have the right to freely enjoy and develop their particular cultures; members of such communities shall have the right to practice their beliefs, use their languages, observe their religions and raise their children within the framework of their respective cultures and customs.</p> <p>Article 48 [Sanctity of Rights and Freedoms] Subject to Article 211 herein, no derogation from the rights and freedoms enshrined in this Bill shall be made. The Bill of Rights shall be upheld, protected and applied by the Constitutional Court and other competent courts; the Human Rights Commission shall monitor its application in the State pursuant to Article 142 herein.</p> <p>Article 79 [Objectives of the Government of National Unity] Prior to the elections and notwithstanding Article 70 (1) of this Constitution, the President of the Republic, in consultation with the First Vice President, shall form a Government of National Unity, which shall implement the Comprehensive Peace Agreement, reflecting the need for inclusiveness, the promotion of national unity and the protection of national sovereignty.</p> <p>Article 82 [Duties of the Government of National Unity] The Government of National Unity shall undertake the following duties:</p> <ul style="list-style-type: none"> (b) establishment of a decentralized democratic system of governance taking into account the cultural, ethnic, racial, religious, and linguistic diversity and gender equality, <p>Article 136 [Guidelines for Inclusiveness in the National Civil Service] The National Civil Service, notably at the senior and middle levels, shall be representative of the people of the Sudan; to ensure this, the following principles and guidelines shall be recognized and observed:-</p> <ul style="list-style-type: none"> (c) no level of government shall discriminate against any qualified Sudanese citizen on the basis of religion, ethnicity, region or gender, <p>Article 142 [Human Rights Commission] (1) The President of the Republic shall, after consultation within the Presidency, establish an independent Human Rights Commission consisting of fifteen independent, competent non-partisan and impartial members. Their appointment shall</p>
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			<p>be representative. It shall be independent in decision making.</p> <p>(3) The Human Rights Commission shall monitor the application of the rights and freedoms provided for in the Bill of Rights and shall receive complaints on violations thereof.</p> <p>(4)The Human Rights Commission may express opinion or present advice to State organs on any issue related to human rights.</p> <p>Article 154 [Respect for Human Rights in the National Capital] Human rights and fundamental freedoms as specified in this Constitution, including respect for all religions, beliefs and customs, being of particular significance in the National Capital, which symbolizes national unity, shall be guaranteed and enforced in the National Capital.</p> <p>Article 155 [Law Enforcement Agencies in the National Capital] Law enforcement agencies of the National Capital shall be representative of the population of the Sudan and shall be adequately trained and made sensitive to the cultural, religious and social diversity in the Sudan.</p> <p>Article 156 [Dispensing Justice in the National Capital] Without prejudice to the competence of any national institution to promulgate laws, judges and law enforcement agencies shall, in dispensing justice and enforcing law in the National Capital, be guided by the following: (a) tolerance shall be on the basis of peaceful coexistence between the Sudanese people of different cultures, religions and traditions, (b) behaviour based on cultural practices and traditions, which does not disturb public order, is not disdainful of other traditions and not in violation of the law, shall be deemed in the eyes of the law as an exercise of personal freedoms,</p> <p>Article 157 [The Non-Muslims Rights Special Commission] (1) The Presidency shall establish in the National Capital a special commission for the rights of Non-Muslims which shall have the following functions: (a) to ensure that the rights of Non-Muslims are protected in accordance with the general principles provided for under Articles 154 and 156 of this Constitution, (b) ensure that Non-Muslims are not adversely affected by the application of the Sharia law in the National Capital. (2) The special commission shall submit its observations and recommendations to the Presidency.</p> <p>Article 165 [Southern Sudan Council of Ministers] (1) There shall be established a Southern Sudan Council of Ministers to be appointed by the President of Government of Southern Sudan, in consultation with the Vice President and approved by Southern Sudan Assembly. The Government of Southern Sudan shall be established with due regard to the need for inclusiveness in recognition of ethnic, religious diversity and gender.</p> <p>Article 185 [Guiding Principles for Equitable Sharing of Resources and Common Wealth] (1) Resources and common wealth of the Sudan shall be shared equitably to enable each level of government to discharge</p>
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				<p>its legal and constitutional responsibilities and duties and to ensure that the quality of life, dignity and living conditions of all citizens are promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language or region.</p> <p>Article 211 [Powers of the President in the State of Emergency] The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein: (a) to suspend part of the Bill of Rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex, religious creed, the right in litigation or the right to fair trial,</p> <p>Schedule (C) [Powers of States] The exclusive executive and legislative powers of a state of the Sudan shall be as follows:- 1. The Constitution of the state, subject to compliance with the National Constitution, and, as relevant, the Constitution of Southern Sudan; 10. Regulation of religious matters;</p> <p>Schedule (D) [Concurrent Powers] The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:- 21. Women’s empowerment; 22. Gender policy;</p>
<i>East Asia and the Pacific</i>				
Brunei ¹⁰⁷	67.2% (270,070)	Yes	No	<p>Article 2 [Interpretation] (1) In this Constitution, unless the context otherwise requires – “Muslim Religion” means the Muslim Religion according to the Shafeite sect of that religion;</p> <p>Article 3 (1) The religion of Brunei Darussalam shall be the Muslim Religion according the Shafeite sect of that religion. Provided that all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam. (2) The Head of the religion of Brunei Darussalam shall be His Majesty the Sultan and Yang Di-Pertuan [“Supreme</p>

¹⁰⁷ Constitution of Brunei Darussalam, September 29, 1959 (as revised to 1984). Although some provisions were suspended under a State of Emergency in December 1962 and others since independence on January 1, 1984, the government maintains that the constitution remains the supreme law. Brunei is a member of the OIC. As of this writing, the total population of Brunei is estimated to be 401,890.

				<p>Ruler”].</p> <p>Article 4 [Executive authority and principal officers] (5) No person shall be appointed to be Prime Minister unless he is a Brunei Malay professing the Muslim religion and belonging to the sect of that religion.</p> <p>Article 81 [Attorney General] (2) The Attorney General shall have power exercisable at his discretion to institute, conduct or discontinue any proceedings for an offense other than— (a) proceedings before a Muslim Court, subject to the provisions of any written law to the contrary;</p>
Indonesia ¹⁰⁸	88.2% (216,630,704)	No	No	<p>Article 27 (1) All citizens shall be equal before the law and the government and shall be required to respect the law and the government, with no exceptions.</p> <p>Article 28 The freedom to associate and to assemble, to express written and oral opinions, etc., shall be regulated by law.</p> <p>Article 28D (1) Every person shall have the right of recognition, guarantees, protection and certainty before a just law, and of equal treatment before the law.</p> <p>Article 28E (1) Every person shall be free to choose and to practice the religion of his/her choice... (2) Every person shall have the right to the freedom to believe his/her faith (kepercayaan), and to express his/her views and thoughts, in accordance with his/her conscience. (3) Every person shall have the right to the freedom to associate, to assemble and to express opinions.</p> <p>Article 28F Every person shall have the right to communicate and to obtain information for the purpose of the development of his/her self and social environment, and shall have the right to seek, obtain, possess, store, process and convey information by employing all available types of channels.</p> <p>Article 28I (1) ...freedom of thought and conscience [and] freedom of religion...are all human rights that cannot be limited under any circumstances. (2) Every person shall have the right to be free from discriminative treatment based upon any grounds whatsoever and</p>

¹⁰⁸ Constitution of the Republic of Indonesia, adopted August 1945; abrogated by Federal Constitution of 1949 and Provisional Constitution of 1950, restored July 5, 1959; series of amendments concluded in 2002. Indonesia is a member of the OIC. As of this writing, the total population of Indonesia is estimated to be 245,613,043.

				<p>shall have the right to protection from such discriminative treatment.</p> <p>Article 28J (1) Every person shall have the duty to respect the human rights of others in the orderly life of the community, nation and state.</p> <p>Article 29 (1) The State shall be based upon the belief in the One and Only God. (2) The State guarantees all persons the freedom of worship, each according to his/her own religion or belief.</p> <p>Article 31 (1) Every citizen has the right to receive education. (3) The government shall manage and organize one system of national education, which shall increase the level of spiritual belief, devoutness and moral character in the context of developing the life of the nation and shall be regulated by law. (5) The government shall advance science and technology with the highest respect for religious values and national unity for the advancement of civilization and prosperity of humankind.</p>
Malaysia ¹⁰⁹	60.4% (17,352,079)	No	In certain matters	<p>Article 3 [Religion of the Federation] (1) Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the Federation. (2) In every State other than States not having a Ruler the position of the Ruler as the Head of the religion of Islam in his State in the manner and to the extent acknowledged and declared by the Constitution of that State, and, subject to that Constitution, all rights, privileges, prerogatives and powers enjoyed by him as Head of that religion, are unaffected and unimpaired; but in any acts, observances of ceremonies with respect to which the Conference of Rulers has agreed that they should extend to the Federation as a whole each of the other Rulers shall in his capacity of Head of the religion of Islam authorize the Yang di-Pertuan Agong to represent him. (3) The Constitution of the States of Malacca, Penang, Sabah and Sarawak shall each make provision for conferring on the Yang di-Pertuan Agong the position of Head of the religion of Islam in that State. (4) Nothing in this Article derogates from any other provision of this Constitution. (5) Notwithstanding anything in this Constitution the Yang di-Pertuan Agong shall be the head of the religion of Islam in the Federal Territories of Kuala Lumpur, Labuan and Putrajaya; and for this purpose Parliament may by law make provisions for regulating Islamic religious affairs and for constituting a Council to advise the Yang di-Pertuan Agong in matters relating to the religion of Islam.</p> <p>Article 4 [Supreme Law of the Federation] (1) This Constitution is the supreme law of the Federation and any law passed after Merdeka Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.</p>

¹⁰⁹ Constitution of Malaysia was adopted on August 31, 1957 and has been amended many times (the latest in 2007). Malaysia is a member of the OIC. As of this writing, the total population of Malaysia is estimated to be 28,728,607.

			<p>Article 8 [Equality] (1) All persons are equal before the law and entitled to the equal protection of the law. (2) Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade, business, profession, vocation or employment. (5) This Article does not invalidate or prohibit— (a) any provision regulating personal law; (b) any provisions or practice restricting office or employment connected with the affairs of any religion or of an institution managed by a group professing any religion, to persons professing that religion; (d) any provision prescribing residence in a State or part of a State as a qualification for election or appointment to any authority having jurisdiction only in that State or part, or for voting in such an election;</p> <p>Article 10 [Freedom of speech, assembly and association] (1) Subject to Clauses (2), (3) and (4)— (a) every citizen has the right to freedom of speech and expression; (b) all citizens have the right to assemble peaceably and without arms; (c) all citizens have the right to form associations. (2) Parliament may by law impose— (a) on the rights conferred by paragraph (a) of Clause (1), such restrictions as it deems necessary or expedient in the interest of the security of the Federation or any part thereof, friendly relations with other countries, public order or morality and restrictions designed to protect the privileges of Parliament or of any Legislative Assembly or to provide against contempt of court, defamation, or incitement to any offense; (b) on the right conferred by paragraph (b) of Clause (1), such restrictions as it deems necessary or expedient in the interest of the security of the Federation or any part thereof or public order; (c) on the right conferred by paragraph (c) of Clause (1), such restrictions as it deems necessary or expedient in the interest of the security of the Federation or any part thereof, public order or morality. (3) Restrictions on the right to form associations conferred by paragraph (c) of Clause (1) may also be imposed by any law relating to labour or education. (4) In imposing restrictions in the interest of the security of the Federation or any part thereof or public order under Clause (2)(a), Parliament may pass law prohibiting the questioning of any matter, right, status, position, privilege, sovereignty or prerogative established or protected by the provisions of Part III, Article 152, 153 or 181 otherwise than in relation to the implementation thereof as may be specified in such law.</p> <p>Article 11 [Freedom of religion] (1) Every person has the right to profess and practice his religion and, subject to Clause (4), to propagate it. (2) No person shall be compelled to pay any tax the proceeds of which are specially allocated in whole or in part for the purposes of a religion other than his own. (3) Every religious group has the right—</p>
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			<p>(a) to manage its own religious affairs; (b) to establish and maintain institutions for religious or charitable purposes; and (c) to acquire and own property and hold and administer it in accordance with law.</p> <p>(4) State law and in respect of the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, federal law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam.</p> <p>(5) This Article does not authorize any act contrary to any general law relating to public order, public health or morality.</p> <p>Article 12 [Rights in respect of education] (1) Without prejudice to the generality of Article 8, there shall be no discrimination against any citizen on the grounds only of religion, race, descent or place of birth— (a) in the administration of any educational institution maintained by a public authority, and, in particular, the admission of pupils or students or the payment of fees; or (b) in providing out of the funds of a public authority financial aid for the maintenance or education of pupils or students in any educational institution (whether or not maintained by a public authority and whether within or outside the Federation).</p> <p>(2) Every religious group has the right to establish and maintain institutions for the education of children in its own religion, and there shall be no discrimination on the ground only of religion in any law relating to such institutions or in the administration of any such law; but it shall be lawful for the Federation or a State to establish or maintain or assist in establishing or maintaining Islamic institutions or provide or assist in providing instruction in the religion of Islam and incur such expenditure as may be necessary for the purpose.</p> <p>(3) No person shall be required to receive instruction in or to take part in any ceremony or act of worship of a religion other than his own.</p> <p>(4) For the purposes of Clause (3) the religion of a person under the age of eighteen years shall be decided by his parent or guardian.</p> <p>Article 32 [Supreme Head of the Federation, and his Consort] (1) There shall be a Supreme Head of the Federation, to be called the Yang di-Pertuan Agong, who shall take precedence over all persons in the Federation and shall not be liable to any proceedings whatsoever in any court except in the Special Court established under Part XV.</p> <p>Article 34 [Disabilities of Yang di-Pertuan Agong] (1) The Yang di-Pertuan Agong shall not exercise his functions as Ruler of his State except those of Head of the religion of Islam.</p> <p>[Note: additionally, as set forth in 8th Schedule, Part I, 1(2), the following is to be inserted in the Constitutions of the various States: “The Ruler may act in his discretion in the performance of the following functions (in addition to those in the performance of which he may act in his discretion under the Federal Constitution) that is to say: ... (d) any function as Head of the religion of Islam or relating to the custom of the Malays”]</p> <p>Article 42 [Power of pardon]</p>
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			<p>(1) The Yang di-Pertuan Agong has power to grant pardons, reprieves and respites in respect of all offenses which have been tried by court-martial and all offenses committed in the Federal Territories of Kuala Lumpur, Labuan and Putrajaya; and the Ruler or Yang di-Pertua Negeri of a State has power to grant pardons, reprieves and respites in respect of all other offenses committed in his State.</p> <p>(10) Notwithstanding anything in this Article, the power to grant pardons, reprieves and respites in respect of, or to remit, suspend or commute sentences imposed by any court established under any law regulating Islamic religious affairs in the State of Malacca, Penang, Sabah or Sarawak or the Federal Territories of Kuala Lumpur, Labuan and Putrajaya shall be exercisable by the Yang di-Pertuan Agong as Head of the religion of Islam in the State.</p> <p>Article 74 [Subject matter of federal and State laws]</p> <p>(1) Without prejudice to any power to make laws conferred on it by any other Article, Parliament may make laws with respect to any of the matters enumerated in the Federal List or the Concurrent List (that is to say, the First or Third List set out in the Ninth Schedule).</p> <p>[Note: Federal List includes, at 9th Schedule, List I, 4(k): “Civil and criminal law and procedure and the administration of justice, including ... Ascertainment of Islamic law and other personal laws [relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate and intestate] for purposes of federal law”; and also includes, at 9th Schedule, List I, 6(e): “Government and administration of the Federal Territories of Kuala Lumpur, Labuan and Putrajaya including Islamic law therein to the same extent as provided in item 1 in the State List”]</p> <p>(2) Without prejudice to any power to make laws conferred on it by any other Article, the Legislature of a State may make laws with respect to any of the matters enumerated in the State List (that is to say, the Second List set out in the Ninth Schedule) or the Concurrent List.</p> <p>[Note: State List includes, at 9th Schedule, List II, 1: “Except with respect to the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, Islamic law and personal and family law of persons professing the religion of Islam, including the Islamic law relating to succession, testate and intestate, betrothal, marriage, divorce, dower, maintenance, adoption, legitimacy, guardianship, gifts, partitions and non-charitable trusts; Wakafs and the definition and regulation of charitable and religious trusts, the appointment of trustees and the incorporation of persons in respect of Islamic religious and charitable endowments, institutions, trusts, charities and charitable institutions operating wholly within the State; Malay customs; Zakat, Fitrah and Baitulmal or similar Islamic religious revenue; mosques or any Islamic public places of worship, creation and punishment of offenses by persons professing the religion of Islam against precepts of that religion, except in regard to matters included in the Federal List; the constitution, organization and procedure of Syariah courts, which shall have jurisdiction only over persons professing the religion of Islam and in respect only of any of the matters included in this paragraph, but shall not have jurisdiction in respect of offenses except in so far as conferred by federal law; the control of propagating doctrines and beliefs among persons professing the religion of Islam; the determination of matters of Islamic law and doctrine and Malay custom.”; additionally, at 10th Schedule, Part III, 13, sources of revenue for the States include “Zakat, Fitrah and Baitulmal and similar Islamic religious</p>
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			<p>revenue.”]</p> <p>(3) The power to make laws conferred by this Article is exercisable subject to any conditions or restrictions imposed with respect to any particular matter by this Constitution.</p> <p>(4) Where general as well as specific expressions are used in describing any of the matter enumerated in the Lists set out in the Ninth Schedule the generality of the former shall not be taken to be limited by the latter.</p> <p>Article 75 [Inconsistencies between federal and State laws] If any State law is inconsistent with a federal law, the federal law shall prevail and the State law shall, to the extent of the inconsistency, be void.</p> <p>Article 76 [Power of Parliament to legislate for States in certain cases] (1) Parliament may make laws with respect to any matter enumerated in the State List, but only as follows, that is to say: (a) for the purpose of implementing any treaty, agreement or convention between the Federation and any other country, or any decision of an international organization of which the Federation is a member; or (b) for the purpose of promoting uniformity of the laws of two or more States; or (c) if so requested by the Legislative Assembly of any State. (2) No law shall be made in pursuance of paragraph (a) of Clause (1) with respect to any matters of Islamic law or the custom of the Malays or to any matters of native law or custom in the States of Sabah and Sarawak and no Bill for a law under that paragraph shall be introduced into either House of Parliament until the Government of any State concerned has been consulted.</p> <p>Article 97 [Consolidated Funds] (1) All revenues and moneys howsoever raised or received by the Federation shall, subject to the provisions of this Constitution and of federal law, be paid into and form one fund, to be known as the Federal Consolidated Fund. (2) All revenues and moneys howsoever raised or received by a State shall, subject to Clause (3) and to any law, be paid into and form one fund, to be known as the Consolidated Fund of that State. (3) If in accordance with State law or in respect of the Federal Territories of Kuala Lumpur, Labuan and Putrajaya, in accordance with federal law any Zakat, Fitrah, Baitulmal, or similar Islamic religious revenue is raised, it shall be paid into a separate fund and shall not be paid out except under the authority of State law or federal law, as the case may be.</p> <p>Article 150 [Proclamation of emergency] (1) If the Yang di-Pertuan Agong is satisfied that a grave emergency exists whereby the security, or the economic life, or public order in the Federation or any part thereof is threatened, he may issue a Proclamation of Emergency making therein a declaration to that effect. (5) Subject to Clause (6A), while a Proclamation of Emergency is in force, Parliament may, notwithstanding anything in this Constitution make laws with respect to any matter, if it appears to Parliament that the law is required by reason of the emergency; and Article 79 shall not apply to a Bill for such a law or an amendment to such a Bill, nor shall any provision of this Constitution or of any written law which requires any consent or concurrence to the passing of a law or any consultation with respect thereto, or which restricts the coming into force of a law after it is passed or the presentation of a</p>
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				<p>Bill to the Yang di-Pertuan Agong for his assent. (6A) Clause (5) shall not extend the powers of Parliament with respect to any matter of Islamic law or the custom of the Malays, or with respect to any matter of native law or customs in the State of Sabah or Sarawak; nor shall Clause (6) validate any provision inconsistent with the provisions of this Constitution relating to any such matter or relating to religion, citizenship, or language.</p> <p>Article 160 [Interpretation] (2) In this Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say— “Malay” means a person who professes the religion of Islam, habitually speaks the Malay language, conforms to Malay custom and— (a) was before Merdeka Day born in the Federation or in Singapore or born of parents one of whom was born in the Federation or in Singapore, or is on that day domiciled in the Federation or in Singapore; or (b) is the issue of such a person;</p>
<i>Europe and Eurasia</i>				
Albania ¹¹⁰	79.9% (2,392,739)	No	No	<p>Article 1 1. Albania is a parliamentary republic. 3. Governance is based on a system of elections that are free, equal, general and periodic.</p> <p>Article 3 The independence of the State and the integrity of its territory, dignity of the individual, human rights and freedoms, social justice, constitutional order, pluralism, national identity and inheritance, religious coexistence, as well as coexistence with, and understanding of Albanians for, minorities are the bases of this State, which has the duty of respecting and protecting them.</p> <p>Article 5 The Republic of Albania applies international law that is binding upon it.</p> <p>Article 10 1. In the Republic of Albania there is no official religion. 2. The State is neutral in questions of belief and conscience, and also, it guarantees the freedom of their expression in public life. 3. The State recognizes the equality of religious communities. 4. The State and the religious communities mutually respect the independence of one another and work together for the</p>

¹¹⁰ Constitution of the Republic of Albania was approved by parliament on October 21, 1998, adopted by popular referendum on November 22, 1998, and promulgated on November 28, 1998. Albania is a member of the OIC. As of this writing, the population of Albania is estimated to be 2,994,667.

