

# **MONGOLIA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution guarantees “freedom of conscience and religion,” prohibits discrimination based on religion, and mandates the separation of the activities of the state and religious institutions. The law requires religious institutions to register with authorities and broadly describes registration procedures, leaving most specifics of implementation to local authorities. Local authorities’ registration practices varied across the country, and some religious groups reported difficulties in some localities obtaining and renewing registration. Foreign nationals seeking to enter Mongolia to proselytize must obtain religious visas; there is no regulation of citizens who wish to proselytize. The government has not permitted the Dalai Lama to visit since 2011, despite a standing invitation to him from leaders of the Buddhist community.

Christian leaders reported the public generally viewed Christians in a positive light due to acts of public service and charity, although they also reported instances of discrimination and harassment. Shamanist leaders reported the government denied their religion the financial benefits and tax concessions made available to other faiths.

U.S. officials discussed religious freedom with government officials at all levels, including during meetings with high-level officials in the Office of the President, the Ministry of Foreign Affairs, the parliament, and the Ulaanbaatar Citizens’ Representative Assembly. Embassy officials met regularly with religious leaders across the country to discuss religious freedom.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 3 million (July 2015 estimate). The last official census was conducted in 2010. Fifty-three percent of individuals aged 15 and above self-identified as Buddhist, with 3 percent self-identifying as Muslim, 2.9 percent as shamanist, and 2.1 percent as Christian. Another 38.6 percent self-identified as having no religious identity. Many individuals practice elements of Shamanism in combination with other religions, particularly Buddhism. The majority of Christians are Protestant; other Christians are members of The Church of Jesus Christ of Latter-day Saints (Mormons), Catholics, and Russian Orthodox.

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### 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, prohibits the state from engaging in religious activity, and prohibits religious institutions from pursuing political activities. The constitution specifies that “the relationship between the State and religious institutions shall be regulated by law.” The religion law provides that “the State shall respect the dominance of the Buddhist religion in the country, in order to uphold the solidarity and cultural and civilization heritage of the people. This will not hinder a citizen to practice another religion.”

Religious groups must register with local and provincial authorities, as well as with the General Authority of State Registration (General Authority), to function legally. National law provides little detail on registration procedures and does not stipulate registrations’ duration, 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.

A religious group must provide the following documentation to the General Authority when applying for registration: a letter requesting registration, a letter from the citizens’ representative assembly or other 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 of individuals wishing to conduct religious services, and the expected number of worshippers.

The renewal process requires a religious group to obtain a reference letter from the local administration and submit it, along with other documents, to the Ulaanbaatar Citizens’ Representative Assembly (Ulaanbaatar Assembly) or the relevant provincial assembly. The assembly issues a resolution granting the religious institution permission to continue operations, and the organization sends a copy of the resolution to the General Authority, which enters the new validity dates on the religious institution’s original registration.

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All private religious schools are entitled to state funding for their secular curricula. The government is prohibited from giving state funds to religious schools for religious education.

The education law prohibits educational institutions from conducting religious training, rituals, or activities that negatively affect society, civic interest, health, or safety. According to Ministry of Education, Culture, and Science officials, this prohibition applies to both public and private schools. A ministry directive bans religious instruction in public schools. The government may deny registration renewals for religious groups that violate the ban.

The law regulating civil and military service specifies that all male citizens between 18 and 25 years of age must complete one year of compulsory military service, and there is no express exception on religious grounds or for conscientious objectors. There is, however, a provision for alternative service, available to all upon request, with the Border Forces, the National Emergency Management Agency, or a humanitarian organization, or paying the cost of one year's training and upkeep for a soldier.

Under the labor law, all foreign organizations, including religious institutions, must hire a stipulated number of Mongolian nationals for every foreign employee hired. Groups not specified in the annual quota list (including most religious groups) must ensure 95 percent of employees are Mongolian nationals. Any unlisted group with fewer than 20 Mongolian national employees may employ one foreign worker.

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 prohibits children's forced religious conversion or enrollment in religious institutions, as well as the use of deception to involve them in religious activities.

