

# **MONGOLIA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for “freedom of conscience and religion,” prohibits discrimination based on religion, and mandates the separation of the activities of state and religious institutions. The law requires religious institutions to register with authorities but provides little detail on registration procedures, leaving most specifics of implementation to local authorities. The law prohibits hindering the free exercise of faith but limits proselytization. In March the government amended a 2018 resolution that effectively required religious groups to hire 20 local employees for each foreign worker, thus enabling members of religious groups with at least five local employees to sponsor one foreign religious worker. Some religious groups reported continued difficulties or extended delays in some localities obtaining and renewing registration due in part to differing registration guidelines among provinces, uncertain registration practices, frequent staffing changes, and the requirement for each branch (or place of worship) of a religious group to register separately. The registration renewal application of al Jehovah’s Witnesses’ branch in the Ulaanbaatar district of Nalaikh remained pending despite a 2017 court decision rejecting the city council’s argument that the congregation posed a potential threat to national security. Some Christian groups said authorities conducted more frequent audits of their finances than of other religious groups, which they regarded as a form of harassment. Some Christian foreigners seeking to enter the country to proselytize reported difficulty obtaining religious visas. The Immigration Agency rescinded the registration of a nongovernmental organization (NGO) after determining its operation of a website promoting Christianity was at odds with the stated purpose under which it registered.

At a roundtable in October, religious leaders from a variety of faiths – including Buddhism, Shamanism, and a number of Christian groups – reported no difficulty in practicing their religion in the country. Participants said most citizens supported religious tolerance and diversity and people of different faiths live in harmony. A Muslim leader agreed with this assessment in a separate meeting in November.

U.S. officials discussed religious freedom concerns, including renewal of religious visas and the registration and renewal difficulties religious groups faced, with high-level officials in the Office of the President, Ministry of Foreign Affairs, Ministry of Justice and Home Affairs, parliamentarians, provincial governments, and the Ulaanbaatar City Council. Embassy officials met regularly with religious leaders to discuss religious freedom and tolerance. The Ambassador met with

religious leaders of Khovd Province in April for an interfaith discussion on the status of religious freedom in rural areas. In October the embassy hosted a roundtable with Buddhist, Christian, Baha'i, and Shamanist leaders on promoting respect for religious freedom, interreligious dialogue, and religious tolerance, and the Ambassador discussed similar issues with a leader of the Muslim community in November. The embassy also regularly promoted religious freedom on social media.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 3.2 million (midyear 2019 estimate). In the 2010 census (the most recent), 53 percent of individuals ages 15 and older self-identify as Buddhist, 3 percent as Muslim, 2.9 percent as Shamanist, and 2.1 percent as Christian. Another 38.6 percent state they have no religious identity. According to the president's advisor on cultural and religious policy, the majority of Buddhists are Mahayana Buddhists. Many individuals practice elements of shamanism in combination with other religions, particularly Buddhism. The majority of Christians are Protestant; other Christian groups include The Church of Jesus Christ of Latter-day Saints, the Roman Catholic Church, Jehovah's Witnesses, the Russian Orthodox Church, and the Family Federation for World Peace and Unification (Unification Church). Other religious groups, such as the Baha'i Faith, also have a presence. The ethnic Kazakh community, located primarily in the northwest, is majority Muslim.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution lists "freedom of conscience and religion" among the enumerated rights and freedoms guaranteed to citizens. The constitution prohibits discrimination based on religion. It prohibits the state from engaging in religious activity and religious institutions from pursuing political activities. The constitution specifies, "The relationship between the State and religious institutions shall be regulated by law." The constitution provides that, in exercising their rights, persons "shall not infringe on the national security, rights, and freedoms of others and violate public order." It further provides that the state shall respect all religions, and religions shall honor the state. The Law on the Relationship between the State and Religious Institutions provides, "The State shall respect the dominant position of Buddhism" in the country "in order to respect and uphold the traditions

of the unity and civilization of the people.” It further states, “This shall not prevent citizens from following other religions.”

In accordance with the criminal code, if an individual is found to have used or threatened the use of force to hinder the activities or rituals of religious organizations, the individual is subject to a fine, ranging from 450,000 to 2.7 million tugriks (\$160-\$990), a community service obligation of 240-720 hours, or a travel ban ranging from one to six months. If a religious organization or religious representative, such as a priest, minister, imam, monk, or shaman, is found to have committed acts of proselytization through force, pressure, or deception, or to have spread “cruel” religious ideology, the law allows for fines ranging from 450,000 to 5.4 million tugriks (\$160-\$2,000), a travel ban ranging from six to 12 months, or six to 12 months’ imprisonment.