			<p>good of each of them and for all.</p> <p>5. Relations between the State and religious communities are regulated on the basis of agreements entered into between their representatives and the Council of Ministers. These agreements are ratified by the Assembly.</p> <p>6. Religious communities are juridical persons. They have independence in the administration of their properties according to their principles, rules and canons, to the extent that interests of third parties are not infringed.</p> <p>Article 18</p> <p>1. All are equal before the law.</p> <p>2. No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or ancestry.</p> <p>3. No one may be discriminated against for reasons mentioned in paragraph 2 if reasonable and objective legal grounds do not exist.</p> <p>Article 20</p> <p>1. Persons who belong to national minorities exercise in full equality before the law the human rights and freedoms.</p> <p>2. They have the right to freely express, without prohibition or compulsion, their ethnic, cultural, religious and linguistic belonging. They have the right to preserve and develop it, to study and to be taught in their mother tongue, as well as unite in organizations and societies for the protection of their interests and identity.</p> <p>Article 22</p> <p>1. Freedom of expression is guaranteed.</p> <p>2. The freedom of the press, radio and television are guaranteed.</p> <p>3. Prior censorship of a means of communication is prohibited.</p> <p>Article 24</p> <p>1. Freedom of conscience and of religion is guaranteed.</p> <p>2. Everyone is free to choose or to change his religion or beliefs, as well as to express them individually or collectively, in public or private life, through cult, education, practices or the performance of rituals.</p> <p>3. No one may be compelled or prohibited to take part or not in a religious community or in religious practices or to make his beliefs or faith public.</p> <p>Article 47</p> <p>1. Freedom of peaceful meetings and without arms, as well the participation in them is guaranteed.</p> <p>2. Peaceful meetings in squares and places of public passage are held in conformity with the law.</p> <p>Article 122</p> <p>1. Any international agreement that has been ratified constitutes part of the internal juridical system after it is published in the Official Journal of the Republic of Albania. It is implemented directly, except for cases when it is not self-executing and its implementation requires issuance of a law.</p> <p>2. An international agreement that has been ratified by law has superiority over laws of the country that are not</p>
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				<p>compatible with it.</p> <p>3. The norms issued by an international organization have superiority, in case of conflict, over the laws of the country if the agreement ratified by the Republic of Albania for its participation in the organization expressly contemplates their direct applicability.</p> <p>Article 175</p> <p>1. During the state of war or state of emergency the rights and freedoms contemplated by Articles: 15; 18; 19; 20; 21; 24; 25; 29; 30; 31; 32; 34; 39, paragraph 1; 41, paragraphs 1, 2, 3, and 5; 42; 43; 48; 54; 55 may not be limited.</p>
Azerbaijan ¹¹¹	99.2% (8,305,394)	No	No	<p>Article 7 [Azerbaijani State]</p> <p>I. The Azerbaijan State is a democratic, law-governed, secular, unitary republic.</p> <p>Article 18 [Religion and State]</p> <p>I. In the Azerbaijan Republic religion is separated from the State. All religions are equal by law.</p> <p>II. The spread and propaganda of religions which humiliate human dignity and contradict the principles of humanity are banned.</p> <p>III. The State education system is of secular character.</p> <p>Article 24 [Main principle of rights and liberties of a person and citizen]</p> <p>I. Everyone, from the moment when they are born possesses inviolable and inalienable rights and liberties.</p> <p>Article 25 [Right for Equality]</p> <p>I. Everyone is equal before the law and the court.</p> <p>II. Men and women have equal rights and freedoms.</p> <p>III. Everyone has equal rights and freedoms irrespective of race, nationality, religion, sex, origin, property status, social position, convictions, political party, trade union organization and social unity affiliation. Limitations or recognition of rights and freedoms because of race, nationality, social status, language, origin, convictions and religion are prohibited.</p> <p>Article 26 [Protection of rights and liberties of a person and citizen]</p> <p>I. Everyone has the right to protect his/her rights and liberties using means and methods not prohibited by law.</p> <p>Article 34 [Right for marriage]</p> <p>IV. Rights of wife and husband are equal. Care and education of children constitute both right and responsibility of parents.</p> <p>Article 40 [Right for culture]</p> <p>Everyone has the right to take part in cultural life, to use organizations and values of culture. Everyone must respect</p>

¹¹¹ Constitution of the Republic of Azerbaijan adopted November 12, 1995; modified by referendum August 24, 2002. Azerbaijan is a member of the OIC and the Organization for Security and Cooperation in Europe (OSCE). As of this writing, the total population of Azerbaijan is estimated to be 8,372,373.

				<p>historical, cultural and spiritual inheritance, take care of it, protect historical and cultural memorials.</p> <p>Article 47 [Freedom of thought and speech] I. Everyone may enjoy freedom of thought and speech. II. Nobody should be forced to promulgate his/her thoughts and convictions or to renounce his/her thoughts and convictions. III. Propaganda provoking racial, national, religious and social discord and animosity is prohibited.</p> <p>Article 48 [Freedom of Conscience] I. Everyone has the right to freedom of conscience and religion. II. Everyone has the right to independently define his attitude towards religion, to profess religion alone or together with others, or to profess no religion at all, to express and spread religious convictions. III. The free conduct of religious rites if it does not violate public order or public morality is authorized. IV. The violation of the freedom of religion and self-expression is not allowed. V. No one shall be forced to express (to demonstrate) his or her religious faith and belief, to execute religious rituals and participate in religious ceremonies.</p> <p>Article 49 [Freedom of meetings] I. Everyone has the right for meetings. II. Everyone has the right, having notified respective governmental bodies in advance, peacefully and without arms, meet with other people, organize meetings, demonstrations, processions, place pickets.</p> <p>Article 50 [Freedom of information] I. Everyone is free to look for, acquire, transfer, prepare and distribute information. II. Freedom of mass media is guaranteed. State censorship in mass media, including press is prohibited. III. Everyone's right to refute or react to the information published in the media and violating his or her rights or damaging his or her reputation shall be guaranteed.</p> <p>Article 60 [Guarantee of rights and liberties by law court] I. Legal protection of rights and liberties of every citizen is ensured.</p> <p>Article 71 [Protection of rights and liberties of a human being and citizen] IV. No one shall be compelled to make public religious and other convictions and thoughts and be persecuted for them.</p> <p>Article 127 [Independence of judges, main principles and conditions of implementation of justice] IV. Justice shall be implemented based on equality of citizens before the law and law court.</p>
Kosovo ¹¹²	89.6% (1,635,766)	No	No	<p>Article 1 [Definition of State] (2) The Republic of Kosovo is a state of its citizens. The Republic of Kosovo exercises its authority based on the respect</p>

¹¹² Constitution of the Republic of Kosovo, adopted 2010. As of this writing, the population of Kosovo is estimated to be 1,825,632.

			<p>for human rights and freedoms of its citizens and all other individuals within its borders.</p> <p>Article 3 [Equality Before the Law] (1) The Republic of Kosovo is a multi-ethnic society consisting of Albanian and other Communities, governed democratically with full respect for the rule of law through its legislative, executive and judicial institutions. (2) The exercise of public authority in the Republic of Kosovo shall be based upon the principles of equality of all individuals before the law and with full respect for internationally recognized fundamental human rights and freedoms, as well as protection of the rights of and participation by all Communities and their members.</p> <p>Article 7 [Values] (1) The constitutional order of the Republic of Kosovo is based on the principles of freedom, peace, democracy, equality, respect for human rights and freedoms and the rule of law, non-discrimination, the right to property, the protection of environment, social justice, pluralism, separation of state powers, and a market economy. (2) The Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life.</p> <p>Article 8 [Secular State] The Republic of Kosovo is a secular state and is neutral in matters of religious beliefs.</p> <p>Article 9 [Cultural and Religious Heritage] The Republic of Kosovo ensures the preservation and protection of its cultural and religious heritage.</p> <p>Article 16 [Supremacy of the Constitution] (1) The Constitution is the highest legal act of the Republic of Kosovo. Laws and other legal acts shall be in accordance with this Constitution. (2) The power to govern stems from the Constitution. (3) The Republic of Kosovo shall respect international law. (4) Every person and entity in the Republic of Kosovo is subject to the provisions of the Constitution.</p> <p>Article 19 [Applicability of International Law] (2) Ratified international agreements and legally binding norms of international law have superiority over the laws of the Republic of Kosovo.</p> <p>Article 21 [General Principles] (1) Human rights and fundamental freedoms are indivisible, inalienable and inviolable and are the basis of the legal order of the Republic of Kosovo. (2) The Republic of Kosovo protects and guarantees human rights and fundamental freedoms as provided by this Constitution. (3) Everyone must respect the human rights and fundamental freedoms of others.</p>
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			<p>(4) Fundamental rights and freedoms set forth in the Constitution are also valid for legal persons to the extent applicable.</p> <p>Article 22 [Direct Applicability of International Agreements and Instruments] Human rights and fundamental freedoms guaranteed by the following international agreements and instruments are guaranteed by this Constitution, are directly applicable in the Republic of Kosovo and, in the case of conflict, have priority over provisions of laws and other acts of public institutions:</p> <ol style="list-style-type: none"> (1) Universal Declaration of Human Rights; (2) European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols; (3) International Covenant on Civil and Political Rights and its Protocols; (4) Council of Europe Framework Convention for the Protection of National Minorities; (5) Convention on the Elimination of All Forms of Racial Discrimination; (6) Convention on the Elimination of All Forms of Discrimination Against Women; (7) Convention on the Rights of the Child; (8) Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment; <p>Article 23 [Human Dignity] Human dignity is inviolable and is the basis of all human rights and fundamental freedoms.</p> <p>Article 24 [Equality Before the Law] (1) All are equal before the law. Everyone enjoys the right to equal legal protection without discrimination. (2) No one shall be discriminated against on grounds of race, color, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status. (3) Principles of equal legal protection shall not prevent the imposition of measures necessary to protect and advance the rights of individuals and groups who are in unequal positions. Such measures shall be applied only until the purposes for which they are imposed have been fulfilled.</p> <p>Article 37 [Right to Marriage and Family] (2) Marriage and divorce are regulated by law and are based on the equality of spouses.</p> <p>Article 38 [Freedom of Belief, Conscience and Religion] (1) Freedom of belief, conscience and religion is guaranteed. (2) Freedom of belief, conscience and religion includes the right to accept and manifest religion, the right to express personal beliefs and the right to accept or refuse membership in a religious community or group. (3) No one shall be required to practice or be prevented from practicing religion nor shall anyone be required to make his/her opinions and beliefs public. (4) Freedom of manifesting religion, beliefs and conscience may be limited by law if it is necessary to protect public safety and order or the health or rights of other persons.</p>
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				<p>Article 57 [Rights of Communities and Their Members - General Principles] (1) Inhabitants belonging to the same national or ethnic, linguistic, or religious group traditionally present on the territory of the Republic of Kosovo (Communities) shall have specific rights as set forth in this Constitution in addition to the human rights and fundamental freedoms provided in chapter II of this Constitution. (2) Every member of a community shall have the right to freely choose to be treated or not to be treated as such and no discrimination shall result from this choice or from the exercise of the rights that are connected to that choice. (3) Members of Communities shall have the right to freely express, foster and develop their identity and community attributes. (4) The exercise of these rights shall carry with it duties and responsibilities to act in accordance with the law of the Republic of Kosovo and shall not violate the rights of others.</p> <p>Article 59 [Rights of Communities and their Members] Members of communities shall have the right, individually or in community, to: (1) express, maintain and develop their culture and preserve the essential elements of their identity, namely their religion, language, traditions and culture;</p> <p>Article 132 [Role and Competencies of the Ombudsperson] (1) The Ombudsperson monitors, defends and protects the rights and freedoms of individuals from unlawful or improper acts or failures to act of public authorities. (2) The Ombudsperson independently exercises her/his duty and does not accept any instructions or intrusions from the organs, institutions or other authorities exercising state authority in the Republic of Kosovo. (3) Every organ, institution or other authority exercising legitimate power of the Republic of Kosovo is bound to respond to the requests of the Ombudsperson and shall submit all requested documentation and information in conformity with the law.</p>
Turkey ¹¹³	98% (77,209,837)	No	No	<p>Preamble The recognition that no protection shall be accorded to an activity contrary to Turkish national interests, ... and that, as required by the principle of secularism, there shall be no interference whatsoever by sacred religious feelings in state affairs and politics</p> <p>Article 2 The Republic of Turkey is a democratic, laic and social state governed by the rule of law...</p> <p>Article 10 All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations. No privilege can be granted to any individual, family, group or class. State organs and administrative authorities act in compliance with the principle of equality before</p>

¹¹³ Constitution of the Republic of Turkey, adopted November 7, 1982; amended several times (last amendment passed by referendum October 21, 2007 concerning presidential elections). Turkey is a member of the OIC and the OSCE. As of this writing, the total population of Turkey is estimated to be 78,785,548.

the law in all their proceedings.

Article 14

None of the rights and freedoms embodied in the Constitution can be exercised for activities undertaken with the aim of...endangering the existence of the democratic and laic Republic based on human rights. No provision of the Constitution can be interpreted in a manner that would grants [sic] the State or individuals destroying the fundamental rights and freedoms embodied in the Constitution, or staging an activity with the aim of restricting rights and freedoms more extensively than is stated in the Constitution...

Article 22

Everyone has the right to freedom of communication. Secrecy of communication is fundamental.

Article 24

Everyone has the right to freedom of conscience, religious belief and conviction. Acts of worship, religious services, and ceremonies can be conducted freely, provided that they do not violate the provisions of Article 14. No one can [be] compelled to worship, or to participate in religious ceremonies and rites, to reveal his religious beliefs and convictions, or be blamed or accused because of his religious beliefs and convictions. Education and instruction in religion and ethics are conducted under state supervision and control. Instruction in religious culture and ethics education are compulsory in the curricula of primary and secondary schools. Other religious education and instruction are subject to the individual's own desire, and in the case of minors, to the request of their legal representatives. No one can be allowed to exploit or abuse religion or religious feelings, or things held sacred by religion, in any manner whatsoever, for even partially basing the fundamental, social, economic, political, and legal order of the state on religious tenets or for the purpose of obtaining political or personal benefit and influence.

Article 25

Everyone has the right to freedom of thought and opinion. No one shall be compelled to reveal his thoughts and opinions for any reason or purpose, nor shall anyone be blamed or accused on account of his thoughts and opinions.

Article 26

Everyone has the right to express and disseminate his thoughts and opinion by speech, in writing or in pictures or through other media, individually or collectively. This right includes the freedom to receive and impart information and ideas without interference from official authorities.

Article 33

Everyone has the right to form associations, or become a member of an association, or withdraw from membership without prior permission. No one shall be compelled to become or remain a member of an association. Freedom of association may only be restricted by law on the grounds of protecting national security and public order, or prevention of crime commitment, or protecting public morals, public health.

Article 34

				<p>Everyone has the right to hold unarmed and peaceful meetings and demonstration marches without prior permission. The right to hold meetings and demonstration marches shall only be restricted by law on the grounds of national security, and public order, or prevention of crime commitment, public health and public morals or for the protection of the rights and freedoms of others. The formalities, conditions, and procedures governing the exercise of the right to hold meetings and demonstration marches shall be prescribed by law.</p> <p>Article 68 Citizens have the right to form political parties and in accordance with the established procedure to join and withdraw from them. One must be over 18 years of age to become a member of a party. Political parties are indispensable elements of democratic political life. Political parties can be formed without prior permission and shall pursue their activities in accordance with the provisions set forth in the Constitution and law. The statutes and programs, as well as the activities of political parties shall not be in conflict with the independence of the state, its indivisible integrity with its territory and nation, human rights, the principles of equality and rule of law, sovereignty of the nation, the principles of the democratic and secular republic; they shall not aim to protect or establish class or group dictatorship or dictatorship of any kind, nor shall they incite citizens to crime.</p> <p>Article 70 Every Turk has the right to enter public service. No criteria other than the qualifications for the office concerned shall be taken into consideration for recruitment into public service.</p> <p>Article 136 The Department of Religious Affairs, which is within the general administration, shall exercise its duties prescribed in its particular law, in accordance with the principles of secularism, removed from all political views and ideas, and aiming at national solidarity and integrity.</p> <p>Article 174 No provision of the Constitution can be construed or interpreted as rendering unconstitutional the Reform Laws...which aim...to safeguard the laic character of the Republic, and which were in force on the date of the adoption by referendum of the Constitution of Turkey.</p>
<i>Near East and North Africa</i>				
Algeria ¹¹⁴	98% (34,295,038)	Yes	No	Article 2 Islam shall be the religion of the State.

¹¹⁴ Constitution of the People’s Democratic Republic of Algeria was adopted on September 8, 1963 and revised on November 19, 1976, November 3, 1988, February 23, 1989, November 28, 1996, April 10, 2002, and November 12, 2008. Algeria is a member of the OIC, and a Mediterranean Partner to the OSCE. As of this writing, the total population of Algeria is estimated to be 34,994,937.

			<p>Article 9 The institutions shall not indulge in: -- practices contrary to Islamic morals and the values of the November Revolution.</p> <p>Article 28 Algeria ... recognizes the principles and objectives of the Charter of the United Nations.</p> <p>Article 29 The citizens shall be equal before the law without any discrimination on the basis of birth, race, gender, opinion or any other personal or social condition or circumstances.</p> <p>Article 31 The institutions shall seek to ensure the equality of rights and duties of all citizens in suppressing the obstacles which obstruct the development of the human personality and impede the effective participation of all in the political, economic, social and cultural life. The State shall work for the promotion of political rights of women by increasing their chances of access to representation in elected assemblies. The modalities of application of this Article shall be determined by an Institutional Act.</p> <p>Article 36 The freedom of conscience and the freedom of opinion shall be inviolable.</p> <p>Article 41 The freedoms of expression, association and assembly shall be guaranteed to the citizen.</p> <p>Article 42 The right to establish political parties shall be recognized and guaranteed. However, this right may not be invoked in order to undermine fundamental liberties, the values and main elements of national identity, national unity, the security and integrity of the national territory, the independence of the country and the sovereignty of the people or the democratic and republican character of the State. In accordance with the provisions of the present Constitution political parties may not be founded on a religious, linguistic, racial, sexual, corporatist or regional basis. Political parties may not have recourse to party political propaganda using the elements referred to in the previous paragraph. Any submission of political parties, under whatever form, to foreign interests or parties shall be forbidden. No political party may resort to violence or constraint, of whatever nature or form. Other obligations and duties shall be determined by statute.</p> <p>Article 73 To be eligible for the Presidency of the Republic, a candidate must: --be of Muslim faith;</p> <p>Article 140</p>
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				<p>Justice shall be founded on the principles of legality and equality. It shall be equal for all and accessible to all, and shall find its expression in respect of the law.</p> <p>Article 171 A High Islamic Council shall be established under the auspices of the President of the Republic in order to:</p> <ul style="list-style-type: none"> -- encourage and promote <i>ijtihad</i>; --to provide its opinion on the matters submitted to it with regard to the religious rules; --to present a periodic report of its activity to the President of the Republic. <p>Article 178 None of the following shall be the object of a constitutional amendment:</p> <ul style="list-style-type: none"> 3. the role of Islam as the religion of the State; 5. the fundamental liberties and the rights of man and of the citizen;
Bahrain ¹¹⁵	81.2% (986,340)	Yes	Yes	<p>Article 1 a. The Kingdom of Bahrain is [a] fully sovereign, independent Islamic Arab State... e. Citizens, both men and women, are entitled to participate in public affairs and may enjoy political rights, including the right to vote and to stand for elections, in accordance with this Constitution and the conditions and principles laid down by law.</p> <p>Article 2 The religion of the State is Islam. The Islamic Shari'a is a principal source for legislation...</p> <p>Article 4 Justice is the basis of government. Cooperation and mutual respect provide a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity and equality of opportunity for citizens are pillars of society guaranteed by the State.</p> <p>Article 5 b. The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres without breaching the provisions of Islamic canon law (Shari'a). d. Inheritance is a guaranteed right governed by the Islamic Shari'a.</p> <p>Article 6 The State safeguards the Arab and Islamic heritage. It contributes to the advancement of human civilization and strives to strengthen the bonds between the Islamic countries, and to achieve the aspirations of the Arab nation for unity and</p>

¹¹⁵ Constitution of the Kingdom of Bahrain, as promulgated by King Hamad bin Isa Al Khalifa on February 14, 2002. Bahrain is a member of the OIC. As of this writing, the total population of Bahrain is estimated to be 1,214,705.

			<p>progress.</p> <p>Article 7 b. The law regulates care for religious and national instruction in the various stages and forms of education, and at all stages is concerned to develop the citizen’s personality and his pride in his Arabism.</p> <p>Article 18 People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed.</p> <p>Article 22 Freedom of conscience is absolute. The State guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs observed in the country.</p> <p>Article 23 Freedom of opinion and scientific research is guaranteed. Everyone has the right to express his opinion and publish it by word of mouth, in writing or otherwise under the rules and conditions laid down by law, provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused.</p> <p>Article 24 With due regard for the provisions of the preceding Article, the freedom of the press, printing and publishing is guaranteed under the rules and conditions laid down by law.</p> <p>Article 27 The freedom to form associations and unions on national principles, for lawful objectives and by peaceful means is guaranteed under the rules and conditions laid down by law, provided that the fundamentals of the religion and public order are not infringed. No one can be forced to join any association or union or to continue as a member.</p> <p>Article 28 a. Individuals are entitled to assemble privately without a need for permission or prior notice, and no member of the security forces may attend their private meetings. b. Public meetings, parades and assemblies are permitted under the rules and conditions laid down by law, but the purposes and means of the meeting must be peaceful and must not be prejudicial to public decency.</p> <p>Article 120 c. It is not permissible to propose an amendment to Article 2 of this Constitution, and it is not permissible under any circumstances to propose the amendment of...the principles of freedom and equality established in this Constitution.</p>
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Egypt ¹¹⁶	90% (73,871,672)	Yes	Yes	<p>Article 2 Islam is the religion of the state, and the Arabic language is its official language. The principles of Islamic law are the chief source of legislation.</p> <p>Article 7 Law applies equally to all citizens, and they are equal in rights and general duties. They may not be discriminated against due to race, origin, language, religion, or creed.</p> <p>Article 12 The state guarantees the freedom of creed, and the freedom to practice religious rites....</p>
Iran ¹¹⁷	99.4% (77,423,873)	Yes	Yes	<p>Preamble The Constitution of the Islamic Republic of Iran sets forth the cultural, social, political, and economic institutions of Iranian society on the basis of Islamic principles and norms, which represent the earnest aspiration of the Islamic Ummah.</p> <p><i>The Form of Government in Islam</i> In the view of Islam, government does not derive from the interests of a class, nor does it serve the domination of an individual or a group. It represents rather the crystallization of the political ideal of a people who bear a common faith and common outlook, taking an organized form in order to initiate the process of intellectual and ideological evolution towards the final goal, i.e., movement towards Allah. Our nation, in the course of its revolutionary developments, has cleansed itself of the dust and impurities that accumulated during the tāghūtī past and purged itself of foreign ideological influences, returning to authentic intellectual standpoints and world-view of Islam. It now intends to establish an ideal and model society on the basis of Islamic norms. The mission of the Constitution is to realize the ideological objectives of the movement and to create conditions conducive to the development of man in accordance with the noble and universal values of Islam.</p> <p>With due at _____, the Constitution provides the necessary basis for ensuring the continuation of the Revolution at home and abroad. In particular, in the development of international relations, the Constitution will strive with other Islamic and popular movements to prepare the way for the formation of a single world community (in accordance with the Qur’ānic verse “This your community is a single community, and I am your Lord, so worship Me” [21:92]), and to assure the continuation of the struggle for the liberation of all deprived and oppressed peoples in the</p>

¹¹⁶ The Constitution of the Arab Republic of Egypt was dissolved by the military caretaker government on February 13, 2011. On March 30, 2011, the Supreme Council of the Armed Forces issued a Constitutional Declaration, which is what is used in this study. Egypt is a member of the OIC. As of this writing, the total population of Egypt is estimated to be 82,079,636.

¹¹⁷ Constitution of the Islamic Republic of Iran, adopted December 1979; revised 1989 (the revision in 1989 expanded powers of the presidency and eliminated the prime ministership). The Iranian Constitution contains a lengthy preamble and numerous additional provisions touching on the relationship between Islam and the state. Iran is a member of the OIC. As of this writing, the total population of Iran is estimated to be 77,891,220.