The law regulating foreign citizens prohibits foreigners from advertising, promoting, and practicing “inhumane” religions that could damage the national culture. The penalty for violating this provision is a fine three to six times the minimum monthly salary of 192,000 tugriks (MNT) (\$98), resulting in fines ranging from MNT 576,000 (\$293) to MNT 1,152,000 (\$586). There have been no reports of any individual or organization penalized under this provision. The

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religion law includes a similar prohibition on religious institutions conducting “inhumane” or culturally damaging activities.

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

### Government Practices

Buddhist leaders stated they maintained a standing invitation for the Dalai Lama to visit Mongolia in his role as a religious leader. The government last permitted the Dalai Lama to visit in 2011. There were reports that economic and political pressure from the Chinese government obstructed subsequent visits.

Registration and renewal procedures for religious institutions reportedly varied significantly across the country, largely depending upon the practices of local government officials. Some Christian groups reported no problems. Others said the government inconsistently applied regulations, changing procedures frequently and without notice. Christian groups also said new officials interpreted regulations differently. Both foreign and local Christian groups stated the registration and renewal process was arbitrary in some instances and that there was no appeal mechanism for denials.

The length of the registration process, reportedly varying from two weeks to up to three years, may have deterred some religious groups wishing to register.

Ulaanbaatar Assembly officials stated that the registration and renewal process allowed the government to assess religious groups’ activities, monitor the number of places of worship and clergy, and know the ratio of foreigners to nationals conducting religious activities. They stated that any applications for initial registrations or renewals that ostensibly were “denied” were more accurately “postponed” because of incomplete documentation, poor physical conditions of the place of worship, instances of providing English language instruction in schools without an educational permit, or financial issues (e.g., failure to pay property tax or to declare financing from foreign sources). The authorities said that in these cases, they instructed religious institutions to correct deficiencies and resubmit

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their applications. Accordingly, as of December the assembly reported it had granted all 13 new registration requests from religious institutions and renewed the registrations of 164 of 166 religious institutions.

The Ulaanbaatar Assembly limited registrations to one year, although local authorities in some parts of the country granted registrations valid for two or three years.

Some Christian leaders reported incidences of registrations expiring before they could secure renewals. Immigration authorities allowed foreign nationals of some religious groups to remain in the country after their organizations' registrations lapsed. These cases primarily occurred in Ulaanbaatar, when the Ulaanbaatar Assembly explained to immigration authorities that the lapse was due to a delayed assembly meeting.

The Ulaanbaatar Assembly and other local assemblies declined to recognize branch churches as affiliated with a single religious institution; instead, each individual church was required to register separately. The Ulaanbaatar Assembly's position on branches, which have unclear status in the law, caused particular problems for Christian denominations seeking to operate multiple churches under a centralized administration, according to Mormon leaders, although such denominations were able to register their churches individually. Ulaanbaatar and other authorities reportedly preferred the no-branch system because it allowed the government to collect greater tax revenue.

Unregistered religious groups were often still able to function, although at times they experienced harassment in the form of frequent visits by local tax officers, police, and other agencies. The Mongolian Evangelical Alliance (MEA) expressed concern that the unregistered status of many of its member churches left their pastors vulnerable to legal action. Shamanist leaders expressed concerns that the requirement for a registered place of worship placed limitations on their religion due to its nature-linked practices. Unregistered churches lacked official documents establishing themselves as legal entities and as a result were unable to file tax returns or formally interact with the government. In addition, unregistered churches could not open bank accounts, leading pastors to open personal accounts through which they administered church funds. Such pastors may have received donations from foreign churches and foreign-owned businesses – sometimes in large amounts – in their personal accounts, leaving them potentially open to investigation for apparent money laundering.

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Numerous religious leaders previously reported that the Tuv provincial legislature chief stated his opposition to registering places of worship. The National Statistics Office reported two Buddhist temples in Tuv province, a decline from six in 2011, and no other religious institutions registered in Tuv. According to evangelical leaders, multiple unregistered evangelical churches operated in the province.