The law on petty offenses provides for fines of 100,000 tugriks (\$37) for individuals and one million tugriks (\$370) for legal entities for recruiting children to religion against their will. The law provides for a fine of 100,000 tugriks (\$37) for individuals and one million tugriks (\$370) for any legal entity for disclosing an individual’s religion on identity documents without that person’s consent or for interfering with the internal affairs of a religious organization unless otherwise allowed by law. The law also provides for a fine of 150,000 tugriks (\$55) for individuals and 1.5 million tugriks (\$550) for legal religious entities for conducting government or political activity or financing any such activity. The law specifies a fine of 300,000 tugriks (\$110) for individuals and three million tugriks (\$1,100) for legal entities for organizing religious training or gatherings on public premises, including schools.

The religion law forbids the spread of religious views by “force, pressure, material incentives, deception, or means that harm health or morals or are psychologically damaging.” It also prohibits the use of gifts for religious recruitment. The law on children’s rights provides children the freedom to practice their faith.

The law prohibits religious groups from undertaking activities that “are inhumane or dangerous to the tradition and culture of the people of Mongolia.”

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

annually) with multiple government institutions across local, provincial, and national levels. Each individual branch (or place of worship) of a religious organization is required to register or renew independently of its parent organization.

A religious group must provide the following documentation to the relevant local provincial or municipal representative assembly when applying for registration: a letter requesting registration, a letter from the lower-level local authority granting approval to conduct religious services, a brief description of the group, the group's charter, documentation on the group's founding, a list of leaders, financial information, a declaration of assets (including any real estate owned), a lease or rental agreement (if applicable), brief biographic information on individuals wishing to conduct religious services, and the expected number of worshippers. A religious group must provide to the General Authority its approved registration application to receive a certificate for operation.

The renewal process requires a religious group to obtain a reference letter from the lower-level local authority to be submitted with the required documents (updated as necessary), to the local provincial or municipal representative assembly. During the renewal process, the local provincial or municipal representatives commonly request a safety inspection of the religious organization's offices and places of worship and remediation of any deficiencies found. The relevant provincial or municipal representative assembly issues a resolution granting the religious institution permission to continue operations, and the organization sends a copy of the approved registration renewal to the General Authority, which enters the new validity dates on the religious institution's certificate for operation.

Public and private educational institutions are entitled to state funding for their secular curricula but are prohibited from using state funding for religious curricula. The education law prohibits all educational institutions from conducting any religious training, rituals, or activities with state-provided funding. A provincial or municipal representative assembly may deny registration renewals for religious groups that violate the ban on using state funding for the provision of religious instruction in educational institutions.

The law regulating civil and military service specifies that all male citizens between ages 18 and 25 must complete one year of compulsory military service. The law provides for alternatives to military service for citizens who submit an objection based on ethical or religious grounds. Alternative service with the Border Forces, National Emergency Management Agency, or a humanitarian

organization is available to those who submit an ethical or religious objection. There is also a provision for paying the cost of one year's training and upkeep for a soldier in lieu of service.

Under the labor law, all legal entities, including religious institutions, must hire a stipulated number of citizens for every foreign employee hired. The government sets an annual quota in the form of a resolution, and this quota changes every year for each labor sector listed in the resolution. Groups not specified in the annual quota list must ensure 95 percent of their employees are citizens.

The law regulating the legal status of foreign citizens prohibits noncitizens from advertising, promoting, or practicing “inhumane” religions that could damage the national culture. There were no reports of any individual or organization being penalized for violating this prohibition. The religion law includes a similar prohibition on religious institutions, both foreign and domestic, conducting “inhumane” or culturally damaging activities within the country.

Foreigners seeking to conduct religious activities, including proselytizing, must obtain religious visas, and all foreigners are prohibited from proselytizing, promoting, and practicing religion that violates “national culture” and law. Only registered religious groups may sponsor foreigners for religious visas. Foreigners who enter on other classes of visas are not allowed to undertake activities that advertise or promote any religion (as distinct from personal worship or other individual religious activity, which is permitted). Under the law, “engag[ing] in business other than one’s purpose for coming” constitutes grounds for deportation.

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

### **Government Practices**

Focused for much of the year on constitutional amendments adopted in November, the government again postponed planned updates to the religious law. According to its concept note, the stated intent of the draft law was to improve the monitoring, registration, renewal systems, and accountability mechanisms of religious institutions. During public discussion of the draft law in 2018, religious groups and NGOs expressed concern in the draft about the composition of a religious council that would oversee a national registration process.

