# **Constitutional Provisions on National and Religious Identity**

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# **Constitutional Provisions on National and Religious Identity** in Selected Countries

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SUMMARY This report contains information on provisions in constitutions and other founding documents specifying an ethnic or religious identity for an Asian or European country. Section I covers twenty countries and includes those indicating an ethnic identity and in some cases also a religious one. Section II covers four countries for whom those documents mention only a religious identity, not an ethnic one, and whose constitutions indicate that the specified religion is the basis for legislation. Section III covers thirteen countries that specify a religion, without necessarily indicating that religion is the basis of legislation and without any single ethnic identity.

#### I. Countries with Ethnic Identities in Their Constitutions

#### Armenia

The preamble of the Armenian Constitution says, "[t]he Armenian people . . . having fulfilled the sacred message of its freedom loving ancestors for the restoration of the sovereign state . . . hereby adopts the Constitution of the Republic of Armenia."<sup>1</sup>

The Constitution does not define who the Armenian people are. However, the Law on Citizenship allows acquisition of Armenian citizenship through a simplified procedure for foreigners who are ethnic Armenians.<sup>2</sup>

#### **Bahrain**

Article 1 of the Constitution of the Kingdom of Bahrain provides that the Kingdom is an Islamic Arab state whose territory is part of the great Arab homeland. Article 2 also states that the religion of the state is Islam. The Islamic Shari'a is the principal source for legislation.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> CONSTITUTION OF THE REPUBLIC OF ARMENIA (July 5, 1995), available in English at http://www.parliament.am/ legislation.php?sel=show&ID=1&lang=eng.

<sup>&</sup>lt;sup>2</sup> Law No. 16 of Nov. 6, 1995, NATIONAL ASSEMBLY GAZETTE 1995/8, available in English at http://www.mfa.am/ u files/file/dualcitizenship-final-eng.pdf.

<sup>&</sup>lt;sup>3</sup> CONSTITUTION OF THE KINGDOM OF BAHRAIN art. 1 (Feb. 14, 2002), available at <a href="http://www.refworld.org/">http://www.refworld.org/</a> docid/48b54f262.html.

# **Belgium**

The Belgian Constitution specifies that Belgium is made up of three communities: the French community, the Flemish community, and the German-speaking community. It also specifies that Belgium is made up of three regions: Wallonia, Flanders, and the Brussels region.<sup>4</sup>

#### Croatia

The preamble of the Croatian Constitution defines the foundations of the Croatian nation, stating,

[t]he millennial national identity of the Croatian nation and the continuity of its statehood, confirmed by the course of its entire historical experience in various political forms and by the perpetuation and development of the state-building idea grounded in the historical right of the Croatian nation to full sovereignty, has manifested itself: in [a long list of historical events beginning in the seventh century and including, most recently,] ... the victory of the Croatian nation and Croatia's defenders in the just, legitimate and defensive war of liberation, the Homeland War (1991–1995), wherein the Croatian nation demonstrated its resolve and readiness to establish and preserve the Republic of Croatia as an independent and autonomous, sovereign and democratic state. <sup>5</sup>

Specific ethnicities are recognized as minorities in the Croatian State in the Constitution:

[Considering] . . . the . . . right of the Croatian nation to self-determination and state sovereignty . . . , the Republic of Croatia is hereby established as the nation state of the Croatian nation and the state of the members of its national minorities: Serbs, Czechs, Slovaks, Italians, Hungarians, Jews, Germans, Austrians, Ukrainians, Rusyns, Bosniaks, Slovenians, Montenegrins, Macedonians, Russians, Bulgarians, Poles, Roma, Romanians, Turks, Vlachs, Albanians and others who are citizens and who are guaranteed equality with citizens of Croatian nationality and the exercise of their national rights in compliance with the democratic norms of the United Nations and the countries of the free world.6

#### Estonia

The preamble of the Estonian Constitution provides that the state shall "guarantee the preservation of the Estonian nation, language and culture through the ages . . . . "7

<sup>&</sup>lt;sup>4</sup> LA CONSTITUTION BELGE [BELGIAN CONSTITUTION] arts. 2, 3 (Feb. 17, 1994), http://www.senate.be/doc/ const fr.html#t1 (in French).