			<p>world.</p> <p>With due attention to the essential character of this great movement, the Constitution guarantees the rejection of all forms of intellectual and social tyranny and economic monopoly, and aims at entrusting the destinies of the people to the people themselves in order to break completely with the system of oppression. (This is in accordance with the Qur’ānic verse “He removes from them their burdens and the fetters that were upon them” [7:157]).</p> <p>In creating, on the basis of ideological outlook, the political infrastructures and institutions that are the foundation of society, the righteous will assume the responsibility of governing and administering the country (in accordance with the Qur’ānic verse “Verily My righteous servants shall inherit the earth” [21:105]). Legislation setting forth regulations for the administration of society will revolve around the Qur’ān and the Sunnah. Accordingly, the exercise of meticulous and earnest supervision by just, pious, and committed scholars of Islam (al-fuqahā’ al-‘udūl) is an absolute necessity.</p> <p><u><i>The Wilāyah of the Just Faqīh</i></u></p> <p>]</p> <p>-‘uqūl, p. 176]). Such leadership will prevent any deviation by the various organs of State from their essential Islamic duties.</p> <p><u><i>Woman in the Constitution</i></u></p> <p>Through the creation of Islamic social infrastructures, all the elements of humanity that hitherto served the multifaceted foreign exploitation shall regain their true identity and human rights. As a part of this process, it is only natural that women should benefit from a particularly large augmentation of their rights, because of the greater oppressi</p> <p>The family is the fundamental unit of society and the main centre for the growth and edification of human being. Compatibility with respect to belief and ideal, which provides the primary basis for man’s development and growth, is the main consideration in the establishment of a family. It is the duty of the Islamic government to provide the necessary facilities for the attainment of this goal. This view of the family unit delivers woman from being regarded as an object or as an instrument in the service of promoting consumerism and exploitation. Not only does woman recover thereby her momentous and precious function of motherhood, rearing of ideologically committed human beings, she also assumes a pioneering social role and becomes the fellow struggler of man in all vital areas of life. Given the weighty responsibilities that woman thus assumes, she is accorded in Islam great value and nobility.</p> <p><u><i>An Ideological Army</i></u></p> <p>In the formation and equipping of the country’s defense forces, due attention must be paid to faith and ideology as the basic criteria. Accordingly, the Army of the Islamic Republic of Iran and the Islamic Revolutionary Guards Corps are to be organized in conformity with this goal, and they will be responsible not only for guarding and preserving the frontiers</p>
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			<p>of the country, but also for fulfilling the ideological mission of jihād in God’s way; that is, extending the sovereignty of God’s law throughout the world (this is in accordance with the Qur’ānic verse “Prepare against them whatever force you are able to muster, and strings of horses, striking fear into the enemy of God and your enemy, and others besides them” [8:60]).</p> <p><i><u>The Judiciary in the Constitution</u></i> The judiciary is of vital importance in the context of safeguarding the rights of the people in accordance with the line followed by the Islamic movement, and the prevention of deviations within the Islamic nation. Provision has therefore been made for the creation of a judicial system based on Islamic justice and operated by just judges with meticulous knowledge of the Islamic laws. This system, because of its essentially sensitive nature and the need for full ideological conformity, must be free from every kind of unhealthy relation and connection (this is in accordance with the Qur’ānic verse “When you judge among the people, judge with justice” [4:58]).</p> <p><i><u>Executive Power</u></i> Considering the particular importance of the executive power in implementing the laws and ordinances of Islam for the sake of establishing the rule of just relations over society, and considering, too, its vital role in paving the way for the attainment of the ultimate goal of life, the executive power must work toward the creation of an Islamic society.</p> <p><i><u>Mass-Communication Media</u></i> The mass-communication media, radio and television, must serve the diffusion of Islamic culture in pursuit of the evolutionary course of the Islamic Revolution. To this end, the media should be used as a forum for healthy encounter of different ideas, but they must strictly refrain from diffusion and propagation of destructive and anti-Islamic practices.</p> <p>Article 1 The form of government of Iran is that of an Islamic Republic,</p> <p>Article 2 The Islamic Republic is a system based on belief in:</p> <ol style="list-style-type: none"> 1. the One God (as stated in the phrase “There is no god except Allah”), His exclusive sovereignty and the right to legislate, and the necessity of submission to His commands; 2. Divine revelation and its fundamental role in setting forth the laws; 3. the return to God in the Hereafter, and the constructive role of this belief in the course of man’s ascent towards God; 4. the justice of God in creation and legislation; 5. continuous leadership (imāmah) and perpetual guidance, and its fundamental role in ensuring the uninterrupted process of the revolution of Islam; 6. the exalted dignity and value of man, and his freedom coupled with responsibility before God; in which equity, justice, political, economic, social, and cultural independence, and national solidarity are secured by recourse to: <p style="text-align: center;">, upon all of whom be peace;</p>
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			<p>are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education.</p> <p>Article 14 In accordance with the sacred verse (“God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes” [60:8]), the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.</p> <p>Article 19 All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and colour, race, language, and the like, do not bestow any privilege.</p> <p>Article 20 All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.</p> <p>Article 21 The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals:</p> <ol style="list-style-type: none"> 1. create a favourable environment for the growth of woman’s personality and the restoration of her rights, both the material and intellectual; 2. the protection of mothers, particularly during pregnancy and childrearing, and the protection of children without guardians; 3. establishing competent courts to protect and preserve the family; 4. the provision of special insurance for widows, and aged women and women without support; 5. the awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian. <p>Article 23 The investigation of individuals’ beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.</p> <p>Article 24 Publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public. The details of this exception will be specified by law.</p> <p>Article 26 The formation of parties, societies, political or professional associations, as well as religious societies, whether Islamic or</p>
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			<p>pertaining to one of the recognized religious minorities, is permitted provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic. No one may be prevented from participating in the aforementioned groups, or be compelled to participate in them.</p> <p>Article 27 Public gatherings and marches may be freely held, provided arms are not carried and that they are not detrimental to the fundamental principles of Islam.</p> <p>Article 28 Everyone has the right to choose any occupation he wishes, if it is not contrary to Islam and the public interests, and does not infringe the rights of others.</p> <p>Article 34 It is the indisputable right of every citizen to seek justice by recourse to competent courts. All citizens have right of access to such courts, and no one can be barred from courts to which he has a legal right of recourse.</p> <p>Article 40 No one is entitled to exercise his rights in a way injurious to others or detrimental to public interests.</p> <p>Article 61 The functions of the judiciary are to be performed - d al-'Ilāhiyyah].</p> <p>Article 64 There are to be two hundred seventy members of the Islamic Consultative Assembly which, keeping in view the human, political, geographic and other similar factors, may increase by not more than twenty for each ten-year period from the date of the national referendum of the year 1368 of the solar Islamic calendar. The Zoroastrians and Jews will each elect one representative; Assyrian and Chaldean Christians will jointly elect one representative; and Armenian Christians in the north and those in the south of the country will each elect one representative.</p> <p>Article 67 Members of the Assembly must take the following oath at the first session of the Assembly and affix their signatures to its text: In the Name of God, the Compassionate, the Merciful. In the presence of the Glorious Qur'ān, I swear by God, the Exalted and Almighty, and undertake, swearing by my own honor as a human being, to protect the sanctity of Islam and guard the accomplishments of the Islamic Revolution of the Iranian people and the foundations of the Islamic Republic; to protect, as a just trustee, the honor bestowed upon me by the people, to observe piety in fulfilling my duties as people's representative; to remain always committed to the independence and honor of the country; to fulfill my duties towards the nation and the service of the people; to defend the Constitution; and to bear in mind, both in</p>
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			<p>speech and writing and in the expression of my views, the independence of the country, the freedom of the people, and the security of their interests.</p> <p>Members belonging to the religious minorities will swear by their own sacred books while taking this oath.</p> <p>Article 72</p> <p>cial religion of the country or to the Constitution. It is the duty of the Guardian Council to determine whether a violation has occurred, in accordance with Article 96.</p> <p>Article 91</p> <p>With a view to safeguard the Islamic ordinances and the Constitution, in order to examine the compatibility of the legislations passed by the Islamic Consultative Assembly with Islam, a council to be known as the Guardian Council is to be constituted with the following composition:</p> <ol style="list-style-type: none"> 1. six ‘ādil fuqahā’, conscious of the present needs and the issues of the day, to be selected by the Leader, and 2. six jurists, specializing in different areas of law, to be elected by the Islamic Consultative Assembly from among the Muslim jurists nominated by the Head of the Judicial Power. <p>Article 94</p> <p>All legislation passed by the Islamic Consultative Assembly must be sent to the Guardian Council. The Guardian Council must review it within a maximum of ten days from its receipt with a view to ensuring its compatibility with the criteria of Islam and the Constitution. If it finds the legislation incompatible, it will return it to the Assembly for review. Otherwise the legislation will be deemed enforceable.</p> <p>Article 96</p> <p>The determination of compatibility of the legislation passed by the Islamic Consultative Assembly with the laws of Islam rests with the majority vote of the fuqahā’ on the Guardian Council; and the determination of its compatibility with the Constitution rests with the majority of all the members of the Guardian Council.</p> <p>Article 107</p> <p>Af —quddisa sirruh al-sharīf—who was recognised and accepted as marji‘ and Leader by a decisive majority of the people, the task of appointing the Leader shall be vested with the experts elected by the people. The experts will review and consult among themselves concerning all the fuqahā’ possessing the qualifications specified in Articles 5 and 109. In the event they find one of them better versed in Islamic regulations, the subjects of the fiqh, or in political and social issues, or possessing general popularity or special prominence for any of the qualifications mentioned in Article 109, they shall elect him as the Leader. Otherwise, in the absence of such a superiority, they shall elect and declare one of them as the Leader. The Leader thus elected by the Assembly of Experts shall assume all the powers of the wilāyat al-amr and all the responsibilities arising therefrom. The Leader is equal with the rest of the people of the country in the eyes of law.</p>
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			<p>office of) the Leadership.</p> <p>Article 115 The President must be elected from among religious and political personalities possessing the following qualifications: Iranian origin; Iranian nationality; administrative capacity and resourcefulness; a good past-record; trustworthiness and piety; convinced belief in the fundamental principles of the Islamic Republic of Iran and the official madhhab of the country.</p> <p>Article 121 The President must take the following oath and affix his signature to it at a session of the Islamic Consultative Assembly in the presence of the head of the judicial power and the members of the Guardian Council: In the Name of God, the Compassionate, the Merciful, I, as President, swear, in the presence of the Noble Qur’ān and the people of Iran, by God, the Exalted and Almighty, that I will guard the official religion of the country, the order of the Islamic Republic and the Constitution of the country;</p> <p>Article 144 The Army of the Islamic Republic of Iran must be an Islamic Army, i.e., committed to Islamic ideology and the people, and must recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of realizing its goals.</p> <p>Article 167 The judge is bound to endeavor to judge each case on the basis of the codified law. In case of the absence of any such law, he has to deliver his judgment on the basis of authoritative Islamic sources and authentic fatāwā.</p> <p>Article 170 Judges of courts are obliged to refrain from executing statutes and regulations of the government that are in conflict with the laws or the norms of Islam, or lie outside the competence of the executive power.</p> <p>Article 175 The freedom of expression and dissemination of thoughts in the Radio and Television of the Islamic Republic of Iran must be guaranteed in keeping with the Islamic criteria and the best interests of the country.</p> <p>Article 177 The revision of the Constitution of the Islamic Republic of Iran, whenever needed by the circumstances, will be done in the following manner: The contents of the Articles of the Constitution related to the Islamic character of the political system; the basis of all the rules and regulations according to Islamic criteria; the religious footing; the objectives of the Islamic Republic of Iran; the democratic character of the government; the wilāyat al-’amr; the Imamate of Ummah; and the administration of the affairs of the country based on national referenda, official religion of Iran [Islam] and the school [Twelver Ja’fari] are unalterable.</p>
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Iraq ¹¹⁸	99% (30,095,576)	Yes	Yes	<p>Article 2 First: Islam is the official religion of the State and it is a fundamental source of legislation: A. No law that contradicts the established provisions of Islam may be established. B. No law that contradicts the principles of democracy may be established. C. No law that contradicts the rights and basic freedoms stipulated in this constitution may be established. Second: This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights of all individuals to freedom of religious belief and practice such as Christians, Yazedis, and Mandi Sabeans.</p> <p>Article 7 First: No entity or program, under any name, may adopt racism, terrorism, the calling of others infidels, ethnic cleansing, or incite, facilitate, glorify, promote, or justify thereto, especially the Saddamist Baath in Iraq and its symbols, regardless of the name that it adopts. This may not be part of the political pluralism in Iraq. This will be organized by law. Second: The State shall undertake combating terrorism in all its forms, and shall work to protect its territories from being a base or pathway or field for terrorist activities.</p> <p>Article 9 First: A. The Iraqi Armed Forces and Security Services will be composed of the components of the Iraqi people with due consideration given to its balance and its similarity without discrimination or exclusion and shall be subject to the control of the civilian authority.</p> <p>Article 10 The holy shrines and religious places in Iraq are religious and cultural entities. The State is committed to confirming and safeguarding their sanctity, and guaranteeing the free practice of rituals in them.</p> <p>Article 14 Iraqis are equal before the law without discrimination based on gender, race, ethnicity, origin, color, religion, creed, belief or opinion, or economic and social status.</p> <p>Article 16 Equal opportunities are guaranteed for all Iraqis. The state guarantees the taking of the necessary measures to achieve such equal opportunities.</p> <p>Article 20 The citizens, men and women, have the right to participate in public affairs and to enjoy political rights including the right to vote, to elect and to nominate.</p>
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¹¹⁸ Constitution of the Republic of Iraq was ratified in October 2005. Iraq is a member of the OIC. As of this writing, the total population of Iraq is estimated to be 30,399,572.

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				<p>society. The State shall prohibit the tribal traditions that are in contradiction with human rights.</p> <p>Article 44 There may not be a restriction or limit on the practice of any rights or liberties stipulated in this constitution, except by law or on the basis of it, and insofar as that limitation or restriction does not violate the essence of the right or freedom.</p> <p>Article 89 Second: The Federal Supreme Court shall be made up of number of judges, and experts in Islamic jurisprudence and law experts whose number, the method of their selection and the work of the court shall be determined by a law enacted by a two-third majority of the members of the Council of Representatives.</p> <p>Article 90 The Federal Supreme Court shall have jurisdiction over the following: First: Oversight of the constitutionality of laws and regulations in effect. Second: Interpretation of the provisions of the constitution.</p>
Jordan ¹¹⁹	98.2% (6,391,122)	Yes	In certain matters	<p>Article 2 Islam shall be the religion of the State and the Arabic Language shall be its official language.</p> <p>Article 6 (i) Jordanians shall be equal before the Law. There shall be no discrimination between them as regards their rights and duties, on grounds of race, language or religion. (ii) The Government shall ensure work and education, within the limits of its possibilities, and shall ensure a state of tranquility and equal opportunities, to all Jordanians.</p> <p>Article 14 The State shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such exercise is inconsistent with public order or decorum.</p> <p>Article 15 (i) The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by words of mouth, in writing, or by means of photographic representation and other forms of expression, within the limits of the law. (ii) Freedom of the press and publications shall be ensured within the limits of the law.</p> <p>Article 16 (i) Jordanians shall have the right to hold meetings within the limits of the law. (ii) Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are legitimate, their methods are peaceful, and their Bye-Laws are not inconsistent with the provisions of this</p>

¹¹⁹ Constitution of the Hashemite Kingdom of Jordan was adopted January 1, 1952 and has been amended many times. Jordan is a Mediterranean Partner to the OSCE and a member of the OIC. As of this writing, the total population of Jordan is estimated to be 6,508,271.

			<p>Constitution. (iii) The establishment of societies and political parties and control of their resources shall be regulated by law.</p> <p>Article 17 Jordanians are entitled to address the public authorities on any personal matters affecting them, or on any matter relative to public affairs, in such a manner and under such conditions as may be prescribed by law.</p> <p>Article 19 Congregations shall have the right to establish and maintain their own schools for the education of their own members provided that they will comply with the general provisions of the law and submit to the control of government in matters relating to their curricula and tendency.</p> <p>Article 28 The throne of the Hashemite Kingdom is limited by inheritance to the dynasty of king Abdullah Ibn Al-Hussein in a direct line through his male heirs as provided in the following provisions:— (e) No person shall ascend the Throne unless he is a moslem, mentally sound and born by a legitimate wife and of moslem parents.</p> <p>Article 99 The courts shall be divided into three categories:— (i) Civil Courts (ii) Religious Courts (iii) Special Courts</p> <p>Article 104 The Religious Courts shall be divided into:— (i) The Sharia Courts (ii) The tribunals of other Religious Communities.</p> <p>Article 105 The Sharia Courts shall have exclusive jurisdiction in the following matters in accordance with its special laws:— (i) Matters of Personal status of Moslems. (ii) Cases concerning blood money (diyeh) where the two parties are Moslems or where one of the parties is not a Moslem and the two parties consent to the jurisdiction of the Sharia Courts.</p> <p>Article 106 The Sharia Courts shall apply in its proceedings the provisions of the Sharia Law.</p> <p>Article 107 The regulation of the affairs of Moslem trusts (Wakfs) and the administration of their financial affairs and other related</p>
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Kuwait ¹²⁰	95% (2,465,847)	Yes	Yes	<p>Preamble In the name of Allah, the Beneficent, the Merciful, We, Abdullah Al-Salim Al-Sabah Amir of the State of Kuwait, ... Do hereby approve this Constitution and promulgate it.</p> <p>Article 2 The religion of the State is Islam, and the Islamic Sharia shall be a main source of legislation.</p> <p>Article 4 Kuwait is a hereditary Amirate, the succession to which shall be in the descendants of the late Mubarak Al-Sabah. ... The Heir Apparent shall have attained his majority, be of sound mind and a legitimate son of Muslim parents.</p> <p>Article 8 The State safeguards the pillars of Society and ensures security, tranquility and equal opportunities for citizens.</p> <p>Article 9 The family is the corner-stone of Society. It is founded on religion, morality and patriotism. Law shall preserve the integrity of the family, strengthen its ties and protect under its auspices motherhood and childhood.</p> <p>Article 12 The State safeguards the heritage of Islam and of the Arabs and contributes to the furtherance of human civilization.</p> <p>Article 18 Inheritance is a right governed by the Islamic Sharia.</p> <p>Article 29</p>

¹²⁰ Constitution of the State of Kuwait, adopted November 11, 1962. Kuwait is a member of the OIC. As of this writing, the total population of Kuwait is estimated to be 2,595,628.

				<p>All people are equal in human dignity, and in public rights and duties before the law, without distinction as to race, origin, language or religion.</p> <p>Article 35 Freedom of belief is absolute. The State protects the freedom of practicing religion in accordance with established customs, provided that it does not conflict with public policy or morals.</p> <p>Article 43 Freedom to form associations and unions on a national basis and by peaceful means shall be guaranteed in accordance with the conditions and manner specified by law. No one may be compelled to join any association or union.</p> <p>Article 44 Individuals shall have the right of private assembly without permission or prior notification, and the police may not attend such private meetings. Public meetings, processions and gatherings shall be permitted in accordance with the conditions and manner specified by law, provided that their purpose and means are peaceful and not contrary to morals.</p> <p>Article 175 The provisions relating to the Amiri System in Kuwait and the principles of liberty and equality, provided for in this Constitution, may not be proposed for revision except in relation to the title of the Emirate or to increase the guarantees of liberty and equality.</p>
Lebanon ¹²¹	59.3% (2,456,859)	No	No	<p>Preamble B. Lebanon has an Arab identity and belonging. It is a founding active member of the Arab League, committed to its Charter; as it is a founding active member of the United Nations Organization, committed to its Charter and the Universal Declaration of Human Rights. The State embodies these principles in all sectors and scopes without exception. C. Lebanon is a democratic parliamentary republic based upon the respect of public freedoms, freedom of opinion and freedom of belief; and of social justice and equality in rights and duties among all citizens, without distinction or preference.</p> <p>Article 7 All Lebanese are equal before the law. They equally enjoy civil and political rights, and assume obligations and public duties without any distinction among them.</p> <p>Article 9 Freedom of conscience is absolute. In assuming the obligations of glorifying God, the Most High, the State respects all religions and creeds and safeguards the freedom of exercising the religious rites under its protection, without disturbing</p>

¹²¹ Constitution of the Republic of Lebanon, adopted May 23, 1926 and amended many times (most recently in 1990 to include changes necessitated by the Charter of Lebanese National Reconciliation (Ta'if Accord) of October 1989). Lebanon is a member of the OIC. As of this writing, the total population of Lebanon is estimated to be 4,143,101.

			<p>the public order. It also guarantees the respect of the system of personal status and religious interests of the people, regardless of their different creeds.</p> <p>Article 10 Education is free so long as it does not disturb the public order, does not violate the morals, and does not touch the dignity of any religion or creed. The rights of communities to establish their own private schools cannot be violated, provided that they comply with the general requirements laid down by the State with respect to public education.</p> <p>Article 13 The freedom of opinion, expression through speech and writing, the freedom of the press, the freedom of assembly, and the freedom of association, are all guaranteed within the scope of the law.</p> <p>Article 19 A Constitutional Council is established to review the constitutionality of the laws, and to decide on the disputes and protests resulting from the presidential and the representative elections. The right to resort to this Council, with respect to watching the constitutionality of the laws, is due to the President of the Republic, the President of the Chamber of Deputies, and the Prime Minister, or to the members of the Chamber of Deputies, and to Heads of the legally recognized sects, with respect to personal affairs, freedom of belief and the exercise of religious rituals, and freedom of religious education.</p> <p>Article 24 The Chamber of Deputies consists of elected representatives whose number and the manner of the election are determined by the electoral laws in effect. Until the Chamber of Deputies issues an Electoral Law, outside the sectarian record, representative seats are distributed according to the following rules: (a) Equally between Christians and Moslems. (b) Proportional between the sects of both sides. (c) Proportional among districts. Exceptionally, and once, representative seats vacant at the date of publishing this Law, and the seats created by the Electoral Law, are filled totally by appointment by a two-thirds majority of the National Détente Government, in implementation of the equality between the Christians and the Moslems, according to the National Détente Document. The Electoral Law determines the details of the application of this Article.</p> <p>Article 95 The Chamber of Deputies, elected on the basis of half Moslems and half Christians, must take the appropriate measures to eliminate political sectarianism, according to a interim plan, and the formation of a National Council under the presidency of the President of the Republic consisting, in addition to the President of the Chamber of Deputies and the Prime Minister, political, intellectual and social notables. The mission of the Council is to study and suggest the means capable of eliminating the sectarianism, and introducing them to the Chamber of Deputies and the Council of Ministers, and to follow up on the interim plan. In the transitory period: (a) The sects are fairly represented in the formation of the Cabinet.</p>
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				(b) The rule of sectarian representation is abrogated. Jurisdiction and efficiency are adopted in public employment, the Judiciary, the military and security establishments, the public and mixed organizations, according to the exigencies of national harmony, with the exception of the jobs of the first rank and the equivalence of the first rank therein. These jobs are equally divided between Christians and Moslems without specifying any job to a specific sect, taking into consideration the two principles of jurisdiction and efficiency.
Libya ¹²²	96.6% (6,373,629)	Yes	Yes	<p>Article 1 Islam is the Religion of the State and the principal source of legislation is Islamic Jurisprudence (Sharia). ... The State shall guarantee for non-Moslems the freedom of practicing religious rights and shall guarantee respect for their systems of personal status.</p> <p>Article 6 Libyans are brothers and their official relationship shall be based on law rather than tribal, proud or personal loyalty. Libyans shall be equal before the law. They shall enjoy equal civil and political rights, shall have the same opportunities, and be subject to the same public duties and obligations, without discrimination due to religion, belief, race, language, wealth, kinship or political opinions or social status. The State shall guarantee for women all opportunities which shall allow her to participate entirely and actively in political, economic, and social spheres.</p> <p>Article 7 Human rights and basic freedoms shall be respected. The State shall endeavor to join the international and regional declarations and charters which protect such rights and freedoms.</p> <p>Article 13 Freedom of opinion for individuals and groups, freedom of scientific research, freedom of communication, liberty of press, printing, publication and mass media, freedom of movement, freedom of assembly, freedom of demonstration and freedom of peaceful strike shall be guaranteed by the State.</p> <p>Article 14 The State shall guarantee the freedom of forming political parties, societies and other civil societies, and a law shall be promulgated to regulate same. The establishment of clandestine or armed societies, or societies in violation of public system or of public morals and others which may be detriment to the State or the unity of the State shall be prohibited.</p>

¹²² The Great Socialist People's Libyan Arab Jamahiriya has not had a constitution since the overthrow of King Idris in 1969. Following the September 1969 military overthrow, the Revolutionary Command Council replaced the existing constitution with the Constitutional Proclamation on December 11, 1969; in March 1977, Libya adopted the Declaration of the Establishment of the People's Authority. On August 10, 2011, the National Transitional Council issued its own Draft Constitutional Charter for the Transitional Stage, and it is from this document that the excerpts above are located. Libya is a member of the OIC. As of this writing, the total population of Libya is estimated to be 6,597,960.