At an interfaith religious roundtable meeting in October, numerous religious groups reported registration and renewal procedures varied significantly across the

country, largely depending upon the practices of local government officials. Registration delays could negatively impact a group's ability to employ foreign religious workers, as valid registration is required to sponsor a religious worker. Christian leaders stated the difficulty in obtaining visas for religious worker was mainly due to the requirement of hiring at least five local employees to be eligible to sponsor one foreign worker.

The Ulaanbaatar City Council issued registrations and renewals valid for one year, while some provincial and municipal representative assemblies issued renewals for two or three years. An Ulaanbaatar City Council official said Christian groups constituted the majority of those seeking registration and renewal; for this reason, most of the cancelled or suspended registrations were for Christian groups. The official said the council had not registered any new religious organizations during the year and approximately 50 applications for new registration were on hold pending expected updates to the law on religious freedom.

Some religious groups said they were deterred from registering because of the unpredictability of the registration process, which could take from several weeks to years; the difficulty and expense of establishing a dedicated, regular worship site; and changing government personnel. Some organizations said the requirement that each local branch of the organization separately register or renew created additional bureaucratic burdens.

Ulaanbaatar City Council officials said the government used the registration and renewal process to assess the activities of the religious group, monitor the number of places of worship and clergy, determine the ratio of foreigners to nationals conducting religious activities, and determine whether their facilities met safety requirements. City council officials said approval of applications that were ostensibly "denied" were more accurately "postponed" due to incomplete documentation, the poor physical condition of the place of worship, instances of a religious organization's providing English language instruction without an educational permit, or the existence of financial issues such as failure to pay property taxes or declare funding from foreign sources. According to the council, in such cases, religious organizations were instructed to correct the deficiencies and resubmit their applications. Some Christian groups continued to say the government inconsistently applied and interpreted regulations, changing procedures frequently and without notice. Some religious groups continued to state the registration and renewal process was arbitrary in some instances, with no appeal mechanism for denials, notwithstanding the success of two Jehovah's Witnesses organizations in previous appeals through the court system.

Some Christian religious leaders said temporary unregistered status could leave their organizations vulnerable to financial audit and possible legal action.

Shamanist leaders expressed concerns that the requirement for a registered place of worship placed limitations on their religion because of its practice of worshipping outdoors.

Unregistered churches lacked official documents establishing themselves as legal entities and as a result could not own or lease land, file tax returns, or formally interact with the government. Individual members of unregistered churches typically continued to own or lease property for church use in their personal capacity. For instance, some unregistered Christian churches on the outskirts of Ulaanbaatar used private property owned by members to conduct meetings and other church business. Some unregistered religious groups said they often could still function, although some reported experiencing frequent visits by local tax officials, police, and representatives from other agencies. An Ulaanbaatar City Council official said the government generally allowed religious organizations whose applications were delayed to operate.

One Christian group said the government placed additional burdens on religious organizations by subjecting them to closer scrutiny by official organs, such as the General Authority for Labor and Benefit, the Immigration Agency, or the Ulaanbaatar City Council. Other religious organizations reported they had good relationships with local and district level authorities, but that lack of understanding of regulations governing religious organizations among some Ulaanbaatar City Council officials and provincial authorities resulted in delayed processing of registration and renewal applications.

Representatives of the Religious Society of Jehovah's Witnesses in Mongolia reported that the registration application for the Evangelizers of Good News of Holy Scriptures – their organization's legal entity in Ulaanbaatar's Nalaikh District – remained pending with the Ulaanbaatar City Council, despite a 2018 Ulaanbaatar Court of First Instance ruling that struck down the city council's argument that the congregation posed a potential threat to national security. Although the city council revoked its decision to annul the group's registration, it took no action to renew it.

The Immigration Agency rescinded the registration of a Christian NGO after determining that it violated its registered purpose of business by operating a

website promoting Christianity, an activity that only registered religious organizations may conduct. The NGO stated it conducted such activities openly and transparently for several years and noted the law provides no mechanism for registering as a legal entity a humanitarian organization that is Christian but does not hold religious services. As of November, the NGO had been disbanded and its founder said there was no plan to appeal the Immigration Agency decision.

Religious groups continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. Religious leaders said such audits typically took place once in a two-year period, but some inspection visits reportedly followed routine submissions of registration renewal applications. Two Christian groups reported officers from the Criminal Police Department conducted unexpected visits to their premises and demanded to see financial documents. One of these groups said these visits were a form of harassment.