<sup>&</sup>lt;sup>5</sup> CONSTITUTION OF THE REPUBLIC OF CROATIA pmbl. (Dec. 22, 1990), available in English with amendments at http://www.wipo.int/wipolex/en/text.jsp?file\_id=246241.

<sup>&</sup>lt;sup>6</sup> *Id*.

<sup>&</sup>lt;sup>7</sup> CONSTITUTION OF THE REPUBLIC OF ESTONIA pmbl. (June 28, 1992), available in English at <a href="http://www.wipo.int/">http://www.wipo.int/</a> wipolex/en/details.jsp?id=11534.

# Hungary

The preamble of the Fundamental Law of Hungary states in part as follows:

## God bless the Hungarians

#### National Avowal

We, the members of the Hungarian nation, . . . hereby proclaim the following:

. .

We are proud of the outstanding intellectual achievements of the Hungarian people.

. .

We recognise the role of Christianity in preserving nationhood. We value the various religious traditions of our country.

. . .

We proclaim that the nationalities living with us form part of the Hungarian political community and are constituent parts of the State.

We commit to promoting and safeguarding our heritage, our unique language, Hungarian culture, the languages and cultures of nationalities living in Hungary, along with all man-made and natural assets of the Carpathian Basin. . . .

. . .

Our Fundamental Law shall be the basis of our legal order; it shall be an alliance among Hungarians of the past, present and future. It is a living framework which expresses the nation's will and the form in which we want to live.<sup>8</sup>

. . .

#### **Ireland**

Article 1 of the Irish Constitution refers to the Irish nation:

The Irish nation hereby affirms its inalienable, indefeasible, and sovereign right to choose its own form of Government, to determine its relations with other nations, and to develop its life, political, economic and cultural, in accordance with its own genius and traditions.<sup>9</sup>

The preamble to the Constitution provides references to religion:

In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred, We, the people of Éire, Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial, . . . . <sup>10</sup>

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<sup>&</sup>lt;sup>8</sup> FUNDAMENTAL LAW OF HUNGARY pmbl. (Apr. 18, 2011), available in English at <a href="http://www.wipo.int/wipolex/en/text.jsp?file">http://www.wipo.int/wipolex/en/text.jsp?file</a> id=325825.

<sup>&</sup>lt;sup>9</sup> CONSTITUTION OF IRELAND, 1937, art. 1, http://www.irishstatutebook.ie/en/constitution/.

<sup>&</sup>lt;sup>10</sup> *Id*. pmbl.

The special position of the Catholic Church was removed from the Constitution by the Fifth Amendment of the Constitution Act 1972. 11

#### Kuwait

Article 2 of Kuwait's Constitution states that the religion of the state is Islam and that Islamic Law is the main source of legislation. Article 12 also provides that the state must maintain the Islamic and Arab heritage. 12

#### Laos

The preamble to the 1991 Constitution of the Lao People's Democratic Republic, as amended in 2003, states as follows:

The multi-ethnic Lao people have existed and developed on this beloved land for thousands of years. Starting from the middle of the 14th century, during the time of Chao Fa Ngum, our ancestors founded the unified Lane Xang country and built it into a prosperous land. Since the 18th century, the Lao land has been repeatedly threatened and invaded by outside powers. Our people enhanced the heroic and unyielding traditions of their ancestors and continually and persistently fought to gain independence and freedom.<sup>13</sup>

#### Lebanon

The preamble to Lebanon's Constitution states that the country's identity is Arab. 14

#### Lithuania

The preamble of the Lithuanian Constitution states that Lithuania is the state of the Lithuanian nation, which has "preserved its spirit, native language, writing, and customs, embodying the innate right of the human being and the Nation to live and create freely in the land of their fathers and forefathers—in the independent State of Lithuania . . . ."<sup>15</sup>

<sup>&</sup>lt;sup>11</sup> Fifth Amendment of the Constitution Act 1972, No. 5 of 1972, <a href="http://www.irishstatutebook.ie/1972/en/act/cam/0005/print.html">http://www.irishstatutebook.ie/1972/en/act/cam/0005/print.html</a>.

<sup>&</sup>lt;sup>12</sup> CONSTITUTION OF KUWAIT OF 1962 (reinstated in 1992) art. 2, *available in English at https://www.constitute project.org/constitution/Kuwait 1992*.