Morocco ¹²³	99% (31,648,677)	Yes	No	<p>Preamble The Kingdom of Morocco, a Muslim Sovereign State, whose official language is Arabic, constitutes a part of the Great Arab Maghreb. ... Aware of the necessity of setting its action within the context of the international organizations of which it is an active and energetic member, the Kingdom of Morocco subscribes to the principles, rights and obligations resulting from the charters of the aforesaid organizations and reaffirms its attachment to the Human Rights as they are universally recognized.</p> <p>Article 5 All Moroccans are equal before the law.</p> <p>Article 6 Islam is the religion of the State which guarantees to all freedom of worship.</p> <p>Article 8 Men and Women enjoy equal political rights.</p> <p>Article 9 The Constitution guarantees to all citizens: — Freedom of opinion, freedom of expression under all its forms and freedom to assemble; — Freedom to organize and freedom to join any trade union or political organization of their own choice. No restrictions can be imposed on such freedoms other than by law.</p> <p>Article 12 All citizens have access, under equal conditions, to public functions and public employment.</p> <p>Article 19 The King, Commander of the Faithful, Supreme Representative of the Nation, Symbol of its unity and guarantor of the permanence and continuity of the State, ensures the observance of Islam and the Constitution.</p> <p>Article 39 No member of Parliament can be prosecuted or pursued, detained or tried for opinions or votes expressed in the exercise of his functions, except in case the expressed opinions put in question the monarchical system, the Muslim religion or lack respect due to the King.</p> <p>Article 106 The monarchic form of the State as well as the provisions relating to the Islamic religion cannot be the object of a</p>
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¹²³ Constitution of the Kingdom of Morocco was adopted on March 10, 1972 and amended on September 4, 1992 and in September 1996 (the amendment of September 1996 created a bicameral legislature). Morocco is a member of the OIC and a Mediterranean Partner of the OSCE. As of this writing, the total population of Morocco is estimated to be 31,968,361.

				constitutional revision.
Oman ¹²⁴	87.7% (2,655,520)	Yes	Yes	<p>Article 1 The Sultanate of Oman is an Arab, Islamic, Independent State with full sovereignty and Muscat is its Capital.</p> <p>Article 2 The State’s religion is Islam and Islamic Sharia is the basis for legislation.</p> <p>Article 5 The system of government is Sultani (Royal), hereditary in the male descendants of Sayyid Turki bin Said bin Sultan, provided that the one to be chosen as successor shall be a Muslim, judicious, of sound mind and legitimate son of Omani Muslim parents.</p> <p>Article 7 The Sultan, before exercising his authority, shall, in a joint session of the Oman Council and the Defense Council, take the following oath: “I swear by Almighty Allah to respect the Basic Statute of the State and the Laws and to fully safeguard the interests of the citizens and their freedom and to preserve the independence of the country and its territorial integrity”.</p> <p>Article 9 Rule in the Sultanate shall be based on justice, shura and equality. The citizens have the right—in accordance with this Basic Statute and the conditions and provisions stipulated by the Law—to participate in public affairs.</p> <p>Article 10 The Political Principles: <ul style="list-style-type: none"> — Reinforcing ties of co-operation and reaffirming friendly relations with all States and peoples on the basis of mutual respect, common interest, non-interference in the internal affairs and adherence to the international and regional charters and treaties and the generally recognized norms of international Law conducive to the promotion of peace and security among States and peoples. — Laying suitable foundations for consolidating the pillars of genuine shura emanating from the country’s heritage, values and its Islamic Sharia, taking pride in its history while adopting the useful contemporary methods and tools. — Establishing sound administrative system that guarantees justice, tranquility and equality for the citizens and ensures respect for the public order and the preservation of the higher interests of the country. </p>

¹²⁴ The Sultanate of Oman does not have a constitution; however, on November 6, 1996, Sultan Qaboos bin Said Al Said issued a royal decree promulgating a basic law considered by the government to be a constitution which, among other things, clarifies the royal succession, provides for a prime minister, bars ministers from holding interests in companies doing business with the government, establishes a bicameral legislature, and guarantees basic civil liberties for Omani citizens. Oman is a member of the OIC. As of this writing, the total population of Oman is estimated to be 3,027,959.

			<p>Article 11 The Economic Principles: — Private ownership is safeguarded and no person shall be prevented from disposing of his property except within the limits of the Law. And no property shall be expropriated except for the public interest in cases stipulated by the Law and in the manner specified therein, provided that the person dispossessed shall be fairly compensated. Inheritance is a right governed by Islamic Sharia.</p> <p>Article 12 The Social Principles: — Justice, equality, and equality of opportunities for Omanis are the pillars of the society and are guaranteed by the State.</p> <p>Article 17 All citizens are equal before the Law and share the same public rights and duties. There is no discrimination between them on the ground of gender, origin, colour, language, religion, sect, domicile, or social status.</p> <p>Article 28 The freedom to practice religious rites according to the recognized customs is guaranteed, provided it does not disrupt the public order or contradict with morals.</p> <p>Article 29 The freedom of opinion and expression thereof through speech, writing or other forms of expression is guaranteed within the limits of the Law.</p> <p>Article 31 Freedom of the press, printing and publishing is guaranteed according to the terms and conditions specified by the Law. Anything leading to discord, harming the State’s security or abusing human dignity or rights is prohibited.</p> <p>Article 32 The citizens have the right to assemble within the limits of the Law.</p> <p>Article 33 The freedom of forming societies on a national basis and for legitimate objectives and by peaceful means—provided that it is not in conflict with the provisions and objectives of this Basic Statute—is guaranteed in accordance with the terms and conditions stipulated by the Law. It is prohibited to form societies the activities of which are adverse to the order of society, secret or of a military nature. It is unlawful to force any one to join any society.</p> <p>Article 50 Before assuming their powers, the Prime Minister, his Deputies, and the Ministers shall take the following oath before the Sultan: “I swear by Almighty Allah to be faithful to my Sultan and Country, to respect the Basic Statute of the State and</p>
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				<p>the State’s applicable laws, to fully protect its entity and territorial integrity, to guard its interests and those of its citizens and to perform my duties faithfully and honestly”.</p> <p>Article 58 The Oman Council shall consist of:— 1—The Shura Council. 2—The State Council. The Law shall specify the jurisdiction of each, its term, sessions, and rules of procedure. Also the Law shall determine the number of its members, the conditions they should satisfy, the way they are selected or appointed, the reasons for their dismissal and other regulatory provisions.</p>
Palestinian Territories ¹²⁵	98%			
Qatar ¹²⁶	77.5% (657,212)	Yes	Yes	<p>Article 1 Qatar is an Arab State, sovereign and independent. Its religion is Islam, and the Islamic Law is the main source of its legislations (sic.). Its system is democratic, and its official language is the Arabic language. The people of Qatar are part of the Arab Nation.</p> <p>Article 6 The State respects the international charters and treaties and works on executing all international agreements, charters and treaties to which it is a party.</p> <p>Article 9 The Prince appoints the Heir Apparent by a Princely Order after consultation with the Ruling Family and the notables in the Country. The Heir Apparent must be a Moslem, from a Qatari Moslem mother.</p> <p>Article 10 On his appointment before this Prince, the Heir Apparent takes the following oath: “I swear by God, the Great, to respect the Islamic Law, the Constitution, and the Law, and to maintain the independence of the Country, and to safeguard its territorial integrity, and to protect the People’s freedoms and interests, and to be loyal to the Homeland and the Prince.”</p> <p>Article 18 The Qatari society is based upon the pillars of justice, charity, freedom, equality, and good morals.</p> <p>Article 19 The State protects the pillars of society, maintains security and stability, and equal opportunities for citizens.</p>

¹²⁵ The State of Palestine is not a recognized country, but has been granted status as a member of the OIC.

¹²⁶ Constitution of the State of Qatar was ratified by public referendum on April 29, 2003; endorsed by the Amir on June 8, 2004, effective on June 9, 2005. Qatar is a member of the OIC. As of this writing, the total population of Qatar is estimated to be 848,016.

			<p>Article 21 The family is the nucleus of society. Its pillars are the religion, morals, and love of the Homeland. The law regulates the means capable of its protection, maintaining its structure, strengthening its ties, and safeguarding motherhood, childhood, and old age within its framework.</p> <p>Article 34 Citizens are equal in public rights and duties.</p> <p>Article 35 People are equal before the law. There shall be no discrimination against them because of sex, race, language, or religion.</p> <p>Article 44 The right of citizens to assemble is guaranteed according to the provisions of the law.</p> <p>Article 45 The freedom to establish associations is guaranteed according to conditions and circumstances laid down by the law.</p> <p>Article 46 Every individual has the right to address public authorities.</p> <p>Article 47 Freedom of opinion and scientific research are guaranteed, according to conditions and circumstances laid down by the law.</p> <p>Article 48 Freedom of the press, printing, and publishing is guaranteed according to the law.</p> <p>Article 50 The freedom to worship is guaranteed to all, according to the law and the requirements to protect the public order and public morals.</p> <p>Article 51 The right of inheritance is inviolable and is governed by the Islamic Law.</p> <p>Article 74 The Prince takes the following oath prior to the performance of his functions, in a special session of the Advisory Council: “I swear by God, the Great, to respect the Islamic Law, the Constitution, and the Law, protect the Country’s independence, safeguard the integrity of its territory, and defend the People’s freedoms and interests.”</p>
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				<p>Article 92 Before performing their duties, members of the Advisory Council take the following oath before the Council and in a public session: “I swear by God, the Great, to be loyal to the Homeland and the Prince, and to respect the Islamic Law, the Constitution, and the Law, and to heed for the People’s interests, and to perform my job with honesty and integrity.”</p> <p>Article 119 The Prime Minister and Ministers take the following oath before the Prince, prior to the assumption of their offices: “I swear by God, the Great, to be loyal to the Homeland and the Prince, to respect the Islamic Law, the Constitution, and the Law, to fully safeguard the interests of the People, to perform my duties honestly, faithfully and honorably, and to fully preserve the Country’s entity and its territorial integrity.”</p> <p>Article 145 The provisions relevant to the governance and inheritance of the State may not be subject to a request for amendment.</p> <p>Article 146 The provisions relevant to the rights and public freedoms may not be subject to request for amendment, except within the limitations intended to grant more rights and guarantees for the interest of the citizen.</p>
Saudi Arabia ¹²⁷	97% (25,347,752)	Yes	Yes	<p>Article 1 The kingdom of Saudi Arabia is an arab and islamic sovereign state. Its religion is islam, and its constitution, the holy quran and the prophet’s sunnah.</p> <p>Article 2 The festivals of the state are eid al-fitr and eid al-adha, and its calendar is the hijri calendar.</p> <p>Article 5 A—the system of the kingdom of saudi arabia is a monarchy. B—its rule will be confined to the sons of the kingdom’s founder abdul-aziz ibn abdel-rahman al-faisal al-saud and grandsons. The most suitable of them will be enthroned to rule under the guidance of the holy quran and the prophet’s sunnah. C—the king will choose his crown prince and also relieve him from duty by royal decree. D—the crown prince will perform the duties delegated to him by the king. E—when the king dies, the crown prince succeeds him until enthronement.</p> <p>Article 6 The citizens will take allegiance before the monarch in line with the holy quran and the prophet’s sunnah.</p>

¹²⁷ The Kingdom of Saudi Arabia is governed according to Islamic law; the Basic Law that articulates the government's rights and responsibilities was promulgated by royal decree in 1992. Saudi Arabia is a member of the OIC. As of this writing, the total population of Saudi Arabia is estimated to be 26,131,703.

			<p>Article 7 The rule in the kingdom depends on the holy quran and the prophet's sunnah.</p> <p>Article 8 The rule in the kingdom is based on justice, consultations and equality in accordance with the islamic sharia.</p> <p>Article 9 The family is the nucleus of Saudi society, and its members are raised on the basis of the islamic creed and obedience to the almighty god, prophet and rulers, respect for the system, love of the homeland and pride of its history.</p> <p>Article 10 The state is keen on enhancing relations among members of the family, preserving arab and islamic values and taking care of all members, enabling them to develop their skills.</p> <p>Article 11 Saudi society is based on dependence on almighty god and cooperation.</p> <p>Article 13 Education aims at the implantation of the islamic creed in new generations and the development of their skills so as to enable them to contribute to the building of their society.</p> <p>Article 21 Zakat (alms) is to be collected and spent according to the sharia teachings.</p> <p>Article 23 The state protects the islamic creed, carries out its sharia and undertakes its duty towards the islamic call.</p> <p>Article 24 The state services the two holy mosques and ensures the security and safety of their visitors so as to enable them to perform their rituals in comfort and ease.</p> <p>Article 25 The state is keen on the realization of the hopes of the arab and muslim nation in solidarity and unity and, at the same time, enhances its relations with the friendly states.</p> <p>Article 26 The state protects the rights of the people in line with the islamic sharia.</p> <p>Article 29 The state takes care of sciences, arts, and culture, encourages scientific research, preserves the arab and islamic heritage,</p>
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			<p>and contributes to the arab, islamic and human civilization.</p> <p>Article 33 The state establishes the armed forces and enables them to take their responsibility towards the defense of the islamic creed, the two holy mosques, the society and the homeland.</p> <p>Article 34 Defense of the islamic creed, society, and the homeland are the responsibility of all. The system clarifies the rules of military service.</p> <p>Article 38 The penalty is personal, and no crime or penalty unless in line with the sharia text or the regulations and no penalty except in accordance to the regulations.</p> <p>Article 39 The information and publication media should express in a good manner, abiding by the regulations of the state, and contribute to the culturing of the nation and supporting its unity. All that leads to sedition and disunity, or undermines the state's security and public relations, or insults the dignity and rights of the people (sic.). The regulations will clarify this.</p> <p>Article 45 The source of ifta in the kingdom of Saudi Arabia is the holy quran and the prophet's sunna, and the system clarifies the hierarchy of the senior ulama, the administration of scientific researchers and ifta and their responsibilities.</p> <p>Article 46 The judicial authority is an independent organ and nobody has authority over the judges except the authority of the islamic sharia.</p> <p>Article 47 All people, either citizens or residents in the kingdom, are entitled to file suits on an equal basis. The system will clarify the required procedures.</p> <p>Article 48 The system of judges which is applied to all cases presented before it is, sharia rules according to the teachings of the holy quran, the sunnah, and the regulations set by the ruler provided that they do not contradict the holy quran and sunnah.</p> <p>Article 50 The king or whomsoever he may deputize will be concerned about the implementation of the judicial rules.</p> <p>Article 52 Judges will be appointed and relieved of their duties by a royal decree according to a proposal by the supreme judicial</p>
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				<p>council and according to the system's regulations.</p> <p>Article 55 The king will rule the nation according to the rulings of islam and supervise the application of sharia (islamic laws), the state's general policy and the protection and defense of the country.</p> <p>Article 57 A—the king will appoint deputy prime ministers and cabinet ministers and relieve them of their duties by a royal decree. B—the deputy prime ministers and cabinet ministers are responsible before the king for the application of islamic sharia, systems and the state's general policy. C—the king has the right to dissolve the council of ministers and restructure it.</p> <p>Article 67 The organizational authority will draw up systems and regulations to realize interests or eliminate corruption in the affairs of the state, according to the rulings of the islamic sharia, and practice its specializations according to this system and the systems of the councils of ministers and shura.</p> <p>Article 68 The system of the shura council will determine the method of its formation, the method of practicing its specializations and the selection of its members. The king has the right to dissolve the shura council and restructure it.</p>
Syria ¹²⁸	92.2% (20,761,366)	No	Yes	<p>Preamble The Constitution is based on the following major principles: 2. Under the reality of division, all the achievements by any Arab country will fail to fully achieve their scope and will remain subject to distortion and setback unless these achievements are buttressed and preserved by Arab unity. Likewise, any danger to which any Arab country may be exposed on the part of imperialism and Zionism is at the same time a danger threatening the whole Arab nation. 3. The march toward the establishment of a socialist order besides being a necessity stemming from the Arab society's needs, is also a fundamental necessity for mobilizing the potentialities of the Arab masses in their battle with Zionism and imperialism.</p> <p>Article 3 (1) The religion of the President of the Republic shall be Islam. (2) Islamic jurisprudence is a main source of legislation.</p> <p>Article 8 The leading party in the society and the state shall be the Socialist Arab Ba'th Party. It shall lead a patriotic and progressive front seeking to unify the resources of the people's masses and place them at the service of the Arab nation's</p>

¹²⁸ Constitution of the Syrian Arab Republic was adopted March 13, 1973. Syria is a member of the OIC. As of this writing, the population of Syria is estimated to be 22,517,750.

			<p>goals.</p> <p>Article 25 (1) Freedom is a sacred right. The state protects the personal freedom of the citizens and safeguards their dignity and security. (2) The supremacy of law is a fundamental principle in the society and the state. (3) The citizens are equal before the law in their rights and duties. (4) The state insures the principle of equal opportunities for citizens.</p> <p>Article 26 Every citizen has the right to participate in the political, economic, social, and cultural life. The law regulates this participation.</p> <p>Article 27 Citizens exercise their rights and enjoy their freedoms in accordance with the law.</p> <p>Article 35 (1) The freedom of faith is guaranteed. The state respects all religions. (2) The state guarantees the freedom to hold any religious rites provided they do not disturb the public order.</p> <p>Article 38 Every citizen has the right to freely and openly express his views in words, in writing, and through all the other means of expression. He also has the right to participate in supervision and constructive criticism in a manner that will safeguard the soundness of the domestic and nationalist structure and will strengthen the socialist system. The state guarantees the freedom of press, printing, and publication in accordance with the law.</p> <p>Article 39 The citizens have the right to meet and to demonstrate peacefully within the principles of the Constitution. The law regulates the exercise of this right.</p> <p>Article 45 The state shall guarantee for women all opportunities enabling them to fully and effectively participate in the political, social, cultural, and economic life. The state must remove the restrictions that prevent women’s development and participation in building the socialist Arab society.</p>
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Tunisia ¹²⁹	99.5% (10,576,040)	Yes	No	<p>Preamble In the name of God, the Clement and the Merciful! We, the representatives of the Tunisian people, meeting as members of the National Constituent Assembly, PROCLAIM the will of this people, set free from foreign domination thanks to its powerful cohesion and to its struggle against tyranny, exploitation and regression: — to remain faithful to the teachings of Islam, to the unity of the Greater Maghreb, to its membership of the Arab family, to cooperation with the African peoples in building a better future and with all peoples who are struggling for justice and liberty;</p> <p>Article 1 Tunisia is a free State, independent and sovereign; its religion is the Islam, its language is Arabic and its regime is the Republic.</p> <p>Article 5 The Tunisian Republic guarantees the inviolability of the human person and freedom of conscience, and protects the free exercise of beliefs, with reservation that they do not disturb the public order.</p> <p>Article 6 All citizens have the same rights and the same duties. They are equal before the law.</p> <p>Article 8 The liberties of opinion, expression, the press, publication, assembly and association are guaranteed and exercised within the conditions defined by the law.</p> <p>Article 40 Any Tunisian who does not carry another nationality, is of Moslem religion and whose father, mother and paternal and maternal grandfather have been of Tunisian nationality without interruption, may present himself as a candidate for the Presidency of the Republic.</p>
United Arab Emirates ¹³⁰	76.2% (3,923,282)	Yes	Yes	<p>Article 7 Islam shall be the official religion of the Union. The Islamic Shari'ah shall be a principal source or legislation in the Union. The official language of the Union shall be Arabic.</p> <p>Article 14</p>

¹²⁹ Constitution of the Republic of Tunisia was adopted on June 1, 1959 and amended in 1988 and 2002. A constituent assembly to draft a new constitution was elected on October 23, 2011, and an interim decree concerning the organization of public powers, but not addressing religion and the state, religious freedom, or related human rights, was put in place. In early 2012, Ennahda, the majority party in the constituent assembly, stated its intent to retain the 1959 Constitution's approach of declaring Islam the state religion but not making it a source of legislation or law. Tunisia is a member of the OIC and a Mediterranean Partner to the OSCE. As of this writing, the population of Tunisia is estimated to be 10,629,186.

¹³⁰ Constitution of the State of the United Arab Emirates was adopted on December 2, 1971 and made permanent in 1996. UAE is a member of the OIC. As of this writing, the population of the UAE is estimated to be 5,148,664.

				<p>Equality, social justice, the provision of safety and security and equality of opportunity for all citizens shall be the bases of the community. Mutual co-operation and respect shall be a firm bond between them.</p> <p>Article 25 All persons shall be equal before the law. No discrimination shall be practiced between citizens of the Union by reason of race, nationality, religious belief or social position.</p> <p>Article 30 Freedom to hold opinions and express them orally, in writing or by other means of expression shall be guaranteed within the limits of the law.</p> <p>Article 32 The freedom to hold religious ceremonies in accordance with established custom shall be safeguarded, provided such ceremonies are consistent with public order and with public morals.</p> <p>Article 33 The freedom of assembly and the freedom to hold meetings shall be guaranteed within the limits of the law.</p>
Yemen ¹³¹	99.1% (23,916,291)	Yes	Yes	<p>Article 1 The Republic of Yemen is an independent, sovereign, Arab Islamic State which is inseparable and no part of it shall be ceded. The Yemeni people is (sic.) part of the Arab and Islamic nation.</p> <p>Article 2 Islam is the religion of the State and Arabic is its official language.</p> <p>Article 3 The Islamic Sharia'a (jurisprudence) shall be the source of all legislations.</p> <p>Article 6 The State shall abide by the United Nations Charter, the Universal Declaration on Human Rights, the Arab League Charter and the universally recognized rules of international law.</p> <p>Article 7 The national economy shall be established on the basis of free economic activities so as to ensure the interests of the individual and society and to consolidate national independence relying on the following principles: a—Islamic social justice incorporated in the economic relationships intended to develop and improve production, raise the standard of living, achieve equal opportunities and realize social equilibrium and mutual assistance.</p>

¹³¹ Constitution of the Republic of Yemen was adopted on May 16, 1991, and subsequently amended on September 29, 1994 and in February 2001. Yemen is a member of the OIC. As of this writing, the population of Yemen is estimated to be 24,133,492.