The 2018 resolution on labor quotas implemented in January required religious organizations to ensure at least 95 percent of their employees are citizens. For most smaller religious organizations, this meant religious organizations had to hire 20 citizens to sponsor one foreign worker. The government amended the resolution in March to allow religious organizations with at least five Mongolian citizen employees to sponsor one foreign worker. A Christian church based in Darkhan-Uul Province reported difficulty in renewing the visa of a foreign pastor because it could not meet the labor quota; however, church representatives said the government renewed the pastor's visa following the amendment of the resolution.

An NGO reported that some local authorities continued to restrict unaccompanied minors' participation in Christian religious services due to stated fears of "brainwashing." Children under the age of 16 required written parental permission to participate in church activities. Churches were required to retain this permission in church records and make it available upon request. According to the same NGO, this requirement had greater impact on Christian than other religious groups.

Some religious organizations reported the Ulaanbaatar City Council provided letters of support for immigration officials to help the organizations secure religious work visas for foreign religious workers when registration or renewal delays resulted in the temporary loss of an organization's official status, and therefore its ability to serve as a sponsor.



Government officials continued to receive Buddhist leaders at the Government House during Lunar New Year celebrations, a practice some observers said was discriminatory against other religions not similarly recognized by the government on important holidays.

Some foreign citizens continued to face difficulties obtaining religious visas. Because most religious groups were bound by the 95 percent local hire requirement, groups that could not afford to hire enough local employees could not sponsor additional religious visas. Christian groups reported foreign missionaries seeking to enter the country often did so under nonreligious visas (such as student, teacher, or business visas), making them legally restricted from conducting activities allowed under religious visas. Inconsistent interpretations of the activities in which they could legally engage left them vulnerable to deportation. The validity of religious visas remained linked to a religious organization's registration, which some Christian religious groups said resulted in additional visa problems. Foreign citizens could not receive or renew a religious visa unless their religious organization's registration or renewal was already granted. The length of the religious visa's validity corresponded with, and could not exceed, the registration validity of its sponsoring organization.

The government continued to allocate funding for the restoration of several Buddhist sites that it stated were important religious, historical, and cultural centers. For instance, it provided 178 million tugriks (\$65,100) funding for the restoration of the Zankhan Temple, an annex of the Choijin Lama Temple and Museum complex in Ulaanbaatar. The government did not provide similar subsidies to other religious groups.

Parliament passed legislation in December declaring Buddha's birthday – the 15th day of the first summer month of the lunar calendar – a public holiday. Some religious groups criticized the decision, saying it displayed preference for one religion over others.

### **Section III. Status of Societal Respect for Religious Freedom**

Some Christian and Muslim groups said negative comments about non-Buddhist religious groups occasionally appeared on social media, but they added that they did not feel threatened or overly concerned by such incidents. For instance, one Muslim leader reported negative comments on Facebook regarding ethnic Kazakh Muslims. Such comments were not representative of societal attitudes as a whole, he stated.

At a roundtable in October, religious leaders from a variety of faiths – including Buddhism, Shamanism, Baha’i, and a number of Christian groups – reported no difficulty in practicing their religion in the country. They said most citizens support religious tolerance and diversity and that people of different faiths live in harmony. A Muslim leader agreed with this assessment in a separate meeting in November.

#### **Section IV. U.S. Government Policy and Engagement**

The Ambassador, other embassy officials, and visiting U.S. government officials regularly discussed religious freedom with government officials and shared the U.S. government’s concerns about visa and registration difficulties religious groups reported at the national, local, and provincial levels. The Ambassador and other embassy officers encouraged officials to enhance efforts to protect religious freedom and underscored the value of dialogue between the government and religious communities during meetings with parliamentarians, the country’s Ambassador-at-Large for Religious Freedom Issues, and high level officials in the President’s Office, the Ministry of Foreign Affairs, the Ministry of Justice and Home Affairs, the Ulaanbaatar City Council, and provincial and municipal governments.

The Ambassador routinely visited religious sites and temples and met with local religious leaders in his travels outside Ulaanbaatar. For example, in April the Ambassador met with local Buddhist, Christian, and Muslim leaders in Khovd Province for an interfaith discussion on the status of religious freedom in rural areas. In October the embassy hosted a roundtable on promoting respect for religious freedom, interreligious dialogue, and religious tolerance. Leaders of the Buddhist, Christian (many denominations), Baha’i, and Shamanist communities participated in the roundtable. The embassy also regularly promoted religious freedom on social media. For example, on October 24, the Ambassador tweeted in Mongolian and English about his visit with leading shamans of Mongolian Tengrism, noting the ancient faith’s revival under democracy and stating his admiration for the diversity of Mongolia’s faith communities.