<sup>&</sup>lt;sup>13</sup> CONSTITUTION OF LAO PDR of 1991 pmbl. (as amended in 2003), *available in English at* <a href="http://www.na.gov.la/index.php?option=com\_content&view=article&id=26%3Apreamble&catid=35%3Aconstitution-of-lao-pdr&Itemid=50&lang=en">http://www.na.gov.la/index.php?option=com\_content&view=article&id=26%3Apreamble&catid=35%3Aconstitution-of-lao-pdr&Itemid=50&lang=en</a>.

<sup>&</sup>lt;sup>14</sup> LEBANON CONSTITUTION pmbl. (as amended through Sept. 21, 1990), *available in English at* <a href="http://www.ref">http://www.ref</a> world.org/docid/44a24a674.html.

<sup>&</sup>lt;sup>15</sup> CONSTITUTION OF THE REPUBLIC OF LITHUANIA pmbl. (Oct. 25, 1992), available in English at <a href="http://www.wipo.int/wipolex/en/details.jsp?id=7067">http://www.wipo.int/wipolex/en/details.jsp?id=7067</a>.

#### Macedonia

According to the Macedonian Constitution, "Macedonia is established as a national state of the Macedonian people." <sup>16</sup>

The Constitution specifies that "full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanies and other nationalities living in the Republic of Macedonia . . . ."<sup>17</sup>

#### Oman

Article 1 of the Omani Constitution states that Oman is an Arab and Islamic country. Article 2 provides that "[t]he religion of the state is Islam and Islamic Sharia is the basis for legislation." <sup>18</sup>

#### **Qatar**

The preamble to the Constitution of Qatar recognizes the importance of the country's Arab and Islamic identity. Article 1 provides that Qatar is a sovereign Arab state, that its religion is Islam, and that Shari'a is the principal source of its legislation.<sup>19</sup>

#### Saudi Arabia

Article 1 of Saudi Arabia's Basic Law states that the Kingdom of Saudi Arabia is a sovereign, Arab, Islamic state, and that its Constitution is the Holy Qur'an and the Prophet's Sunnah (traditions). <sup>20</sup>

#### Slovenia

The Preamble of the Slovenian Constitution states, "[p]roceeding from . . . the fundamental and permanent right of the Slovene nation to self-determination; and from the historical fact that . . . we Slovenes have established our national identity and asserted our statehood, the Assembly of the Republic of Slovenia hereby adopts [the Constitution]. <sup>21</sup>

 $^{18}$  Oman Constitution of 1996 with Amendments Through 2011 arts. 1, 2 (updated July 17, 2014), available in English at <a href="http://www.refworld.org/docid/3ae6b51f4.html">http://www.refworld.org/docid/3ae6b51f4.html</a>.

<sup>&</sup>lt;sup>16</sup> CONSTITUTION OF THE REPUBLIC OF MACEDONIA pmbl.( Nov. 17, 1991), *available in English at <a href="http://www.wipo.int/wipolex/en/text.jsp?file\_id=239363">http://www.wipo.int/wipolex/en/text.jsp?file\_id=239363</a>.* 

<sup>&</sup>lt;sup>17</sup> *Id*.

<sup>&</sup>lt;sup>19</sup> PERMANENT CONSTITUTION OF THE STATE OF QATAR 0/2004 pmbl., available in English at <a href="http://www.refworld.org/docid/542973e30.html">http://www.refworld.org/docid/542973e30.html</a>.

<sup>&</sup>lt;sup>20</sup> SAUDI ARABIA'S CONSTITUTION OF 1992 WITH AMENDMENTS THROUGH 2005 art. 1, *available in English at* http://www.refworld.org/docid/3ae6b5a44.html.

<sup>&</sup>lt;sup>21</sup> CONSTITUTION OF THE REPUBLIC OF SLOVENIA (Dec. 23, 1991), available in English at <a href="http://www.wipo.int/wipolex/en/text.jsp?file\_id=180804">http://www.wipo.int/wipolex/en/text.jsp?file\_id=180804</a>.

#### **Switzerland**

The Swiss Constitution does not refer to any specific religion, but does refer to a general monotheistic belief in its preamble, which starts with the invocation, "[i]n the name of the All-Mighty God." Furthermore, the Constitution states that it reflects the will of "the Swiss People and Cantons."