			<p>Article 21 The State shall have the power to collect Zakat and expend the revenues accrued through legitimate channels as provided for by law.</p> <p>Article 23 The right to inherit according to Islamic Sharia'a shall hereby be guaranteed by law.</p> <p>Article 24 The State shall provide equal political, economic, social and cultural opportunities for all citizens, and shall issue legislations ensuring proper application.</p> <p>Article 25 The Yemeni society shall hereby be established on social solidarity based on justice, freedom and equality as provided for by law.</p> <p>Article 31 Women are akin to men having rights and obligations as demanded by the Sharia'a and stipulated by law.</p> <p>Article 40 All citizens shall have equal rights and obligations.</p> <p>Article 41 Each citizen shall have the right to participate in the political, economic, social and cultural activities. The State shall by law secure freedom of thought and expression whether orally, in writing or in pictures and as provided for by law.</p> <p>Article 46 ... Crime and punishment shall be determined by the provisions of Sharia'a and law.</p> <p>Article 51 Private houses and worship and education centres shall not be violated, put under surveillance or searched unless otherwise provided for by law.</p> <p>Article 53 ... The State shall give special attention to the welfare of the juvenile population protecting them against delinquency, providing religious, mental and physical education and adequate conditions for the development of their potentialities at all fields.</p> <p>Article 59 The defense of religion and the country is a sacred duty and military service is an honor. National defense service shall be defined by law.</p>
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				<p>Article 63 2—No person shall be qualified to be elected to the House of Representatives unless: (a) he is a citizen of Yemen; (b) he is not less than twenty-five years of age; (c) he is able to read and right; (d) he is of sound reputation, practicing religious obligatory duties and has not been convicted for a crime involving moral turpitude unless he shall be reinstated.</p> <p>Article 105 (b) The President of the Republic shall appoint a Vice-president who shall be qualified as prescribed by Articles (106) (116) (117) and (126) of the Constitution.</p> <p>Article 106 Any Yemeni citizen shall be qualified for election as President provided that: (a) he shall not be less than forty years of age; (b) he shall be born to Yemeni parents; (c) he shall enjoy all his civil and political rights; (d) he shall be of good reputation, observant of Islamic injunctions and shall not be convicted for a crime involving immorality or dishonesty unless, otherwise, reinstated; and (e) he shall not be married, or thereafter be married during his term of office, to an alien.</p> <p>Article 159 The President of the Republic, Vice-president, members of the House of Representatives, Prime Minister and Ministers shall take the following Constitutional oath: “I solemnly swear to God the Almighty that I shall abide by the Holy Koran and the Sunnah of Prophet Muhammed, sincerely protect the republican system, respect the Constitution and law, safeguard fully the people’s interests and freedoms and protect the unity, independence and territorial integrity of the country.”</p>
South and Central Asia				
Afghanistan ¹³²	99.7% (29,745,886)	Yes	Yes	<p>Preamble We the people of Afghanistan: 1. With firm faith in God Almighty and relying on His mercy, and Believing in the Sacred religion of Islam, 2. Observing the United Nations Charter and respecting the Universal Declaration of Human Rights,</p>

¹³² Constitution of the Islamic Republic of Afghanistan was drafted December 14, 2003-January 4, 2004; signed January 16, 2004; and ratified January 26, 2004. Afghanistan is a member of the Organization of Islamic Cooperation (“OIC”). As of this writing, the total population of Afghanistan is estimated to be 29,835, 392.

			<p>4. While acknowledging the sacrifices and historic struggles, rightful Jihad and resistance of the Nation, and respecting the high position of the martyrs for the freedom of Afghanistan,</p> <p>5. Understanding the fact that Afghanistan is a single and united country and belongs to all ethnic communities residing in the country,</p> <p>7. For establishing a government based on the will of the people and democracy,</p> <p>8. For the creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, the protection of human rights, and dignity, and ensuring the fundamental rights and freedoms of the people,</p> <p>Article 1 Afghanistan is an Islamic Republic, independent, unitary and indivisible State.</p> <p>Article 2 The religion of Afghanistan is the sacred religion of Islam. Followers of other religions are free to perform their religious rites within the limits of the provisions of law.</p> <p>Article 3 In Afghanistan, no law can be contrary to the sacred religion of Islam and the values of this Constitution.</p> <p>Article 6 The State is obligated to create a prosperous and progressive society based on social justice, the protection of human dignity, the protection of human rights and the realization of democracy and to ensure national unity and equality among all ethnic groups and tribes and to provide for balanced development in all areas of the country.</p> <p>Article 7 The State shall abide by the UN charter, international treaties, international conventions that Afghanistan has signed, and the Universal Declaration of Human Rights.</p> <p>Article 17 The State shall adopt necessary measures for the promotion of education at all levels for the development of religious education, and for organizing and improving the conditions of mosques, madrasas and religious centers.</p> <p>Article 22 Any kind of discrimination and privilege among the citizens of Afghanistan is prohibited. The citizens of Afghanistan have equal rights and duties before the law.</p> <p>Article 34 The freedom of expression is inviolable. Every Afghan has the right to express his thought through speech, writing, illustration or other means, by observing the provisions stated in this Constitution. Every Afghan has the right to print or publish material without prior submission to the State authorities in accordance with the law. Regulations pertaining to</p>
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			<p>printing houses, radio, television, press, and other mass media, shall be provided by law.</p> <p>Article 35 The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of law. The citizens of Afghanistan have the right to form political parties in accordance with the provisions of law, provided that:</p> <ol style="list-style-type: none"> 1. The program and charter of the party are not contrary to the provision of the sacred religion of Islam, and the provisions and values of this Constitution. <p>The formation and the functioning of a party based on ethnicity, language, religion and region is not permissible.</p> <p>Article 36 The citizens of Afghanistan have the right to un-armed demonstrations for legitimate peaceful purposes.</p> <p>Article 44 The State shall devise and implement effective programs for balancing and promoting education for women, improving education of nomads and eliminating illiteracy in the country.</p> <p>Article 45 The State shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and shall develop the curriculum of religious subjects in schools on the basis of the Islamic sects existing in Afghanistan.</p> <p>Article 54 The State shall adopt necessary measures to ensure the physical and psychological well-being of the family ... and the elimination of traditions contrary to the principles of the sacred religion of Islam.</p> <p>Article 58 The State, for the purpose of monitoring human rights in Afghanistan and their advancement and protection, shall establish the Independent Human Rights Commission of Afghanistan. Any person in case of violation of his fundamental rights can submit a complaint to this Commission. The Commission can refer persons whose fundamental rights have been violated to legal authorities and assist in the defense of their rights. The structure and functions of this Commission shall be regulated by law.</p> <p>Article 62 Presidential candidates must possess the following qualifications:</p> <ol style="list-style-type: none"> 1. Be a citizen of Afghanistan, a Muslim, born of Afghan parents, and not have citizenship of another country. <p>Article 66 The President shall take into consideration the supreme interests of the people of Afghanistan while enforcing the powers stated in this Constitution. ... The President cannot act based on linguistic, regional, ethnic, religious, and political</p>
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			<p>considerations during his term in office.</p> <p>Article 71 The Government consists of Ministers who work under the Chairmanship of the President. The Ministers are appointed by the President and shall be introduced to the National Assembly for approval. The number and duties of the Ministers shall be regulated by law.</p> <p>Article 80 The Ministers shall not use their posts during the course of their work for linguistic, regional, ethnic, religious and partisan purposes.</p> <p>Article 82 The National Assembly consists of two Houses: The Wolesi Jirga (House of the People) and the Meshrano Jirga (House of the Elders).</p> <p>Article 83 Members of the Wolesi Jirga are elected by the people through free, general, secret, and direct elections. ... In the election law, measures shall be adopted so that the election system shall provide general and just representation for all people of the country, and that at least one female delegate shall be elected from each province.</p> <p>Article 118 A Justice of the Supreme Court shall have the following qualifications: 3. Have a higher education in law or in Islamic jurisprudence, and have sufficient expertise and experience in the judicial system of Afghanistan.</p> <p>Article 121 The Supreme Court shall, only by the request of the Government and/or the Courts, review the compatibility of laws, decrees, inter-state treaties, and international covenants with the Constitution. The Supreme Court has the authority to interpret the Constitution, laws, and decrees.</p> <p>Article 130 When there is no provision in the Constitution or the laws with respect to a case under consideration, the court shall follow the provisions of the Hanafi jurisprudence within the provisions set forth in this Constitution to render a decision that secures justice in the best possible way.</p> <p>Article 131 Courts shall apply Shia jurisprudence in cases dealing with personal matters involving the followers of the Shia Sect in accordance with the provisions of the law. In other cases as well, where no provisions of this Constitution and other laws apply and both sides of the case are followers of the Shia Sect, courts shall resolve the case according to laws of this Sect.</p>
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Bangladesh ¹³³	89.6% (142,079,199)	Yes	No	<p>In the name of Allah, the Beneficent, the Merciful</p> <p>Preamble We, the people of Bangladesh, ... [p]ledging that the high ideals of nationalism, socialism, democracy and secularism, which inspired our heroic people to dedicate themselves to, and our brave martyrs to sacrifice their lives in, the national liberation struggle, shall be fundamental principles of the Constitution; ... do hereby adopt, enact and give to ourselves this Constitution.</p> <p>Article 2A [The state religion] The state religion of the Republic is Islam, but the State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions.</p> <p>Article 8 [Fundamental principles] (1) The principles of nationalism, socialism, democracy and secularism, together with the principles derived from those set out in this Part, shall constitute the fundamental principles of state policy. (2) The principles set out in this Part shall be fundamental to the governance of Bangladesh, shall be applied by the State in the making of laws, shall be a guide to the interpretation of the Constitution and of the other laws of Bangladesh, and shall form the basis of the work of the State and of its citizens, but shall not be judicially enforceable.</p> <p>Article 11 [Democracy and human rights] The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed, and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured.</p> <p>Article 12 [Secularism and freedom of religion] The principle of secularism shall be realized by the elimination of: (a) communalism in all its forms; (b) the granting by the State of political status in favour of any religion; (c) the abuse of religion for political purposes; (d) any discrimination against, or persecution of, persons practicing a particular religion.</p> <p>Article 18 [Public health and morality] (1) The State shall regard the raising of the level of nutrition and the improvement of public health as moving its primary</p>

¹³³ Constitution of the People's Republic of Bangladesh was ratified on November 4, 1972, and went into effect on December 16, 1972. It was suspended following the coup of March 24, 1982, but it was restored November 10, 1986, and has been amended several times, including, most recently, a 15th Amendment adopted in 2011. Bangladesh is a member of the OIC. As of this writing, the total population of Bangladesh is estimated to be 158,570,535.

			<p>duties, and in particular shall adopt effective measures to prevent the consumption, except for medical purposes or for such other purposes as may be prescribed by law, of alcoholic and other intoxicating drinks and drugs which are injurious to health.</p> <p>(2) The State shall adopt effective measures to prevent prostitution and gambling.</p> <p>Article 19 [Equality of opportunity]</p> <p>(1) The State shall endeavor to ensure equality of opportunity to all citizens.</p> <p>(2) The State shall adopt effective measures to remove social and economic inequality between man and man and to ensure the equitable distribution of wealth among citizens, and of opportunities in order to attain a uniform level of economic development throughout the Republic.</p> <p>(3) The State shall endeavor to ensure equality of opportunity and participation of women in all spheres of national life.</p> <p>Article 26 [Laws inconsistent with fundamental rights to be void]</p> <p>(1) All existing law inconsistent with the provisions of this Part shall, to the extent of such inconsistency, become void on the commencement of this Constitution.</p> <p>(2) The State shall not make any law inconsistent with any provisions of this Part, and any law so made shall, to the extent of such inconsistency, be void.</p> <p>(3) Nothing in this article shall apply to any amendment of this Constitution made under article 142.</p> <p>Article 27 [Equality before law]</p> <p>All citizens are equal before law and are entitled to equal protection of law.</p> <p>Article 28 [Discrimination on grounds of religion, etc.]</p> <p>(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.</p> <p>(2) Women shall have equal rights with men in all spheres of the State and of public life.</p> <p>(3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.</p> <p>(4) Nothing in this article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens.</p> <p>Article 29 [Equality of opportunity in public employment]</p> <p>(1) There shall be equality of opportunity for all citizens in respect of employment or office in the service of the Republic.</p> <p>(2) No citizen shall, on grounds only of religion, race, caste, sex or place of birth, be ineligible for, or discriminated against in respect of, any employment or office in the service of the Republic.</p> <p>(3) Nothing in this article shall prevent the State from -</p> <p>(a) making special provision in favor of any backward section of citizens for the purpose of securing their adequate representation in the service of the Republic;</p> <p>(b) giving effect to any law which makes provision for reserving appointments relating to any religious or denominational institution to persons of that religion or denomination; reserving for members of one sex any class of</p>
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			<p>employment or office on the ground that it is considered by its nature to be unsuited to members of the opposite sex.</p> <p>Article 37 [Freedom of assembly] Every citizen shall have the right to assemble and to participate in public meetings and processions peacefully and without arms, subject to any reasonable restrictions imposed by law in the interests of public order health.</p> <p>Article 38 [Freedom of association] Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interests of morality or public order: Provided that no person shall have the right to form, or be a member of said association or union, if –</p> <ul style="list-style-type: none"> (a) it is formed for the purposes of destroying the religious, social and communal harmony among the citizens; (b) it is formed for the purposes of creating discrimination among the citizens, on the ground of religion, race, caste, sex, place of birth or language; (c) it is formed for the purposes of organizing terrorist acts or militant activities against the State or the citizens or any other country; (d) its formation and objects are inconsistent with the Constitution. <p>Article 39 [Freedom of thought and conscience, and of speech] (1) Freedom of thought and conscience is guaranteed. (2) Subject to any reasonable restrictions imposed by law in the interests of the security of the State, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offense-</p> <ul style="list-style-type: none"> (a) the right of every citizen of freedom of speech and expression; and freedom of the press, are guaranteed. <p>Article 41 [Freedom of religion] (1) Subject to law, public order and morality-</p> <ul style="list-style-type: none"> (a) every citizen has the right to profess, practice or propagate any religion; (b) every religious community or denomination has the right to establish, maintain and manage its religious institutions. <p>(2) No person attending any educational institution shall be required to receive religious instruction, or to take part in or to attend any religious ceremony or worship, if that instruction, ceremony or worship relates to a religion other than his own.</p> <p>Article 65 [Establishment of Parliament] (1) There shall be a Parliament for Bangladesh (to be known as the House of the Nation) in which subject to the provisions of this Constitution, shall be vested the legislative powers of the Republic: Provided that nothing in this clause shall prevent Parliament from delegating to any person or authority, by Act of Parliament, power to make orders, rules, regulations, bye-laws or other instruments having legislative effect. (2) Parliament shall consist of three hundred members to be elected in accordance with law from single territorial constituencies by direct election and, for so long as clause (3) is effective, the members provided for in that clause; the member shall be designated as Members of Parliament.</p>
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				<p>(3) Until the dissolution of Parliament occurring next after the expiration of the period of ten years beginning from the date of the first meeting of the Parliament next after the Parliament in existence at the time of the commencement of the Constitution (Fourteenth Amendment) Act, 2004, there shall be reserved fifty seats exclusively for women members and they will be elected by the aforesaid members in accordance with law on the basis of procedure of proportional representation in the Parliament through single transferable vote : Provided that nothing in this clause shall be deemed to prevent a woman from being elected to any of the seats provided for in clause (2) of this article.</p> <p>(3A) For the remaining period of the Parliament in existence at the time of the commencement of the Constitution (Fifteenth Amendment) Act, 2011, Parliament shall consist of three hundred members elected by direct election provided for in clause (2) and fifty women members provided for in clause (3).</p> <p>Article 121 [Single electoral roll for each constituency] There shall be one electoral roll for each constituency for the purposes of elections to Parliament, and no special electoral roll shall be prepared so as to classify electors according to religion, race caste or sex.</p>
Kazakhstan ¹³⁴	56.4% (8,754,618)	No	No	<p>Article 1 (1) The Republic of Kazakhstan proclaims itself a democratic, secular, legal and social state whose highest values are an individual, his life, rights and freedoms.</p> <p>Article 3 (1) The people shall be the only source of state power. (2) The people shall exercise power directly through an all-nation referendum and free elections as well as delegate the execution of their power to state institutions.</p> <p>Article 5 (1) The Republic of Kazakhstan shall recognize ideological and political diversity. The merging of public and state institutions, and the formation of political party organizations in state bodies shall not be permitted. (4) Activities of political parties and trade unions of other states, religious parties as well as financing political parties and trade unions by foreign legal entities and citizens, foreign states and international organizations shall not be permitted in the Republic. (5) Activities of foreign religious associations on the territory of the Republic as well as appointment of heads of religious associations in the Republic by foreign religious centers shall be carried out in coordination with the respective state institutions of the Republic.</p> <p>Article 8 The Republic of Kazakhstan shall respect principles and norms of international law, pursue the policy of cooperation and good-neighborly relations between states, their equality and non-interference in each other's domestic affairs, peaceful settlement of international disputes and renounce the first use of the military force.</p>

¹³⁴ Constitution of the Republic of Kazakhstan, first post-independence constitution adopted January 28, 1993; new constitution adopted by national referendum August 30, 1995; amended May 18, 2007. Kazakhstan is a member of the OIC and the OSCE. As of this writing, the total population of Kazakhstan is estimated to be 15,522,373.

			<p>Article 12</p> <p>(1) Human rights and freedoms in the Republic of Kazakhstan shall be recognized and guaranteed in accordance with this Constitution.</p> <p>(2) Human rights and freedoms shall belong to everyone by virtue of birth, be recognized as absolute and inalienable, and define the contents and implementation of laws and other regulatory legal acts.</p> <p>(3) Every citizen of the Republic shall have rights and bear responsibilities owing to his citizenship.</p> <p>(4) Foreigners and stateless persons in the Republic shall enjoy rights and freedoms as well as bear responsibilities established for the citizens unless otherwise stipulated by the Constitution, laws and international treaties.</p> <p>(5) Exercise of a citizen's human rights and freedoms must not violate rights and freedoms of other persons, infringe on the constitutional system and public morals.</p> <p>Article 14</p> <p>(1) Everyone shall be equal before the law and court.</p> <p>(2) No one shall be subject to any discrimination for reasons of origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, convictions, place of residence or any other circumstances.</p> <p>Article 19</p> <p>(1) Everyone shall have the right to determine and indicate or not to indicate his national, party and religious affiliation.</p> <p>Article 20</p> <p>(1) The freedom of speech and creative activities shall be guaranteed. Censorship shall be prohibited.</p> <p>(2) Everyone shall have the right to freely receive and disseminate information by any means not prohibited by law. The list of items constituting state secrets of the Republic of Kazakhstan shall be determined by law.</p> <p>(3) Propaganda of or agitation for the forcible change of the constitutional system, violation of the integrity of the Republic, undermining of state security, and advocating war, social, racial, national, religious, class and clannish superiority as well as the cult of cruelty and violence shall not be allowed.</p> <p>Article 22</p> <p>(1) Everyone shall have the right to freedom of conscience.</p> <p>(2) The right to freedom of conscience must not specify or limit universal human and civil rights and responsibilities before the state.</p> <p>Article 23</p> <p>(1) Citizens of the Republic of Kazakhstan shall have the right to freedom of forming associations. The activities of public associations shall be regulated by law.</p> <p>Article 32</p> <p>Citizens of the Republic of Kazakhstan shall have the right to peacefully and without arms assemble, hold meetings,</p>
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				<p>rallies and demonstrations, street processions and pickets. The use of this right may be restricted by law in the interests of state security, public order, protection of health, rights and freedoms of other persons.</p> <p>Article 39</p> <p>(1) Rights and freedoms of an individual and citizen may be limited only by laws and only to the extent necessary for protection of the constitutional system, defense of the public order, human rights and freedoms, health and morality of the population.</p> <p>(2) Any actions capable of upsetting interethnic concord shall be deemed unconstitutional.</p> <p>(3) Any form of restrictions to the rights and freedoms of the citizens on political grounds shall not be permitted. Rights and freedoms stipulated by articles 1011; 13-15 paragraph 1 of article 16; article 17; article 19; article 22; paragraph 2 of article 26 of the Constitution shall not be restricted in any event.</p> <p>Article 74</p> <p>(2) Laws and other regulatory legal acts, recognized as infringing on the rights and freedoms of an individual and citizen secured by the Constitution, shall be canceled and shall not be in effect.</p>
Kyrgyzstan ¹³⁵	86.3% (4,821,963)	No	No	<p>Preamble</p> <p>We, the people of Kyrgyzstan, ...</p> <ul style="list-style-type: none"> - Confirming adherence to the goal to build free and democratic state based on respect and protection of human rights; ... <p>Acting on behalf of our ancestors to live in peace and accord, in harmony with nature, hereby adopt the present Constitution.</p> <p>Article 1</p> <p>1. The Kyrgyz Republic (Kyrgyzstan) is a sovereign, democratic, secular, unitary and social state governed by the rule of law.</p> <p>Article 2</p> <p>1. Political diversity and multi-party system shall be recognized in the Kyrgyz Republic.</p> <p>2. The citizens shall be entitled to create political parties, professional unions as well as other public associations on the basis of free will and unity of interests for implementation and protection of their rights and freedoms, as well as satisfying political, economic, social, labor, cultural and other interests.</p> <p>4. The following shall be prohibited in the Kyrgyz Republic:</p> <ul style="list-style-type: none"> 3) creation of political parties on religious or ethnic basis as well as pursuit of political goals by religious associations; 5) activity of political parties, public and religious organizations, their representations and branches in the event that such structures pursue political goals aimed at forced change of the constitutional setup, undermining national security, incitement of social, racial, inter-national, inter-ethnic and religious hatred.

¹³⁵ Constitution of the Kyrgyz Republic, new Constitution adopted June 27, 2010. Kyrgyzstan is a member of the OIC and the OSCE. As of this writing, the total population of Kyrgyzstan is estimated to be 5,587,443.