Religious groups reported continued difficulties in Darkhan-Uul province, where authorities in late 2013 reportedly stated their intent not to register new religious institutions. At year's end, local authorities had not registered two mosques that submitted registration applications in late 2013, although both were able to operate normally. Some churches reported that local officials withheld reference letters required for renewal until the church performed a "project" benefiting the local community or government. Some churches reported delays of more than a year in renewing their registrations, although it was unclear whether the delays were linked to religious affiliation. Some religious organizations run by foreigners in the province reported receiving multiple audits from a variety of local authorities inspecting their membership, registration, building permits, and tax records.

Some Christian groups also reported barriers to registration or registration renewal in other provinces. According to the MEA, of 10 churches in Khuvsgul province, only one was able to register as of the end of the year. The MEA also reported that none of its member churches in Dornogobi province were able to register or renew registrations, attributing this problem to the influence of the Khamariin Monastery, which is adjacent to an important Buddhist site.

Some registered churches reported harassment by local authorities, including requiring, at times without clear legal justification, official documentation and rosters of church members and, in some cases, bribes to secure registration. Since secular businesses and nonreligious groups reported similar treatment, however, it was not possible to determine whether this treatment was due to religious affiliation.

In some areas, local authorities reportedly placed restrictions on minors' participation in church activities. According to a representative of a Christian group, government officials restricted unaccompanied minors' participation in a "Children's Church" event due to fears it would be used to "brainwash" them. In Uvs and other provinces, minors under the age of 16 required written parental permission to participate in church activities.

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Some Christian leaders also reported discrimination in education.

Religious groups continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. In some cases, Christian groups reported they received audits less frequently compared to previous years and experienced no unannounced audits. Other Christian groups continued to receive unannounced inspections.

Foreign nationals faced difficulties obtaining religious visas, although some religious groups reported the situation had improved compared to previous years, attributing this to immigration officials viewing the groups' social and charity projects more favorably. Since 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. It was possible to pay a fee to exceed the quota restrictions, but most churches reported that they could not afford this cost. Christian groups reported that foreign missionaries seeking to enter the country often did nonreligious work and applied for the corresponding type of visa (such as student or business). As a result, they could legally participate only in limited religious activities and were vulnerable to deportation due to inconsistent interpretations of the activities in which they could legally engage. In general, most visa problems were related to registration difficulties, but individual religious groups were reportedly reluctant to criticize local authorities publicly.

The government allocated funding for the restoration of several Buddhist sites that were important religious, historical, and cultural centers. The government did not provide similar subsidies to other religious groups.

The ethnic Kazakh community is majority Muslim, and there were two ethnic Kazakhs serving as members of parliament (MP). There was also one Christian MP. Other MPs were ethnic Mongolian and either Buddhist or without religious affiliation.

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

Christian leaders reported the public viewed Christians in an increasingly positive light as their social and charitable works became more widely recognized. Some local authorities even sought out the services of Christian groups. Some Buddhist

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leaders, however, said the perceived growing influence of Christianity in the country was of concern. In certain cases, there was local harassment of Christians. The MEA reported that relations in Bayankhongor province had improved, and its member churches were no longer being harassed.

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

The Ambassador and other U.S. officials regularly discussed religious freedom with government officials at the local, provincial, and national levels, including in meetings with parliamentarians and high-level officials in the president's office, the Ministry of Foreign Affairs, the Ulaanbaatar Assembly, and the provinces. Embassy officials shared the U.S. government's concerns about the uneven application of visa laws and the registration difficulties religious groups reported. Officials encouraged the Ministry of Foreign Affairs and the president's office to enhance the government's efforts to protect religious freedom.

The Ambassador and other U.S. officials met frequently with religious leaders across the country to discuss registration and visa problems, as well as ways to combat religious discrimination and promote greater religious freedom. The embassy invited Buddhist, Christian, Shamanist, and Muslim leaders to embassy events, including roundtable discussions, that focused on promoting respect for religious freedom and tolerance.