# **Syria**

The preamble of the Syrian Constitution establishes that the state has an Arab identity and refers to the country as an "Arab nation." Article 3 also provides that Islamic jurisprudence must be a major source of legislation in the state. <sup>23</sup>

#### Vietnam

The preamble of the Constitution of the Socialist Republic of Vietnam (1992) states as follows:

In the course of their millennia-old history, the Vietnamese people . . . have forged a tradition of unity, humanity, uprightness, perseverance and indomitableness for their nation and have created Vietnamese civilization and culture.<sup>24</sup>

#### Yemen

Article 1 of Yemen's Constitution provides that the Republic of Yemen is an Arab and Islamic state. Articles 2 and 3 provide that Islam is the religion of the state and that Shari'a is the source of all legislation.<sup>25</sup>

# II. Countries Whose Constitutions Indicate a Religious Basis for Legislation

#### Iran

The preamble to Iran's Constitution states that "[t]he Constitution of the Islamic Republic of Iran sets forth the cultural, social, political, and economic institutions of the Iranian society on the basis of Islamic principles and norms, which represent the earnest aspiration of the Islamic

<sup>&</sup>lt;sup>22</sup> CONSTITUTION FÉDÉRALE DE LA CONFÉDÉRATION SUISSE [FEDERAL CONSTITUTION OF THE SWISS CONFEDERATION] (Apr, 18, 1999, as amended through May 18, 2014), <a href="http://www.admin.ch/opc/fr/classified-compilation/19995395/index.html">http://www.admin.ch/opc/fr/classified-compilation/19995395/index.html</a>, available in English at <a href="http://www.admin.ch/opc/en/classified-compilation/19995395/index.html">http://www.admin.ch/opc/en/classified-compilation/19995395/index.html</a>.

<sup>&</sup>lt;sup>23</sup> SYRIAN ARAB REPUBLIC: CONSTITUTION, 2012, pmbl. & art. 3 (Feb. 26, 2012), available in English at <a href="http://www.refworld.org/docid/5100f02a2.html">http://www.refworld.org/docid/5100f02a2.html</a>.

<sup>&</sup>lt;sup>24</sup> CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM (1992), *available in English at* http://www.na.gov, vn/htx/English/C1479/default.asp?Newid=24781#vznDv0ClfEih.

<sup>&</sup>lt;sup>25</sup> CONSTITUTION OF THE REPUBLIC OF YEMEN arts. 1–3 (amended through Feb. 10, 2001), *available in English at* <a href="http://www.refworld.org/docid/3fc4c1e94.html">http://www.refworld.org/docid/3fc4c1e94.html</a>.

Ummah [collective community]."<sup>26</sup> Article 1 describes the country's form of government as "that of an Islamic republic, endorsed by the people of Iran on the basis of their long-standing belief in the sovereignty of truth and Qur'anic justice," while article 2 specifies that "divine revelation" is the primary source of law, and makes reference to the "One God" and "divine justice."<sup>27</sup>

#### Iraq

Under article 2 of the Iraqi Constitution, Islam is the official religion of the state and is "a foundation source" of legislation. Article 2 also states that no law may be enacted that contradicts the established provisions of Islam. Further, it provides that the Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees freedom of religion to other religious groups. <sup>28</sup>

#### Pakistan

Article 1 of the 1973 Constitution of Pakistan states that Pakistan shall be known as the Islamic Republic of Pakistan, while article 2 stipulates that Islam is the state religion. According to the Objectives Resolution, a preconstitutional document that became a substantive part of the Constitution, "sovereignty over the entire universe belongs to Allah Almighty alone and the authority which He has delegated to the State of Pakistan, through its people for being exercised within the limits prescribed by Him is a sacred trust." The Resolution also states that a constitution for the new state is to be framed so that "the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam shall be fully observed," and "Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Holy Quran and the Sunnah." The latter provision also became a principle of public policy in Pakistan's Constitution. Article 20 of Pakistan's 1973 Constitution guarantees, subject to law, public order and morality, that "every citizen shall have the right to profess, practice and propagate his

<sup>&</sup>lt;sup>26</sup> CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN pmbl. (last amended 1989), *available in English at* http://en.parliran.ir/index.aspx?fkeyid=&siteid=84&pageid=3054.

<sup>&</sup>lt;sup>27</sup> *Id.* arts. 1, 2.