			<p>Article 7 1. No religion in the Kyrgyz Republic shall be recognized as the state or mandatory one. 2. Religion and all cults shall be separated from the state. 3. The involvement of religious associations and ministers of religion in the activity of state authorities shall be prohibited.</p> <p>Article 16 1. Fundamental human rights and freedoms are inalienable and belong to each person from birth. Human rights and freedoms are of superior value. They act directly and define the meaning and the content of the activity of legislative, executive power and self governance bodies. 2. The Kyrgyz Republic shall respect and ensure human rights and freedoms to all persons on its territory and under its jurisdiction. No one may be subject to discrimination on the basis of sex, race, language, disability, ethnicity, belief, age, political and other convictions, education, background, proprietary and other status as well as other circumstances. Special measures defined by law and aimed at ensuring equal opportunities for various social groups in accordance with international commitments shall not be considered as discrimination. 3. In the Kyrgyz Republic everyone shall be equal before the law and the courts. 4. In the Kyrgyz Republic men and women shall have equal rights and freedoms and equal opportunities for their realization.</p> <p>Article 17 Rights and freedoms established in the present Constitution shall not be exhaustive and shall not be interpreted as denial or derogation of other universally recognized human and civic rights and freedoms.</p> <p>Article 18 Everyone shall have the right to perform any action and activity except for those prohibited by the present Constitution and laws.</p> <p>Article 19 1. Foreign citizens and stateless persons in the Kyrgyz Republic shall enjoy rights and perform obligations equally with the citizens of the Kyrgyz Republic except for cases defined by law or international treaty to which the Kyrgyz Republic is a party. 2. In accordance with international commitments the Kyrgyz Republic shall grant asylum to foreign citizens and stateless persons persecuted on political grounds as well as on the grounds of violation of human rights and freedoms.</p> <p>Article 20 1. The laws that deny or derogate human and civil rights and freedoms shall not be adopted in the Kyrgyz Republic. 2. Human and civil rights and freedoms may be limited by the Constitution and laws for the purposes of protecting national security, public order, health and morale of the population as well as rights and freedoms of other persons. The introduced limitations should be commensurate to the declared objectives.</p>
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				<p>ensure it failing to submit notice on conduct of free assembly, non-compliance with the form of notice, its contents and submission deadlines.</p> <p>4. The organizers and participants in peaceful assemblies shall not be liable for the absence of notice on the conduct of a peaceful assembly, non-compliance with the form of notice, its contents and submission deadline.</p> <p>Article 35 Everyone shall have the right of freedom of association.</p>
Maldives ¹³⁶	98.4% (388,679)	Yes	Yes	<p>Article 2 The Maldives is a sovereign, independent, democratic Republic based on the principles of Islam, and is a unitary State, to be known as the Republic of the Maldives.</p> <p>Article 10 (a) The religion of the State of the Maldives is Islam. Islam shall be the one of the basis of all the laws of the Maldives. (b) No law contrary to any tenet of Islam shall be enacted in the Maldives.</p> <p>Article 16 (a) This Constitution guarantees to all persons, in a manner that is not contrary to any tenet of Islam, the rights and freedoms contained within this Chapter, subject only to such reasonable limits prescribed by a law enacted by the People’s Majlis in a manner that is not contrary to this Constitution. Any such law enacted by the People’s Majlis can limit the rights and freedoms to any extent only if demonstrably justified in a free and democratic society. (b) The limitation of a right or freedom specified in this Chapter by a law enacted by the People’s Majlis as provided for in this Constitution, and in order to protect and maintain the tenets of Islam, shall not be contrary to article (a). (c) In deciding whether a right or freedom in this Chapter, has been limited in accordance with article (a) and (b), a court must be fully cognisant of and make reference to all the facts, including: <ol style="list-style-type: none"> 1. the nature and character of the right or freedom; 2. the purpose and importance of limiting the right or freedom; 3. the extent and manner of limiting the right or freedom; 4. the relationship between the limitation of the right or freedom and the importance of the right or freedom; 5. the extent to which the objective for which the right or freedom has been limited could have been achieved by limiting the right or freedom to a lesser degree; 6. the extent to which the right or freedom must be limited in order to protect the tenets of Islam, where the right or freedom has been limited pursuant to article (b). (d) The onus of establishing that the limitation to any extent, of a right or freedom included in this Chapter is within the reasonable limitations prescribed in this Constitution is on the State or the person asserting the limitation of the right or freedom.</p> <p>Article 17</p>

¹³⁶ Constitution of the Republic of the Maldives, new constitution ratified August 7, 2008. The Maldives is a member of the OIC. As of this writing, the total population of the Maldives is estimated to be 394,999.

			<p>(a) Everyone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island.</p> <p>Article 19 A citizen is free to engage in any conduct or activity that is not expressly prohibited by Islamic Shari'ah or by law.</p> <p>Article 20 Every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law.</p> <p>Article 27 Everyone has the right to freedom of thought and the freedom to communicate opinions and expression in a manner that is not contrary to any tenet of Islam.</p> <p>Article 28 Everyone has the right to freedom of the press, and other means of communication, including the right to espouse, disseminate and publish news, information, views and ideas. No person shall be compelled to disclose the source of any information that is espoused, disseminated or published by that person.</p> <p>Article 29 Everyone has the freedom to acquire and impart knowledge, information and learning.</p> <p>Article 30 (a) Every citizen has the right to establish and to participate in the activities of political parties. (b) Everyone has the freedom to form associations and societies, including the following: 1. the right to establish and participate in any association or society for economic, social, educational or cultural purposes;</p> <p>Article 32 Everyone has the right to freedom of peaceful assembly without prior permission of the State.</p> <p>Article 36 (a) Everyone has the right to education without discrimination of any kind. (c) Education shall strive to inculcate obedience to Islam, instill love for Islam, foster respect for human rights, and promote understanding, tolerance and friendship among all people.</p> <p>Article 67 The exercise and enjoyment of fundamental rights and freedoms is inseparable from the performance of responsibilities and duties, and it is the responsibility of every citizen: (a) to respect and protect the rights and freedoms of others;</p>
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			<p>(b) to foster tolerance, mutual respect, and friendship among all people and groups; (c) to contribute to the well-being and advancement of the community; (d) to promote the sovereignty, unity, security, integrity and dignity of the Maldives; (e) to respect the Constitution and the rule of law; (f) to promote democratic values and practices in a manner that is not inconsistent with any tenet of Islam; (g) to preserve and protect the State religion of Islam, culture, language and heritage of the country; Every person in the Maldives must also respect these duties.</p> <p>Article 70 (a) The legislative authority of the Maldives shall be vested in the People’s Majlis. (c) The People’s Majlis shall not pass any law that contravenes any tenet of Islam.</p> <p>Article 73 (a) A person elected to be a member of the People’s Majlis shall be so qualified if he: 3. is a Muslim and a follower of a Sunni school of Islam;</p> <p>Article 100 (a) The People’s Majlis, by a resolution, may remove the President or the Vice President from office only on the grounds of: 1. direct violation of a tenet of Islam, the Constitution or law;</p> <p>Article 109 A person elected as President shall have the following qualifications: (b) be a Muslim and a follower of a Sunni school of Islam; (g) despite the provisions of article (f), not have been convicted of an offense for which a <i>hadd</i> is prescribed in Islam or of fraud, deception or criminal breach of trust.</p> <p>Article 130 (a) A person shall be qualified to be a member of the Cabinet if he: 3. is a Muslim and a follower of a Sunni school of Islam;</p> <p>Article 149 (b) In addition to the qualifications specified in article (a), a Judge shall possess the following qualifications: 1. be a Muslim and a follower of a Sunni school of Islam; 3. has not been convicted of an offense for which a <i>hadd</i> is prescribed in Islam, criminal breach of trust, or bribery;</p> <p>Article 189 (a) There shall be a Human Rights Commission of the Maldives. (b) The Human Rights Commission is an independent and impartial institution. It shall promote respect for human rights impartially without favour and prejudice.</p>
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				<p>(c) The Human Rights Commission shall function as provided by the statute governing the Human Rights Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.</p> <p>Article 191 To be qualified for appointment to the Human Rights Commission, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the functions of the Human Rights Commission.</p> <p>Article 192 (a) The Human Rights Commission’s responsibilities and powers shall include the following: 1. to promote respect for human rights; 2. to promote the protection, development and attainment of human rights; 3. to monitor and assess the observance of human rights. (b) The Human Rights Commission shall have the following functions and powers, as regulated by law: 1. to investigate and to report on the observance of human rights; 2. to take steps to secure appropriate redress where human rights have been violated; 3. to carry out research, and to educate the public; 4. to exercise such additional powers and functions prescribed by law.</p> <p>Article 246 (a) Members of the security services shall treat all persons and groups equally without any discrimination, and with humanity and dignity in accordance with the decorous principles of Islam.</p> <p>Article 274 (a) In this Constitution, unless the context otherwise requires, the following words and phrases shall have the following meanings: “tenet of Islam” means, the Holy Qur’an and those principles of Shari’ah whose provenance is not in dispute from among those found in the Sunna of the Noble Prophet, and those principles derived from these two foundations; “Islamic Shari’ah” means, the Holy Qur’an and the ways preferred by the learned people within the community and followers of the Sunnah in relation to criminal, civil, personal and other matters found in the Sunna;</p>
Pakistan ¹³⁷	96.3% (180,411,040)	Yes	Yes	<p>Article 2 [Islam to be State religion] Islam shall be the State religion of Pakistan.</p> <p>Article 4 [Right of individuals to be dealt with in accordance with law] (1) To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Pakistan.</p>

¹³⁷ Constitution of the Islamic Republic of Pakistan, adopted April 12, 1973; suspended July 5, 1977, restored December 30, 1985; suspended October 15, 1999, restored in stages in 2002; amended December 31, 2003; suspended November 3, 2007; restored December 15, 2007; amended April 19, 2010. Pakistan is a member of the OIC. As of this writing, the total population of Pakistan is estimated to be 187,342,721.

			<p>(2) In particular -</p> <ul style="list-style-type: none"> (a) no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law; (b) no person shall be prevented from or be hindered in doing that which is not prohibited by law; and (c) no person shall be compelled to do that which the law does not require him to do. <p>Article 8 [Law inconsistent with or in derogation of Fundamental Rights to be void] (1) Any law, or any custom or usage having the force of law, in so far as it is inconsistent with the rights conferred by this Chapter [on fundamental rights], shall, to the extent of such inconsistency, be void. (2) The State shall not make any law which takes away or abridges the rights so conferred and any law made in contravention of this clause shall, to the extent of such contravention, be void.</p> <p>Article 16 [Freedom of Assembly] Every citizen shall have the right to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order.</p> <p>Article 17 [Freedom of Association] (1) Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality. (2) Every citizen not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan and such law shall provide that where the Federal Government declares that any political party has been formed or is operating in a manner prejudicial to the sovereignty or integrity of Pakistan, the Federal Government shall, within fifteen days of such declaration, refer the matter to the Supreme Court whose decision on such reference shall be final.</p> <p>Article 19 [Freedom of Speech] Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defense of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offense.</p> <p>Article 20 [Freedom to profess religion and to manage religious institutions] Subject to law, public order and morality -</p> <ul style="list-style-type: none"> (a) every citizen shall have the right to profess, practice and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions. <p>Article 21 [Safeguard against taxation for purposes of any particular religion]</p>
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			<p>respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth.</p> <p>Article 31 [Islamic Way of Life] (1) Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah. (2) The state shall endeavour, as respects the Muslims of Pakistan, : (a) to make the teaching of the Holy Quran and Islamiat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran; (b) to promote unity and the observance of the Islamic moral standards; and (c) to secure the proper organisation of zakat, [ushr,] auqaf and mosques.</p> <p>Article 33 [Parochial and other similar prejudices to be discouraged] The State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens.</p> <p>Article 34 [Full participation of women in national life] Steps shall be taken to ensure full participation of women in all spheres of national life.</p> <p>Article 36 [Protection of Minorities] The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.</p> <p>Article 37 [Promotion of social justice and eradication of social evils] The State shall: (h) prevent the consumption of alcoholic liquor otherwise than for medicinal and, in the case of non-Muslims, religious purposes;</p> <p>Article 41 [The President] (2) A person shall not be qualified for election as President unless he is a Muslim of not less than forty-five years of age and is qualified to be elected as member of the National Assembly.</p> <p>Article 51 [National Assembly] (1) There shall be three hundred and forty-two seats for members in the National Assembly, including seats reserved for women and non-Muslims. (4) In addition to the number of seats referred to in clause (3), there shall be, in the National Assembly, ten seats reserved for non-Muslims</p> <p>Article 59 [The Senate] (1) The Senate shall consist of one-hundred and four members, of whom- (d) four women shall be elected by the members of each Provincial Assembly; (f) four non-Muslims, one from each Province, shall be elected by the members of each Provincial Assembly:</p>
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Article 62 [Qualifications for membership of Majlis-e-Shoora (Parliament)]

- (1) A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless-
- (b) he is, in the case of the National Assembly, not less than twenty -five years of age and is enrolled as a voter in any electoral roll in-
 - (i) any part of Pakistan, for election to a general seat or a seat reserved for non-Muslims; and
 - (ii) any area in a Province from which she seeks membership for election to a seat reserved for women.
 - (d) he is of good character and is not commonly known as one who violates Islamic Injunctions;
 - (e) he has adequate knowledge of Islamic teachings and practices obligatory duties prescribed by Islam as well as abstains from major sins ;
 - (f) he is sagacious, righteous and non-profligate, honest and ameen, there being no declaration to the contrary by a court of law;
- (2) The disqualifications specified in paragraphs (d) and (e) shall not apply to a person who is a non-muslim, but such a person shall have good moral reputation.

Article 91 [The Cabinet]

- (1) There shall be a Cabinet of Ministers, with the Prime Minister at its head, to aid and advise the President in the exercise of his functions.
- (3) After the election of the Speaker and the Deputy Speaker, the National Assembly shall, to the exclusion of any other business, proceed to elect without debate one of its Muslim members to be the Prime Minister.

Article 106 [Constitution of Provincial Assemblies]

- (1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as specified herein below:-

	General seats	Wome n	Non-Muslims	Tota l
Balochistan	51	11	3	65
Khyber Pakhtunkhwa	99	22	3	124
Punjab	297	66	8	371
Sindh	130	29	9	168

Article 203C [The Federal Shariat Court]

- (1) There shall be constituted for the purposes of this Chapter a court to be called the Federal Shariat Court.
- (2) The Court shall consist of not more than eight Muslim Judges, including the Chief Justice, to be appointed by the

			<p>President in accordance with Article 175A.</p> <p>(3) The Chief Justice shall be a person who is, or has been, or is qualified, to be, a Judge of the Supreme Court or who is or has been a permanent Judge of a High Court.</p> <p>(3A) Of the Judges not more than four shall be persons each one of whom is, or has been, or is qualified to be, a Judge of a High Court and not more than three shall be ulema having at least fifteen years experience in Islamic law, research or instruction.</p> <p>Article 203D [Powers, Jurisdiction and Functions of the Court]</p> <p>(1) The Court may, either of its own motion or] on the petition of a citizen of Pakistan or the Federal Government or a Provincial Government, examine and decide the question whether or not any law or provision of law is repugnant to the injunctions of Islam, as laid down in the Holy Quran and Sunnah of the Holy Prophet, hereinafter referred to as the Injunctions of Islam.</p> <p>(1A) Where the Court takes up the examination of any law or provision of law under clause (1) and such law or provision of law appears to it to be repugnant to the Injunctions of Islam, the Court shall cause to be given to the Federal Government in the case of a law with respect to a matter in the Federal Legislative List, or to the Provincial Government in the case of a law with respect to a matter not enumerated in the Federal Legislative List, a notice specifying the particular provisions that appear to it to be so repugnant, and afford to such Government adequate opportunity to have its point of view placed before the Court.</p> <p>(2) If the Court decides that any law or provision of law is repugnant to the Injunctions of Islam, it shall set out in its decision:</p> <p>(a) the reasons for its holding that opinion; and</p> <p>(b) the extent to which such law or provision is so repugnant; and specify the day on which the decision shall take effect: Provided that no such decision shall be deemed to take effect before the expiration of the period within which an appeal therefrom may be preferred to the Supreme Court or, where an appeal has been so preferred, before the disposal of such appeal.</p> <p>(3) If any law or provision of law is held by the Court to be repugnant to the Injunctions of Islam,</p> <p>(a) the President in the case of a law with respect to a matter in the Federal Legislative List or the Concurrent Legislative List, or the Governor in the case of a law with respect to a matter not enumerated in either of those Lists, shall take steps to amend the law so as to bring such law or provision into conformity with the Injunctions of Islam; and</p> <p>(b) such law or provision shall, to the extent to which it is held to be so repugnant, cease to have effect on the day on which the decision of the Court takes effect.</p> <p>Article 203DD [Revision and other Jurisdiction of the Court]</p> <p>(1) The Court may call for and examine the record of any case decided by any criminal court under any law relating to the enforcement of Hudood for the purpose of satisfying itself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed by, and as to the regularity of any proceedings of, such court and may, when calling for such record, direct that the execution of any sentence be suspended and, if the accused is in confinement, that he be released on bail or on his own bond pending the examination of the record.</p> <p>(2) In any case the record of which has been called for by the Court, the Court may pass such order as it may deem fit and</p>
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			<p>may enhance the sentence: Provided that nothing in this Article shall be deemed to authorize the Court to convert a finding of acquittal into one of conviction and no order under this Article shall be made to the prejudice of the accused unless he has had an opportunity of being heard in his own defense.</p> <p>(3) The Court shall have such other jurisdiction as may be conferred on it by or under any law.</p> <p>Article 203E [Powers and Procedure of the Court]</p> <p>(4) A party to any proceedings before the Court under clause (1) of Article 203D may be represented by a legal practitioner who is a Muslim and has been enrolled as an advocate of a High Court for a period of not less than five years or as an advocate of the Supreme Court or by a jurisconsult selected by the party from out of a panel of jurisconsults maintained by the Court for the purpose.</p> <p>(5) For being eligible to have his name borne on the panel of jurisconsults referred to in clause (4), a person shall be an Aalim who, in the opinion of the Court, is well-versed in Shariat.</p> <p>(6) A legal practitioner or jurisconsult representing a party before the Court shall not plead for the party but shall state, expound and interpret the Injunctions of Islam relevant to the proceedings so far as may be known to him and submit to the Court a written statement of his interpretation of such Injunctions of Islam.</p> <p>(7) The Court may invite any person in Pakistan or abroad whom the Court considers to be well-versed in Islamic law to appear before it and render such assistance as may be required of him.</p> <p>(9) The Court shall have power to review any decision given or order made by it.</p> <p>Article 203F [Appeal to Supreme Court]</p> <p>(2A) An appeal shall lie to the Supreme Court from any judgment, final order or sentence of the Federal Shariat Court-</p> <p>(a) if the Federal Shariat Court has on appeal reversed an order of acquittal of an accused person and sentenced him to death or imprisonment for life or imprisonment for a term exceeding fourteen years; or, on revision, has enhanced a sentence as aforesaid; or</p> <p>(b) if the Federal Shariat Court has imposed any punishment on any person for contempt of the Court.</p> <p>(2B) An appeal to the Supreme Court from a judgment, decision, order or sentence of the Federal Shariat Court in a case to which the preceding clauses do not apply shall lie only if the Supreme Court grants leave to appeal.</p> <p>(3) For the purpose of the exercise of the jurisdiction conferred by this Article, there shall be constituted in the Supreme Court a Bench to be called the Shariat Appellate Bench and consisting of,</p> <p>(a) three Muslim Judges of the Supreme Court; and</p> <p>(b) not more than two Ulema to be appointed by the President to attend sittings of the Bench as ad-hoc members thereof from amongst the Judges of the Federal Shariat Court or from out of a panel of Ulema to be drawn up by the President in consultation with the Chief Justice.</p> <p>(6) While attending sittings of the Shariat Appellate Bench, a person appointed under paragraph (b) of clause (3) shall have the same power and jurisdiction, and be entitled to the same privileges, as a Judge of the Supreme Court and be paid such allowances as the President may determine.</p> <p>Article 227 [Provisions relating to the Holy Qur'an and Sunnah]</p> <p>(1) All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Quran and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such</p>
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			<p>Injunctions. [Explanation: In the application of this clause to the personal law of any Muslim sect, the expression "Quran and Sunnah" shall mean the Quran and Sunnah as interpreted by that sect.]</p> <p>(3) Nothing in this Part shall affect the personal laws of non- Muslim citizens or their status as citizens.</p> <p>Article 228 [Composition of Islamic Council]</p> <p>(1) There shall be constituted within a period of ninety days from the commencing day a Council of Islamic Ideology, in this part referred to as the Islamic Council.</p> <p>(2) The Islamic Council shall consist of such members, being not less than eight and not more than [twenty], as the President may appoint from amongst persons having knowledge of the principles and philosophy of Islam as enunciated in the Holy Quran and Sunnah, or understanding of the economic, political, legal or administrative problems of Pakistan.</p> <p>(3) While appointing members of the Islamic Council the President shall ensure that:</p> <ul style="list-style-type: none"> (a) so far as practicable various schools of thought are represented in the Council; (b) not less than two of the members are persons each of whom is, or has been, a Judge of the Supreme Court or of a High Court; (c) not less than [one-third] of the members are persons each of whom has been engaged, for a period of not less than fifteen years, in Islamic research or instruction; and (d) at least one member is a woman. <p>Article 229 [Reference by Majlis-e-Shoora (Parliament) to Islamic Council]</p> <p>The President or the Governor of a Province may, or if two-fifths of its total membership so requires, a House or a Provincial Assembly shall, refer to the Islamic Council for advice any question as to whether a proposed law is or is not repugnant to the Injunctions of Islam.</p> <p>Article 230 [Functions of Islamic Council]</p> <p>(1) The functions of the Islamic Council shall be,</p> <ul style="list-style-type: none"> (a) to make recommendations to [Majlis-e-Shoora (Parliament)] and the Provincial Assemblies as to the ways and means of enabling and encouraging the Muslims of Pakistan to order their lives individually and collectively in all respects in accordance with the principles and concepts of Islam as enunciated in the Holy Quran and Sunnah; (b) to advise a House, a Provincial Assembly, the President or a Governor on any question referred to the Council as to whether a proposed law is or is not repugnant to the Injunctions of Islam; (c) to make recommendations as to the measures for bringing existing laws into conformity with the Injunctions of Islam and the stages by which such measures should be brought into effect; and (d) to compile in a suitable form, for the guidance of [Majlis-e-Shoora (Parliament)] and the Provincial Assemblies, such Injunctions of Islam as can be given legislative effect. <p>(2) When, under Article 229, a question is referred by a House, a Provincial Assembly, the President or a Governor to the Islamic Council, the Council shall, within fifteen days thereof, inform the House, the Assembly, the President or the Governor, as the case may be, of the period within which the Council expects to be able to furnish that advice.</p> <p>(3) Where a House, a Provincial Assembly, the President or the Governor, as the case may be, considers that, in the public interest, the making of the proposed law in relation to which the question arose should not be postponed until the advice of the Islamic Council is furnished, the law may be made before the advice is furnished: Provided that, where a law is</p>
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				<p>referred for advice to the Islamic Council and the Council advises that the law is repugnant to the Injunctions of Islam, the House or, as the case may be, the Provincial Assembly, the President or the Governor shall reconsider the law so made. (4) The Islamic Council shall submit its final report within seven years of its appointment, and shall submit an annual interim report. The report, whether interim or final, shall be laid for discussion before both Houses and each Provincial Assembly within six months of its receipt, and Majlis-e-Shoora (Parliament) and the Assembly, after considering the report, shall enact laws in respect thereof within a period of two years of the final report.</p> <p>Article 260 [Definitions] (3) In the Constitution and all enactments and other legal instruments, unless there is anything repugnant in the subject or context (a) "Muslim" means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets, and does not believe in, or recognize as a prophet or religious reformer, any person who claimed or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him); and (b) "non-Muslim" means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community, a person of the Qadiani Group or the Lahori Group who call themselves 'Ahmadis' or by any other name or a Bahai, and a person belonging to any of the Scheduled Castes.</p>
Tajikistan ¹³⁸	84.1% (6,414,475)	No	No	<p>Article 1 The Republic of Tajikistan is a sovereign, democratic, law-governed, secular, and unitary State.</p> <p>Article 8 ... No single ideology of a party, social association, religious organization, movement, or group may be recognized as the State [ideology]. ... Religious organizations are separate from the State and may not interfere with State affairs.</p> <p>Article 10 International legal acts recognized by Tajikistan are a constituent part of the legal system of the Republic. In case of disparity between the laws of the Republic and the recognized international legal acts, the norms of the international acts apply.</p> <p>Article 17 All are equal before the law and court. The State guarantees the rights and freedoms of everyone regardless of his nationality, race, gender, language, religious beliefs, political persuasion, education, [and] social and property status. Men and women have equal rights.</p> <p>Article 26 Everyone has the right to independently determine his (her) relationship toward religion, to profess any religion</p>

¹³⁸ Constitution of the Republic of Tajikistan, adopted November 6, 1994. Tajikistan is a member of the OIC and the OSCE. As of this writing, the total population of Tajikistan is estimated to be 7,627,200.

				<p>individually or together with others, or to profess none, and to participate in the performance of religious cults, rituals, and ceremonies.</p> <p>Article 28 Citizens have the right of association; a citizen has the right to participate in creation of political parties including those of a democratic, religious and atheistic character, professional unions, and other social associations, [and] to voluntarily join or leave such organizations.</p> <p>Article 29 A citizen has the right to participate in meetings, rallies, demonstrations, and peaceful processions established by law. No one may be forced to participate in them.</p> <p>Article 30 Everyone is guaranteed freedom of speech, press, [and] the right to use means of mass information. Propaganda and agitation inciting social and racial, national, religious and language enmity and hostility are prohibited. State censorship and prosecution for criticism is prohibited. A list of information constituting a State secret is determined by law.</p> <p>Article 47 During a state of emergency the rights and freedoms provided in Articles 16, 17, 18, 19, 20, 22, 25 and 28 of the Constitution may not be limited.</p> <p>Article 100 The republican form of government, the territorial integrity, the democratic, law-governed, secular, and social nature of the State are unchangeable.</p>
Turkmenistan ¹³⁹	93.1% (4,652,675)	No	No	<p>Article 1 Turkmenistan is a democratic, legal and secular state in which the government takes the form of presidential republic.</p> <p>Article 3 In Turkmenistan, the people are the highest value of the society and the state. The state is responsible for every citizen and creates conditions for free development of the individual, protects the life, honor, dignity and freedom, personal integrity, natural and inalienable rights of the citizen. Every citizen is responsible before the State for the responsibilities entrusted to him by the Constitution and laws.</p> <p>Article 6 Turkmenistan recognizes the priority of the universally accepted norms of international law. If an international treaty (contract) of Turkmenistan establishes rules other than those stipulated by the laws of Turkmenistan, the rules of international treaty will apply.</p>

¹³⁹ Constitution of Turkmenistan, adopted September 26, 2008. Turkmenistan is a member of the OIC and the OSCE. As of this writing, the total population of Turkmenistan is estimated to be 4,997,503.

			<p>Article 12 The state guarantees freedom of religion and worship, and equality before the law. Religious organizations are separate from the state, cannot interfere in the state affairs and carry out state functions. The public education system is separate from religious organizations and is secular. Each person independently determines his attitude toward religion, has the right to, individually or jointly with others, profess any religion or none, to express and disseminate beliefs related to attitude toward religion, to participate in religious observances, rituals, and ceremonies.</p> <p>Article 18 The rights and freedoms of the individual are inviolable and inalienable. No one can be deprived of their rights and freedoms, or restrictions on their rights and freedoms, except in accordance with the Constitution and laws. The enumeration in the Constitution and laws of certain rights and freedoms cannot be used to deny or diminish the rights and freedoms of others.</p> <p>Article 19 Turkmenistan guarantees the equality of rights and freedoms of individual and citizen, and also the equality of the individual and citizen before the law regardless of their nationality, race, gender, origin, property and official status, place of residence, language, religion, political beliefs, party affiliation or lack of affiliation to any party.</p> <p>Article 20 Men and Women in Turkmenistan have equal civil rights. Violation of equality on the basis of gender is punishable by law.</p> <p>Article 21 The exercise of rights and freedoms must not violate the rights and freedoms of others, as well as the requirements of morality, law, public order, [or] cause damage to national security.</p> <p>Article 27 Men and women having reached the marriageable age have the right, by mutual consent, to marry and create families. Spouses have equal rights in family relations. Parents and substitute parents have the right and obligation to raise the children, care for their health, development, education, prepare them for work, and impart to them the culture of respect for the law, historical and national traditions. Adult children are obliged to take care of their parents and to extend help (support) to them.</p> <p>Article 28 Citizens of Turkmenistan have the right to freedom of opinion and expression, as well as to receive information if it is not a state or other secret protected by law.</p> <p>Article 29 Citizens are guaranteed freedom of assembly, rallies and demonstrations in the manner prescribed by law.</p>
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Uzbekistan ¹⁴⁰	96.3% (27,087,842)	No	No	<p>Article 12 In the Republic of Uzbekistan, public life shall develop on the basis of a diversity of political institutions, ideologies and opinions. No ideology shall be granted the status of state ideology.</p> <p>Article 18 All citizens of the Republic of Uzbekistan shall have equal rights and freedoms, and shall be equal before the law, without discrimination by sex, race, nationality, language, religion, social origin, convictions, individual and social status.</p> <p>Article 29 Everyone shall be guaranteed freedom of thought, speech and convictions. Everyone shall have the right to seek, obtain and disseminate any information, except that which is directed against the existing constitutional system and in some other instances specified by law. Freedom of opinion and its expression may be restricted by law if any state or other secret is involved.</p> <p>Article 31 Freedom of conscience is guaranteed to all. Everyone shall have the right to profess or not to profess any religion. Any compulsory imposition of religion shall be impermissible.</p> <p>Article 33 All citizens shall have the right to engage in public life by holding rallies, meetings and demonstrations in accordance with the legislation of the Republic of Uzbekistan. The bodies of authority shall have the right to suspend or ban such undertakings exclusively on the grounds of security.</p> <p>Article 34 All citizens of the Republic of Uzbekistan shall have the right to form trade unions, political parties and any other public associations, and to participate in mass movements. No one may infringe on the rights, freedoms and dignity of the individuals, constituting the minority opposition in political parties, public associations and mass movements, as well as in representative bodies of authority.</p>

¹⁴⁰ Constitution of the Republic of Uzbekistan, adopted December 8, 1992. Uzbekistan is a member of the OIC and the OSCE. As of this writing, the total population of Uzbekistan is estimated to be 28,128,600.

				<p>Article 46 Women and men shall have equal rights.</p> <p>Article 57 The formation and functioning of political parties and public associations aiming to do the following shall be prohibited: changing the existing constitutional system by force: coming out against the sovereignty, territorial integrity and security of the Republic, as well as the constitutional rights and freedoms of its citizens; advocating war and social, national, racial and religious hostility, and encroaching on the health and morality of the people, as well as of any armed associations and political parties based on the national or religious principles. All secret societies and associations shall be banned.</p> <p>Article 61 Religious organizations and associations shall be separated from the state and equal before law. The state shall not interfere with the activity of religious associations.</p> <p>Article 67 The mass media shall be free and act in accordance with the law. It shall bear responsibility for trustworthiness of information in a prescribed manner. Censorship is impermissible.</p>
Other OIC Countries	% Muslim¹⁴¹	Islam State Religion?	Islamic Law Source of Law or Legislation	Constitutional Provisions Addressing Structure, Religion, International Law & Equality
Ivory Coast ¹⁴²	36.7% (7,892,028)	No	No	<p>Article 2 All human beings are born free and equal before the law. They enjoy the inalienable rights which are the right to life, to liberty, to the full realization of their personality and to the respect of their dignity. The rights of the human person are inviolable.</p> <p>Article 5 The family constitutes the basic unit [cellule] of the society. The State assures its protection.</p> <p>Article 7 Every human being has the right to the development and to the full realization of his personality in the material, intellectual and spiritual dimensions. The State assures to all citizens equal access to health, to education, to culture, to information, to professional formation and to employment. The State has the duty to safeguard and to promote the</p>

¹⁴¹ Based on “Mapping The Global Muslim Population: A Report on the Size and Distribution of the World’s Muslim Population,” Pew Research Center (Oct. 2009)

¹⁴² Constitution of the Republic of Cote d’Ivoire was approved by referendum on July 23, 2000. Ivory Coast is a member of the OIC. As of this writing, the population of Cote d’Ivoire is estimated to be 21,504,162.

				<p>national values of civilization as well as the cultural traditions not contrary to the law and to good morals.</p> <p>Article 9 The freedom of thought and expression, notably the freedom of conscience, of religious or philosophical opinion are guaranteed to all, under reserve of respect of the law, the rights of others, of the national security and of the public order.</p> <p>Article 10 Each has the right to express and to freely disseminate their ideas. All propaganda having for its object or for its effect to make one social group prevail over another, or to encourage racial or religious hatred is forbidden.</p> <p>Article 11 The freedoms of assembly and demonstration are guaranteed by the law.</p> <p>Article 13 The Political Parties and Groups form themselves and exercise their activities freely within the condition of respecting the laws of the Republic, the principles of national sovereignty and of democracy. They are equal in rights and subject to the same obligations. Political Parties or Groups created on regional, confessional, tribal, ethnic or racial bases, are forbidden.</p> <p>Article 17 Access to public or private employment is equal for all. Any discrimination in the access to or exercise of employment, based on sex, [or on] political, religious or philosophical opinions, is prohibited.</p> <p>Article 20 Every person has the right to a free and equal access to Justice.</p> <p>Article 30 The Republic of Côte d'Ivoire is one and indivisible, secular, democratic and social. The Republic assures to all equality before the law without distinction as to origin, race, sex or religion. It respects all beliefs. Its principle is government of the people, by the people and for the people.</p>
Mozambique ¹⁴³	22.8% (5,232,340)	No	No	<p>Article 3 [Democratic Rule of Law] The Republic of Mozambique is a State governed by the rule of law, based on pluralism of expression and democratic political organization and on the respect for and guarantee of fundamental human rights and freedoms.</p> <p>Article 11 [Fundamental Objectives] The fundamental objectives of the Republic of Mozambique shall be: c) the building of a society of social justice and the achievement of material and spiritual well being and quality of life for its citizens;</p>

¹⁴³ Constitution of the Republic of Mozambique was adopted on November 16, 2004 (amending the previous Constitutions of 1975 and 1990). Mozambique is a member of the OIC. As of this writing, the population of Mozambique is estimated to be 22,948,858

			<p>e) the defense and promotion of human rights and of the equality of citizens before the law; f) the strengthening of democracy, freedom, social stability and social and individual harmony; g) the promotion of a society of pluralism, tolerance and a culture of peace;</p> <p>Article 12 [Lay State] 1. The Republic of Mozambique shall be a lay State. 2. The lay nature of the State rests on the separation between the State and religious denominations. 3. Religious denominations shall have organizational freedom, freedom to carry out their functions and freedom of worship, and they shall conform to the laws of the State. 4. The State shall recognize and esteem the activities of religious denominations in order to promote a climate of understanding, tolerance and peace, the strengthening of national unity, the material and spiritual well being of citizens, and economic and social development.</p> <p>Article 18 [International Law] 1. Validly approved and ratified International treaties and agreements shall enter into force in the Mozambican legal order once they have been officially published and while they are internationally binding on the Mozambican State. 2. Norms of international law shall have the same force in the Mozambican legal order as have infra-constitutional legislative acts of the Assembly of the Republic and the Government, according to the respective manner in which they are received.</p> <p>Article 35 [Principle of Universality] All citizens are equal before the law, and they shall enjoy the same rights and be subject to the same duties, regardless of colour, race, sex, ethnic origin, place of birth, religion, level of education, social position, the marital status of their parents, their profession or their political preference.</p> <p>Article 36 [Principle of Equality] Men and women shall be equal before the law in all spheres of political, economic, social and cultural life.</p> <p>Article 39 [Acts against National Unity] All acts intended to undermine national unity, to disturb social harmony or to create divisions or situations of privilege or discrimination based on colour, race, sex, ethnic origin, place of birth, religion, level of education, social position, physical or mental ability, the marital status of one’s parents, profession or political preference, shall be punished in terms of the law.</p> <p>Article 43 [Interpretation of Fundamental Rights] The constitutional principles in respect of fundamental rights shall be interpreted and integrated in harmony with the Universal Declaration of Human Rights and with the African Charter of Human and Peoples Rights.</p> <p>Article 44 [Duties Towards One’s Fellow Beings] All individuals shall have the duty to respect and consider their fellow beings without any form of discrimination</p>
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			<p>whatsoever, and to maintain relations with them aimed at promoting, safeguarding and strengthening respect, mutual tolerance and solidarity.</p> <p>Article 48 [Freedom of Expression and Information]</p> <ol style="list-style-type: none"> 1. All citizens shall have the right to freedom of expression and to freedom of the press, as well as the right to information. 2. The exercise of freedom of expression, which consists of the ability to impart one’s opinions by all lawful means, and the exercise of the right to information shall not be restricted by censorship. 3. Freedom of the press shall include, in particular, the freedom of journalistic expression and creativity, access to sources of information, protection of independence and professional secrecy, and the right to establish newspapers, publications and other means of dissemination. 4. In the public sector media, the expression and confrontation of ideas from all currents of opinion shall be guaranteed. 5. The State shall guarantee the impartiality of the public sector media, as well as the independence of journalists from the Government, the Administration and other political powers. 6. The exercise of the rights and freedoms provided for in this article shall be governed by law on the basis of the imperative respect for the Constitution and for the dignity of the human person. <p>Article 51 [Right to Freedom of Assembly and Demonstration]</p> <p>All citizens shall have the right to freedom of assembly and demonstration, within the terms of the law.</p> <p>Article 52 [Freedom of Association]</p> <ol style="list-style-type: none"> 1. All citizens shall enjoy freedom of association. 2. Social organizations and associations shall have the right to pursue their aims, to create institutions designed to achieve their specific objectives and to own assets in order to carry out their activities, in accordance with the law. 3. Armed associations of a military or paramilitary nature, as well as associations that promote violence, racism, xenophobia or pursue aims that are against the law, shall be prohibited. <p>Article 53 [Freedom to Form, Participate in and Join Political Parties]</p> <ol style="list-style-type: none"> 1. All citizens shall have the freedom to form or to participate in political parties. 2. Party membership shall be voluntary and shall stem from the freedom of citizens to associate on the basis of the same political ideals. <p>Article 54 [Freedom of Conscience, Religion and Worship]</p> <ol style="list-style-type: none"> 1. All citizens shall have the freedom to practice or not to practice a religion. 2. Nobody shall be discriminated against, persecuted, prejudiced, deprived of his or her rights, or benefit from or be exempt from duties, on the grounds of his faith or religious persuasion or practice. 3. Religious denominations shall have the right to pursue their religious aims freely and to own and acquire assets for realizing their objectives. 4. The protection of places of worship shall be ensured. 5. The right to conscientious objection shall be guaranteed in terms of the law.
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			<p>Article 56 [General Principles – Individual Rights, Freedoms and Guarantees]</p> <ol style="list-style-type: none"> 1. Individual rights and freedoms shall be directly applicable, shall bind both public and private entities, shall be guaranteed by the State, and shall be exercised within the Constitutional framework and the law. 2. The exercise of rights and freedoms may be restricted for the purposes of safeguarding other rights and interests that are protected by the Constitution. 3. The law may restrict rights, freedoms and guarantees only in cases expressly provided for in the Constitution. 4. Legal restrictions on rights and freedoms shall be of a general and abstract nature and shall not have retroactive effect. <p>Article 70 [Right of Recourse to the Courts] Every citizen shall have the right of recourse to the courts against acts that violate their rights and interests recognized by the Constitution and the laws.</p> <p>Article 76 [Names] Political parties shall be prohibited from using names containing expressions that are directly related to any religious denominations or churches, and from using emblems that may be confused with national or religious symbols.</p> <p>Article 80 [Right of resistance] All citizens shall have the right not to comply with orders that are unlawful or that infringe on their rights, freedoms and guarantees.</p> <p>Article 113 [Education]</p> <ol style="list-style-type: none"> 3. Public education shall not pertain to any religion. 5. The State shall not plan education and culture in accordance with any specific philosophical, aesthetic, political, ideological or religious guidelines. <p>Article 119 [Family]</p> <ol style="list-style-type: none"> 1. The family is the fundamental unit and the basis of society. 4. The law shall establish forms in which traditional and religious marriage shall be esteemed, and determine the registration requirements and effects of such marriage. <p>Article 122 [Women]</p> <ol style="list-style-type: none"> 1. The State shall promote, support and value the development of women, and shall encourage their growing role in society, in all spheres of political, economic, social and cultural life of the country. 2. The State shall recognize and hold in high esteem the participation of women in the national liberation struggle and in the defense of sovereignty and democracy. <p>Article 251 [Access and Statute of Officers]</p> <ol style="list-style-type: none"> 1. Access to public office shall not be obstructed on grounds of colour, race, sex, religion, ethnic or social origin, or party-
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				<p>2. political preference, and shall adhere strictly to the criteria of the merit and ability of applicants.</p> <p>Article 286 [Limits of the Declaration] The declaration of a state of siege or a state of emergency shall in no event restrict or suspend the right to life, the right to personal integrity, the right to civil capacity and to citizenship, the non-retroactivity of criminal law, the right of accused persons to a defense, and freedom of religion.</p>
Uganda ¹⁴⁴	12.1% (4,188,082)	No	No	<p>National Objectives and Directive Principles of State Policy</p> <p>I. Implementation of objectives. (i) The following objectives and principles shall guide all organs and agencies of the State, all citizens, organizations and other bodies and persons in applying or interpreting the Constitution or any other law and in taking and implementing any policy decisions for the establishment and promotion of a just, free and democratic society.</p> <p>III. National unity and stability. (i) All organs of State and people of Uganda shall work towards the promotion of national unity, peace and stability. (ii) Every effort shall be made to integrate all the peoples of Uganda while at the same time recognising the existence of their ethnic, religious, ideological, political and cultural diversity. (iii) Everything shall be done to promote a culture of cooperation, understanding, appreciation, tolerance and respect for each other's customs, traditions and beliefs.</p> <p>V. Fundamental and other human rights and freedoms. (ii) The State shall guarantee and respect the independence of nongovernmental organisations which protect and promote human rights.</p> <p>VI. Gender balance and fair representation of marginalized groups. The State shall ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies.</p> <p>XV. Recognition of the role of women in society. The State shall recognize the significant role that women play in society.</p> <p>Ch. 2, Article 7 [Nonadoption of State religion] Uganda shall not adopt a State religion.</p> <p>Ch. 4, Article 20 [Fundamental and other human rights and freedoms] (1) Fundamental rights and freedoms of the individual are inherent and not granted by the State. (2) The rights and freedoms of the individual and groups enshrined in this Chapter shall be respected, upheld and</p>

¹⁴⁴ Constitution of the Republic of Uganda was adopted on October 8, 1995 and amended in 2005 (removing presidential term limits and legalizing a multiparty political system). Uganda is a member of the OIC. As of this writing, the population of Uganda is estimated to be 34,612,250.

			<p>promoted by all organs and agencies of Government and by all persons.</p> <p>Ch. 4, Article 21 [Equality and freedom from discrimination] (1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law. (2) Without prejudice to clause (1) of this article, a person shall not be discriminated against on the ground of sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability. (3) For the purposes of this article, “discriminate” means to give different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.</p> <p>Ch. 4, Article 29 [Protection of freedom of conscience, expression, movement, religion, assembly and association] (1) Every person shall have the right to— (a) freedom of speech and expression which shall include freedom of the press and other media; (b) freedom of thought, conscience and belief which shall include academic freedom in institutions of learning; (c) freedom to practice any religion and manifest such practice which shall include the right to belong to and participate in the practices of any religious body or organization in a manner consistent with this Constitution; (d) freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition; and (e) freedom of association which shall include the freedom to form and join associations or unions, including trade unions and political and other civic organizations.</p> <p>Ch. 4, Article 31 [Rights of the family] (1) A man and a woman are entitled ... (b) to equal rights at and in marriage, during marriage and at its dissolution.</p> <p>Ch. 4, Article 32 [Affirmative action in favour of marginalized groups] (1) Notwithstanding anything in this Constitution, the State shall take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them. (2) Laws, cultures, customs and traditions which are against the dignity, welfare or interest of women or any other marginalized group to which clause (1) relates or which undermine their status, are prohibited by this Constitution. (3) There shall be a commission called the Equal Opportunities Commission whose composition and functions shall be determined by an Act of Parliament.</p> <p>Ch. 4, Article 33 [Rights of women] (1) Women shall be accorded full and equal dignity of the person with men. (2) The State shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them to realize their full potential and advancement. (3) The State shall protect women and their rights, taking into account their unique status and natural maternal functions in society.</p>
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			<p>(4) Women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.</p> <p>(5) Without prejudice to article 32 of this Constitution, women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom.</p> <p>Ch. 4, Article 36 [Protection of rights of minorities] Minorities have a right to participate in decision-making processes, and their views and interests shall be taken into account in the making of national plans and programmes.</p> <p>Ch. 4, Article 37 [Right to culture and similar rights] Every person has a right as applicable to belong to, enjoy, practice, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others.</p> <p>Ch. 4, Article 38 [Civic rights and activities] (1) Every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representatives in accordance with law. (2) Every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organizations.</p> <p>Ch. 4, Article 51 [Uganda Human Rights Commission] (1) There shall be a commission called the Uganda Human Rights Commission.</p> <p>Ch. 4, Article 52 [Functions of the Human Rights Commission] (1) The commission shall have the following functions— (a) to investigate, at its own initiative or on a complaint made by any person or group of persons against the violation of any human right; (c) to establish a continuing programme of research, education and information to enhance respect of human rights; (d) to recommend to Parliament effective measures to promote human rights, including provision of compensation to victims of violations of human rights or their families; (e) to create and sustain within society the awareness of the provisions of this Constitution as the fundamental law of the people of Uganda; (g) to formulate, implement and oversee programmes intended to inculcate in the citizens of Uganda awareness of their civic responsibilities and an appreciation of their rights and obligations as free people; (h) to monitor the Government’s compliance with international treaty and convention obligations on human rights;</p> <p>Ch. 6, Article 71 [Multiparty political system] (1) A political party in the multiparty political system shall conform to the following principles— (b) membership of a political party shall not be based on sex, ethnicity, religion or other sectional division;</p> <p>Ch. 8, Article 126 [Exercise of judicial power]</p>
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				<p>(1) Judicial power is derived from the people and shall be exercised by the courts established under this Constitution in the name of the people and in conformity with law and with the values, norms and aspirations of the people.</p> <p>(2) In adjudicating cases of both a civil and criminal nature, the courts shall, subject to the law, apply the following principles—</p> <p>(a) justice shall be done to all irrespective of their social or economic status;</p> <p>Ch. 12, Article 221 [Security organizations to observe human rights] It shall be the duty of the Uganda Peoples’ Defense Forces and any other armed force established in Uganda, the Uganda Police Force and any other police force, the Uganda Prisons Service, all intelligence services and the National Security Council to observe and respect human rights and freedoms in the performance of their functions.</p> <p>Ch. 16, Article 246 [Institution of traditional or cultural leaders] (1) Subject to the provisions of this Constitution, the institution of traditional leader or cultural leader may exist in any area of Uganda in accordance with the culture, customs and traditions or wishes and aspirations of the people to whom it applies. (2) In any community, where the issue of traditional or cultural leader has not been resolved, the issue shall be resolved by the community concerned using a method prescribed by Parliament. (3) The following provisions shall apply in relation to traditional leaders or cultural leaders— (c) a traditional leader or cultural leader shall enjoy such privileges and benefits as may be conferred by the Government and local government or as that leader may be entitled to under culture, custom and tradition; (d) subject to paragraph (c) of this clause, no person shall be compelled to pay allegiance or contribute to the cost of maintaining a traditional leader or cultural leader; (e) a person shall not, while remaining a traditional leader or cultural leader, join or participate in partisan politics; (f) a traditional leader or cultural leader shall not have or exercise any administrative, legislative or executive powers of Government or local government. (4) ... any custom, practice, usage or tradition relating to a traditional leader or cultural leader which detracts from the rights of any person as guaranteed by this Constitution, shall be taken to be prohibited under that article. (6) For the purposes of this article, “traditional leader or cultural leader” means a king or similar traditional leader or cultural leader by whatever name called, who derives allegiance from the fact of birth or descent in accordance with the customs, traditions, usage or consent of the people led by that traditional or cultural leader.</p>
Benin ¹⁴⁵	24.4 (2,275,308)	No	No	<p>Article 2 The Republic of Bénin shall be one - indivisible, secular and democratic.</p> <p>Article 6 Suffrage shall be universal, equal and secret. The electors shall be, under the conditions determined by law, all Béninese nationals of both sexes over the age of eighteen and in full possession of their civil and political rights.</p>

¹⁴⁵ Constitution of the Republic of Benin was adopted by referendum on December 2, 1990. Benin is a member of the OIC. As of this writing, the population of Benin is estimated to be 9,325,032.