<sup>&</sup>lt;sup>28</sup> CONSTITUTION OF THE REPUBLIC OF IRAQ art. 2 (Oct. 15, 2005), available in English at <a href="http://www.refworld.org/docid/454f50804.html">http://www.refworld.org/docid/454f50804.html</a>.

<sup>&</sup>lt;sup>29</sup> PAKISTAN CONST., 1973, arts. 1, 2, *available in English at* <a href="http://pakistan.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L2dvcC9nb3Zlcm5tZW50LmFzcHg%3D">http://pakistan.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L2dvcC9nb3Zlcm5tZW50LmFzcHg%3D</a> (click on "Read More" under "Constitution of Pakistan" and select 1973 Constitution).

<sup>&</sup>lt;sup>30</sup> *Id.*, Annex. The Objectives Resolution (1949) is reproduced in the Annex of, and was made a substantive part of, the 1973 Constitution through article 2-A.

<sup>&</sup>lt;sup>31</sup> *Id*.

<sup>&</sup>lt;sup>32</sup> *Id*.

<sup>&</sup>lt;sup>33</sup> *Id.* art. 31.

religion" and every denomination or sect shall have "the right to establish, maintain and manage its religious institutions." <sup>34</sup>

#### **United Arab Emirates**

Article 7 of the Constitution of the United Arab Emirates provides that Islam is the official religion of the Union. Islamic Shari'a is identified as a main source of legislation in the Union. <sup>35</sup>

# III. Countries Whose Constitutions Simply Indicate a Religion of the State

# Afghanistan

Afghanistan is described in its Constitution as an Islamic Republic.<sup>36</sup> Article 2 states that the religion of Afghanistan is Islam.<sup>37</sup> Article 4 stipulates as follows:

National sovereignty in Afghanistan shall belong to the nation, manifested directly and through its elected representatives. The nation of Afghanistan is composed of all individuals who possess the citizenship of Afghanistan. The nation of Afghanistan shall be comprised of Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujur, Brahwui and other tribes. The word Afghan shall apply to every citizen of Afghanistan. No individual of the nation of Afghanistan shall be deprived of citizenship. The citizenship and asylum related matters shall be regulated by law.<sup>38</sup>

Article 2 also stipulates that "[f]ollowers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rituals." <sup>39</sup>

#### Bangladesh

According to article 2A of the Bangladeshi Constitution the state religion of Bangladesh is Islam. Article 41 guarantees, subject to law, public order, and morality, that "every citizen has the right to profess, practice and propagate any religion" and every religious community or denomination has "the right to establish, maintain and manage its religious institutions."

<sup>&</sup>lt;sup>34</sup> *Id.* art. 20.

<sup>&</sup>lt;sup>35</sup> CONSTITUTION OF THE UNITED ARAB EMIRATES art. 7 (Dec. 2, 1971, with amendment of 1996), *available in English at* <a href="http://www.refworld.org/docid/48eca8132.html">http://www.refworld.org/docid/48eca8132.html</a>.

<sup>&</sup>lt;sup>36</sup> CONSTITUTION OF AFGHANISTAN (2004), art. 1, *available in English at* <a href="http://www.afghanembassy.com.pl/afg/images/pliki/TheConstitution.pdf">http://www.afghanembassy.com.pl/afg/images/pliki/TheConstitution.pdf</a>.

<sup>&</sup>lt;sup>37</sup> *Id.* art. 2.

<sup>&</sup>lt;sup>38</sup> *Id.* art. 4.

<sup>&</sup>lt;sup>39</sup> *Id.* art. 2.

<sup>&</sup>lt;sup>40</sup> CONSTITUTION OF THE PEOPLE'S REPUBLIC OF BANGLADESH (Apr. 30, 1996), arts. 2A & 41, available in English at <a href="http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN014593.pdf">http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN014593.pdf</a>.

#### **Brunei Darussalam**

According to article 3 of Brunei Darussalam's 1959 Constitution, "[t]he religion of Brunei Darussalam shall be the Muslim Religion according to the Shafeite sect of that religion." Article 3 also stipulates that "all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam."

#### **Denmark**

The Danish Constitution prescribes that the Evangelical Lutheran Church is the state church of Denmark and as such receives funding from the state. The Constitution does not prohibit the State from funding other religions as well, but the Evangelical Lutheran Church is the only religious affiliation it is required to fund. The Constitution also specifies that the head of state, the monarch, must be of the Evangelical Lutheran faith, but states that freedom of religion is guaranteed. The Constitution also specifies that the head of state, the monarch, must be of the Evangelical Lutheran faith, but states that freedom of religion is guaranteed.

#### **Iceland**

The Icelandic Constitution provides that the Evangelical Lutheran Church shall be the State Church of Iceland; however, this protection can be repealed by law (i.e., without a change to the Constitution). Freedom of religion is guaranteed.<sup>46</sup>

#### Indonesia

The preamble to Indonesia's Constitution establishes that Indonesia is a sovereign state "based on a belief in the One and Only God." Article 28E guarantees freedom of religion. 47 On the Indonesian island of Bali, Hinduism, which is not monotheistic, is the dominant religion. 48

<sup>&</sup>lt;sup>41</sup> CONSTITUTION OF BRUNEI DARUSSALAM (1959, revised 1984), art. 3(1), available in English at <a href="https://www.constituteproject.org/constitution/Brunei\_1984.pdf">https://www.constituteproject.org/constitution/Brunei\_1984.pdf</a>.

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<sup>&</sup>lt;sup>43</sup> DANMARKS RIGES GRUNDLOV (GRUNDLOVEN) [DANISH CONSTITUTION] (June 5, 1953), art. 4, unofficial translation available with comments *at My Constitutional Act with Explanations*, THEDANISHPARLIAMENT.DK (last updated Aug. 23, 2013), <a href="http://www.thedanishparliament.dk/Publications/My Constitutional Act with explanations/Chapter%201.aspx">http://www.thedanishparliament.dk/Publications/My Constitutional Act with explanations/Chapter%201.aspx</a>.

<sup>&</sup>lt;sup>44</sup> *Id*.

<sup>&</sup>lt;sup>45</sup> *Id.* arts. 6, 67, & 71.

<sup>&</sup>lt;sup>46</sup> CONSTITUTION OF THE REPUBLIC OF ICELAND (June 17, 1944, as amended through June 24, 1999), arts. 62 & 63, available in English at <a href="http://www.government.is/constitution/">http://www.government.is/constitution/</a>.

<sup>&</sup>lt;sup>47</sup> 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA (as amended through 2002), *available in English at* <a href="http://www.ilo.org/wcmsp5/groups/public/---ed\_protect/---protrav/---ilo\_aids/documents/legaldocument/wcms\_174556.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed\_protect/---protrav/---ilo\_aids/documents/legaldocument/wcms\_174556.pdf</a> (unofficial translation).

<sup>&</sup>lt;sup>48</sup> Thomas R. Leinbach, *Indonesia: Religions*, ENCYCLOPAEDIA BRITANNICA (last updated Nov. 19, 2014), <a href="http://www.britannica.com/EBchecked/topic/286480/Indonesia/22855/Religions">http://www.britannica.com/EBchecked/topic/286480/Indonesia/22855/Religions</a>.

#### Jordan

Article 2 of Jordan's Constitution provides that Islam is the religion of the state. Article 6(i) states that there will be no discrimination based on religion.<sup>49</sup>

# Malaysia

The Federal Constitution of Malaysia states, in article 3(1), that "Islam is the religion of the Federation; but other religions may be practised in peace and harmony in any part of the Federation." Freedom of religion is further protected under article 11. 51

## Malta

Article 2(1) of the Maltese Constitution provides, "[t]he religion of Malta is the Roman Catholic Apostolic Religion." Article 40 guarantees freedom of worship. 52

# Norway

Christianity was the state religion of Norway until a 2012 revision of the Norwegian Constitution did away with this provision. The Constitution, as most recently amended, still requires that the monarch profess the Evangelical Lutheran faith, however. Freedom of religion is guaranteed. Freedom of religion is guaranteed.

#### Sri Lanka

According to article 9 of the Constitution of Sri Lanka, the Republic "shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana [i.e., religion, philosophy, or practice]." Article 14(1)(e) of Sri Lanka's Constitution entitles every citizen to "the freedom, either by himself or in association with others, and either

<sup>52</sup> CONSTITUTION OF MALTA art. 2(1) (1964), available in English at <a href="http://justiceservices.gov.mt/Download">http://justiceservices.gov.mt/Download</a> <a href="http://justiceservices.gov.mt/Download">Document.aspx?app=lom&itemid=8566</a>.