			<p>Article 9 Every human being has a right to the development and full expansion of his person in his material, temporal and intellectual dimensions, provided that he does not violate the rights of others nor infringe upon constitutional order and good manners.</p> <p>Article 10 Every person has a right to culture. The State has the duty to safeguard and promote the national values of civilizations, as much material as spiritual, as well as the cultural traditions.</p> <p>Article 14 Religious institutions and communities shall be able to cooperate equally in the education of the youth. Private schools, secular or parochial, may be opened with the authorizations and control of the State. The private schools may benefit from state subsidies under conditions determined by law.</p> <p>Article 23 Every person has the right to freedom of thought, of conscience, of religion, of creed, of opinion and of expression with respect for the public order established by law and regulations. The exercise of a creed and the expression of beliefs shall take place with respect for the secularity of the State. The institutions and the religious or philosophical communities shall have the right to develop without hindrances. They shall not be subject to the guardianship of the State. They shall regulate and administer their affairs in an autonomous manner.</p> <p>Article 24 Freedom of the press shall be recognized and guaranteed by the State. It shall be protected by the High Authority of Audio-Visuals and Communications under the conditions fixed by an organic law.</p> <p>Article 25 The State shall recognize and guarantee, under conditions fixed by law, the freedom to go and come, the freedom of association, of assembly, of procession and of demonstration.</p> <p>Article 26 The State shall assure to everyone equality before the law without distinction of origin, of race, of sex, of religion, of political opinion or of social position. Men and women are equal under the law. The State shall protect the family and particularly the mother and child. It shall take care of handicapped and aged persons.</p> <p>Article 36 Each Béninese has the duty to respect and to consider his own kin without any discrimination; and to keep relations with others that shall permit the safeguarding, the reinforcement and promotion of respect, dialog and reciprocal tolerance with a view to peace and to national cohesion.</p>
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Suriname ¹⁴⁶	15.9 (78,226)	No	No	<p>Article 1 [The Republic of Suriname] 1. The Republic of Suriname is a democratic State based upon the sovereignty of the people and on the respect and guarantee of the fundamental right and liberties.</p> <p>Article 3 [Nationality] 4. All Suriname citizens shall be eligible for appointment to any office in the service of the State on an equal footing.</p> <p>Article 8 [Basic Rights, Individual Rights and Freedoms] 1. All who are within the territory of Suriname have an equal claim to protection of person and property. 2. No one may be discriminated against on the grounds of birth, sex, race, language, religious origin, education, political beliefs, economic position or any other status.</p> <p>Article 18 [Basic Rights, Individual Rights and Freedoms] Everyone has the right of freedom of religion and philosophical conviction.</p> <p>Article 19 [Basic Rights, Individual Rights and Freedoms] Everyone has the right to make public his thoughts or feelings and to express his opinion through the printed press or other means of communication, notwithstanding everyone's responsibility according to the law.</p> <p>Article 20 [Basic Rights, Individual Rights and Freedoms] Everyone has the right to freedom of peaceful association and assembly, taking into consideration the rules to be determined by law for the protection of public order, safety, health and morality.</p> <p>Article 21 [Basic Rights, Individual Rights and Freedoms] 1. The right to demonstrate peacefully is acknowledged. 2. The use of that right can, for the protection of public order, safety, health and morality, be submitted to limitation through the law.</p> <p>Article 28 [Rights of Employees] All employees have, independent of age, sex, race, nationality, religion or political opinions, the right to: a. Remuneration for their work corresponding to quantity, type, quality and experience on the basis of equal pay for equal work;</p> <p>Article 35 [The Family] 1. The family is recognized and protected. 2. Husband and wife are equal before the law. 3. Every child shall have the right to protection without any form of discrimination.</p>
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¹⁴⁶ Constitution of the Republic of Suriname was ratified on September 30, 1987 and went into effect on October 30, 1987. Suriname is a member of the OIC. As of this writing, the population of Suriname is estimated to be 491,989.

				<p>4. Parents shall have the same responsibilities towards legal or natural children.</p> <p>5. The State recognizes the extraordinary value of motherhood.</p> <p>6. Working women shall be entitled to paid maternity leave.</p> <p>Article 45 [The Social Order] The social order shall be based in principle on a society, wherein all Suriname citizens have equal rights and obligations.</p> <p>Article 46 [The Social Order] The State shall create the conditions, which lay the foundations for the formation of citizens capable of participating in a democratic and effective manner in the development process of the nation.</p> <p>Article 53 [Political Organizations] 1. The State shall accept the freedom of citizens to create political organizations, subject to the limitations which stem from the law.</p>
Togo ¹⁴⁷	12.2 (826,183)	No	No	<p>Preamble We, the Togolese People, placing us under the protection of God, - Decided to build a State in which the fundamental rights of Man, civil liberties and the dignity of the human person must be guaranteed and protected, - Convinced that such a State can only be based on political pluralism, the principles of Democracy and the protection of Human Rights as defined by the United Nations Charter of 1945, the Universal Declaration of Human Rights of 1948, and International Covenants of 1966, the African Charter on Human Rights and Peoples adopted in 1981 by the Organization for African Unity</p> <p>Article 1 The Togolese Republic is a rule of law State, secular, democratic, and social. It is one and indivisible.</p> <p>Article 2 The Togolese Republic shall ensure the equality of all citizens before the law without distinction of origin, race, sex, social condition, or religious beliefs. It shall respect all political and philosophical opinions as well as all religious beliefs.</p> <p>Article 7 Political parties and groupings of political parties must respect the Constitution. They can identify with a region, ethnic group, or religion.</p> <p>Article 10 Every human being carries with him inalienable and imprescriptible rights. Safeguarding these rights is the purpose of</p>

¹⁴⁷ Constitution of the Republic of Togo was adopted by public referendum on September 27, 1992. Togo is a member of the OIC. As of this writing, the population of Togo is estimated to be 6,771,993.

			<p>any human community. The State has the obligation to respect them, to ensure them, and protect them.</p> <p>Article 11 All human beings are equal in dignity and rights. The man and woman are equal before the law. No one may be favored or disadvantaged because of its origin family, ethnic or regional origin, economic status, social, political, religious, philosophical beliefs or otherwise.</p> <p>Article 14 The rights and freedoms guaranteed by this Constitution shall only be subject to specific restrictions prescribed by law and necessary to protect national security, public order, public health, morals, or the freedoms and fundamental rights of others.</p> <p>Article 25 Everyone has the right to the freedom of thought, conscience, religion, worship, opinion and expression. The exercise of these rights and freedoms are done in compliance with the freedoms of others, public order, and standards established by law and regulations. The organization and practice of religious beliefs are freely exercised in compliance with the law. It is the same philosophical orders. The exercise of worship and expression of beliefs must be in accordance the secularity of the State. Religious denominations have the right to organize and exercise freely in accordance with the law.</p> <p>Article 26 Freedom of the press is recognized and guaranteed by the State. It is protected by law. Everyone has the freedom to express and disseminate by word, writing or other means, opinions or information he holds, within the limits defined by law.</p> <p>Article 30 - The State recognizes and guarantees the conditions laid down by law, the exercise of freedom of association, assembly, and peaceful demonstration and without instruments of violence. The State recognizes private schools, both religious and secular.</p> <p>Article 50 The rights and duties enunciated in the Universal Declaration of Human Rights and international instruments for Human Rights, ratified by Togo, are part of this Constitution.</p> <p>Article 99 The Constitutional Court is the highest court of the State in constitutional matters. It judges the constitutionality of the law and guarantees fundamental rights and civil liberties of the individual. It is responsible for regulating the operation of institutions and government activity.</p> <p>Article 144 The republican form and the secularity of the State cannot be the object of a revision.</p>
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				<p>Article 152 There is hereby established a National Human Rights Commission. It is independent. It is subject only to the Constitution and the law.</p>
Gabon ¹⁴⁸	9.5 (149,783)	No	No	<p>Preamble The Gabonese people, aware of its responsibility in the face of history, animated by the desire to ensure its independence and national unity, to organize the common life according to the principles of national sovereignty, of a pluralist democracy, social justice and for republican legality. -Affirms its commitment to human rights and fundamental freedoms as they result from the Declaration of Human Rights and the Citizen of 1789, enshrined in the Universal Declaration of Human Rights of 1948, the African Charter on Human Rights and Peoples of 1981 and by the National Charter Freedoms of 1990;</p> <p>Article 1 [Fundamental Rights and Principles] -Freedom of conscience, thought, opinion, expression, communication, free practice of religion is guaranteed to all, subject to compliance public order. -Every citizen has the duty to work and the right to obtain employment. No one shall be discriminated against in his work because of his origins, sex, race, or opinions. -The right to form associations, parties or political groups, unions, corporations, institutions of social as well as religious communities is guaranteed to all under conditions established by law; religious communities regulate and administer their affairs independently, subject to respect the principles of national sovereignty, public order and to preserve mental and moral integrity of the individual. -Associations, political parties or groups, unions, companies, institutions of social and religious communities whose activities are contrary the law or good understanding of ethnic groups or ensembles, may be prohibited under the terms of the law. -Any act of racial, ethnic, or religious discrimination, as well as any regionalist propaganda affecting the internal or external security of the state or the integrity of the Republic shall be punishable by law. -The care of children and their education is for parents, a natural right and duty they exercise under the supervision and with the assistance of State and Public Authorities. Parents have the right, as part of compulsory education, to decide on the moral and religious education of their children. Children vis-à-vis State have the same rights with respect both their physical, intellectual and moral development. -The State has the duty to organize public education, on the principle of religious neutrality, and, where possible, for free. -The law sets up the conditions of participation of the State and public authorities in the financial burdens of the private education as public utilities. In the public schools, religious instruction may be provided to the students on the request of their parents, under conditions determined by regulations. -The judiciary, the guardian of individual liberty, shall ensure respect for these principles, within the deadlines set by law.</p> <p>Article 2 [The Republic and Sovereignty] -Gabon is an indivisible, secular, democratic and social Republic. It asserts the separation of State and Religion and</p>

¹⁴⁸ Constitution of the Republic of Gabon was adopted on March 14, 1991. Gabon is a member of the OIC. As of this writing, the population of Gabon is estimated to be 1,576,665.

				<p>recognizes all faiths, subject to respect for law and public order. -The Gabonese Republic shall ensure the equality of all citizens before the law without distinction of origin, race, sex, opinion or religion.</p>
Guyana ¹⁴⁹	7.2 (53,623)	No	No	<p>Chapter 1 [The State and the Constitution] Article 1 Guyana is an indivisible, secular, democratic sovereign state in the course of transition from capitalism to socialism and shall be known as the Co-operative Republic of Guyana.</p> <p>Chapter 2 [Principles and Bases of the Political, Economic and Social System] Article 29 (1) Women and men have equal rights and the same legal status in all spheres of political, economic and social life. All forms of discrimination against women on the basis of their sex is (sic.) illegal. (2) The exercise of women's rights is ensured by according women access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion, and in social, political and cultural activity, by special labor and health protections measures for women, by providing conditions enabling mothers to work, and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for mothers and expectant mothers.</p> <p>Chapter 3 [Fundamental Rights and Freedoms of the Individual] Article 40 (1) Every person in Guyana is entitled to the basic right to a happy, creative and productive life, free from hunger, disease, ignorance and want. That right includes the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, color, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely – (a) freedom of conscience, of expression and of assembly and association;</p> <p>Title 1 [Protection of Fundamental Rights and Freedoms of the Individual] Article 145 (1) Except with his own consent, no person shall be hindered in the enjoyment of his of (sic.) conscience, and for the purposes of this article the said freedom to change his religion or belief, and freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance. (2) No religious community shall be prevented from providing religious instruction for persons of that community. (3) Except with his own consent (or, if he is a person who has not attained the age of eighteen years, the consent of his guardian), no person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion which is not his own.</p>

¹⁴⁹ Constitution of the Republic of Guyana was adopted on October 6, 1980. Guyana is a member of the OIC. As of this writing, the population of Guyana is estimated to be 744,768.

			<p>(4) No person shall be compelled to take any oath which is contrary to his religion or belief or to take any oath in a manner which is contrary to his religion or belief.</p> <p>(5) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this article to the extent that the law in question makes provisions –</p> <p>(a) which is reasonably required –</p> <p>(i) in the interests of defense, public safety, public order, public morality or public health; or</p> <p>(ii) for the purpose of protecting the rights and freedoms of other persons, including the right to observe and practice any religion without the unsolicited intervention of members of any other religion; or</p> <p>(b) with respect to standards or qualifications to be required in relation to places of education including any instruction (not being religious instruction) given at such places.</p> <p>(6) References in this article to a religion shall be construed as including references to a religious denomination, and cognate expressions shall be construed accordingly.</p> <p>Article 146</p> <p>(1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence.</p> <p>(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this article to the extent that the law in question makes provision –</p> <p>(a) that is reasonably required in the interests of defense, public safety, public order, public morality or public health;</p> <p>(b) that is reasonably required for the purpose of protecting the reputation, rights, and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, regulating the technical administration or the technical operation of telephony, telegraphy, posts, wireless broadcasting or television, or ensuring fairness and balance in the dissemination of information to the public; or</p> <p>(c) that imposes restrictions upon public officers or officers of any corporate body established on behalf of the public or owned by or on behalf of the Government of Guyana.</p> <p>Article 147</p> <p>(1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons and in particular to form or belong to political parties or to form or belong to trade unions or other associations for the protection of his interests.</p> <p>(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this article to the extent that the law in question makes provision –</p> <p>(a) that is reasonably required in the interests of defense, public safety, public order, public morality or public health; or</p> <p>(b) that is reasonably required for the purpose of protecting the rights or freedoms of other persons; or</p>
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				<p>(c) that imposes restrictions upon public officers; or</p> <p>(d) that imposes an obligation on workers to become contributors to any industrial scheme or workers' organization intended to work or provide for the benefit or welfare of such workers or of their fellow workers or of any relatives and dependents of any of them.</p> <p>Article 149</p> <p>(1) Subject to the provisions of this article –</p> <p>(a) no law shall make any provision that is discriminatory either of itself or in its effect; and</p> <p>(b) no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.</p> <p>(2) In this article the expression "discriminatory" means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions, color or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not afforded to persons of another such description.</p> <p>(3) Paragraph (1) (a) shall not apply to any law so far as that law makes provision –</p> <p>(a) with respect to persons who are not citizens of Guyana;</p> <p>(b) with respect to adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law; or</p> <p>(c) whereby persons of any such description as is mentioned in the preceding paragraph may be subjected to any disability or restriction or may be accorded any privilege or advantage which, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other such description, is reasonably justifiable.</p> <p>(4) Nothing contained in any law shall be held to be inconsistent with or in contravention of paragraph (1)(a) to the extent that it makes provision with respect to standards or qualifications (not being standards or qualifications specifically relating to race, place of origin, political opinion, color or creed) to be required of any person who is appointed to any office in the public service, any office in a disciplined force, or any office in the service of a local democratic organ or of a body corporate established by any law for public purposes.</p>
Guinea-Bissau ¹⁵⁰	42.2 (673,798)	No	No	<p>Article 1 The Guinea-Bissau is a sovereign republic, democratic, secular and unitary.</p> <p>Article 4</p> <p>1 – In the Republic of Guinea-Bissau people may freely form political parties under the Constitution and the law.</p> <p>5 – The name of the party cannot identify with any particular part of the country, nor mention the name of a person, church, religion, confession, or religious doctrine.</p>

¹⁵⁰ Constitution of the Republic of Guinea-Bissau was adopted on May 16, 1984, and has been amended several times. Guinea-Bissau is a member of the OIC. As of this writing, the population of Guinea-Bissau is estimated to be 1,596,677.

			<p>Article 6 1 – In the Republic of Guinea-Bissau exists a separation between State and religious institutions. 2 – The State respects and protects religious denominations recognized by law. The activity of these confessions and the exercise of worship are subject to the law.</p> <p>Article 24 All citizens are equal before the law, enjoy the same rights and are subject to the same duties, without distinction of race, gender, social, intellectual or cultural level, ethnic origin, or religious or philosophical conviction.</p> <p>Article 25 Man and woman are equal before the law in all spheres of political, economic, social and cultural.</p> <p>Article 26 3 – Spouses have equal rights and obligations regarding civil and political capacity and the maintenance and education of children.</p> <p>Article 29 1 – The fundamental rights enshrined in the Constitution do not exclude any others contained in other laws of the Republic and the applicable rules of international law. 2 – The constitutional provisions and laws relating to fundamental rights shall be interpreted in harmony with the Universal Declaration of Human Rights.</p> <p>Article 30 1 – The constitutional provisions relating to rights, freedoms, and guarantees are directly applicable and binding on the public and private entities. 2 – The rights, freedoms, and guarantees can only be suspended or restricted where a state of emergency is declared under the Constitution and the law. 3 – Laws restricting rights, freedoms, and guarantees that are general and abstract in character, should be limited to the necessary safeguard of other’s rights or constitutionally protected interests and cannot have retroactive effect, or diminish the essential content of rights.</p> <p>Article 31 2 – The declaration of martial law may in no case affect the rights to life, personal integrity and personal identity, civil capacity and citizenship, the non-retroactivity of criminal law, the right of defense of accused persons and freedom of conscience and religion.</p> <p>Article 35 None of the rights and freedoms guaranteed to citizens can be exercised against the nation's independence, territorial integrity, national unity, the institutions of the Republic and the principles and objectives enshrined in this Constitution.</p>
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				<p>Article 44 1 – Everyone is recognized rights to personal identity, civil capacity, citizenship, good name and reputation, the right to speak and the privacy of private and family life.</p> <p>Article 51 1 – Everyone has the right to freely express and disseminate his thoughts by any means at their disposal, as well as the right to inform and be informed without hindrance or discrimination. 2 – The exercise of this right cannot be prevented or restricted by any type or form of censorship.</p> <p>Article 52 1 – Freedom of conscience and religion is inviolable. 2 – Everyone is recognized freedom of worship, which shall in no way violate the fundamental principles enshrined in the Constitution. 3 – The freedom to teach any religion practiced in the context of their confession is guaranteed.</p> <p>Article 54 1 – Citizens have the right to assemble peacefully in public places, according to law. 2 – Every citizen is entitled to speak, under the law.</p> <p>Article 55 1 – Citizens have the right, freely and without any authorization, to form associations, that are not intended to promote violence and that their objectives are not contrary to the law. 2 – The associations may freely pursue their ends without interference by public authorities and cannot be dissolved by the State or have their activities suspended unless as provided by law and by judicial decision. 3 – The associations may not be of military kind, militarized or paramilitary groups, or organizations that promote racism and tribalism.</p> <p>Article 56 1 – Freedom of the press is guaranteed.</p> <p>Article 130 No proposed amendment may affect: e) Rights, freedoms and guarantees of citizens;</p>
Cameroon ¹⁵¹	17.9 (3,528,321)	No	No	<p>Preamble The people of Cameroon, Proclaim that human beings, regardless of race, religion, sex, belief, possess inalienable and sacred rights; Affirm their commitment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the UN</p>

¹⁵¹ Constitution of Republic of Cameroon was approved by referendum on May 20, 1972 and went into effect on June 2, 1972; it was amended in January 1996 and April 2008. Cameroon is a member of the OIC. As of this writing, the population of Cameroon is estimated to be 19,711,291.

			<p>Charter, the African Charter on Human and Peoples' Rights and all relevant International agreements duly ratified, including following principles:</p> <ul style="list-style-type: none"> - All men are equal in rights and duties. - The State shall ensure the protection of minorities and protects the rights of indigenous people according to law; - No one shall be molested because of his origins, opinions or belief in religious, philosophical or political matters under respect for public order and morality; -The State is secular. Neutrality with respect to all religions is guaranteed; - The freedom of religion and free exercise of his practice are guaranteed; - Freedom of communication, Freedom of expression, freedom of the press, freedom of assembly, freedom to form unions, freedom of association and the right strike is guaranteed under the conditions set by law; - Guarantees to all the citizens of both genders the rights and freedoms set forth in the preamble of the Constitution. <p>Article 1 Cameroon is one and indivisible, secular, democratic and social. It recognizes and protects traditional values that conform to democratic principles, to human rights and the law. It ensures equality of all citizens before the law.</p> <p>Article 64 No revision procedure can be made to the republican form, territorial integrity or the democratic principles that govern the Republic.</p> <p>Article 65 The Preamble is an integral part of the Constitution.</p>
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C. About the U.S. Commission on International Religious Freedom

The U.S. Commission on International Religious Freedom (USCIRF) is an independent federal commission created by the International Religious Freedom Act of 1998 (IRFA) (Public Law 105-292) to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent recommendations to the President, Secretary of State, and Congress. The Commission is the first government commission in the world with a mandate to review and report on violations of the internationally-guaranteed right to freedom of religion or belief worldwide. By publicly providing reliable information, analysis, and creative and responsible policy recommendations, the Commission gives the U.S. government and the American people the tools necessary to advance religious freedom and related human rights.

The Commission is composed of ten members. Three are appointed by the President. Three are appointed by the President *pro tempore* of the Senate, of which two are appointed upon the recommendation of the Senate Minority Leader. Three are appointed by the Speaker of the House of Representatives, of which two are appointed upon the recommendation of the House Minority Leader. The system of appointments thus provides that leaders of the party in the White House appoint five voting members, and leaders of the other party appoint four. The State Department's Ambassador-at-Large for International Religious Freedom serves *ex officio* as a non-voting member. Commissioners bring a wealth of expertise and experience in foreign affairs, human rights, religious freedom, and international law; the membership also reflects the religious diversity of the United States.

For more information, visit the Commission's website at <http://www.uscirf.gov/>.