<sup>&</sup>lt;sup>49</sup> CONSTITUTION OF THE HASHEMITE KINGDOM OF JORDAN art. 2 (Jan. 1, 1952), *available in English at* <a href="http://www.refworld.org/docid/3ae6b53310.html">http://www.refworld.org/docid/3ae6b53310.html</a>.

<sup>&</sup>lt;sup>50</sup> FEDERAL CONSTITUTION OF MALAYSIA art. 3(1) (as of Nov. 1, 2010), available in English at <a href="http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20%28BI%20text%29.pdf">http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20%28BI%20text%29.pdf</a>.

<sup>&</sup>lt;sup>51</sup> *Id.* art. 11.

<sup>&</sup>lt;sup>53</sup> Kunngjøring av Grunnlovsbestemmelse om endringer av Grunnloven [Announcement of New Constitutional Article Amending the Constitution] § 2, § 4, § 12, § 16, § 21, § 22 og § 27 (FOR-2012-06-15-522 [Regulation 522 of June 15, 2012]), https://lovdata.no/dokument/LTI/forskrift/2012-06-15-522.

<sup>&</sup>lt;sup>54</sup> [NORWEGIAN] CONSTITUTION, as laid down on 17 May 1814 by the Constituent Assembly at Eidsvoll and subsequently amended, most recently in May 2014, art. 4, *available in English at https://www.stortinget.no/Global/pdf/Constitutionenglish.pdf?epslanguage=no.* 

<sup>&</sup>lt;sup>55</sup> CONSTITUTION OF THE DEMOCRATIC SOCIALIST REPUBLISH OF SRI LANKA (1978), available in English at <a href="http://www.priu.gov.lk/Cons/1978Constitution/Preamble.html">http://www.priu.gov.lk/Cons/1978Constitution/Preamble.html</a>.

in public or in private, to manifest his religion or belief in worship, observance, practice or teaching." <sup>56</sup>

#### Sweden

The Swedish Constitution, which consists of four fundamental laws, prescribes that the monarch must be of the Lutheran Evangelical faith. The Evangelical Lutheran Church of Sweden was the state church until 2000 and still receives assistance from the state in collecting member fees, which were previously known as the church tax. Freedom of religion is guaranteed. See 1999

#### **Thailand**

The Constitution of the Kingdom of Thailand (2007) states in section 9 that "[t]he King is a Buddhist and Upholder of religions"; however, section 37 states that "[a] person shall enjoy full liberty to profess a religion." 60

<sup>&</sup>lt;sup>56</sup> *Id.* art. 14(1)(e).

<sup>&</sup>lt;sup>57</sup> SUCCESSIONSORDNINGEN [ACT OF SUCCESSION], 1810:0926, art. 4, *available in English at* <a href="http://www.riksdagen.se/en/How-the-Riksdag-works/Democracy/The-Constitution/The-Act-of-Succession/">http://www.riksdagen.se/en/How-the-Riksdag-works/Democracy/The-Constitution/The-Act-of-Succession/</a> (click on link for Act in right-hand column).

<sup>&</sup>lt;sup>58</sup> Svenska kyrkan, SKATTEVERKET, <a href="http://www4.skatteverket.se/rattsligvagledning/edition/2014.1/1744.html">http://www4.skatteverket.se/rattsligvagledning/edition/2014.1/1744.html</a> (in Swedish; last visited Nov. 26, 2014).

<sup>&</sup>lt;sup>59</sup> REGERINGSFORMEN [INSTRUMENT OF GOVERNMENT] (as effective Jan. 1, 2011), ch. 2, art. 1, *available in English at* <a href="http://www.riksdagen.se/en/How-the-Riksdag-works/Democracy/The-Constitution/The-Instrument-of-Government/">http://www.riksdagen.se/en/How-the-Riksdag-works/Democracy/The-Constitution/The-Instrument-of-Government/</a> (click on the link at right).

<sup>&</sup>lt;sup>60</sup> CONSTITUTION OF THE KINGDOM OF THAILAND, B.E. 2550 (2007), §§ 9, 37, available in English at <a href="http://english.constitutionalcourt.or.th/index.php?option=com\_docman&Itemid=4&lang=en">http://english.constitutionalcourt.or.th/index.php?option=com\_docman&Itemid=4&lang=en</a> (click 2007 Constitution link).