

AFGHANISTAN

The religious framework of the state:

Constitution¹

Article 1 [Islamic Republic]

Afghanistan is an Islamic Republic, independent, unitary and indivisible state.

Article 2 [Religions]

(1) The religion of the state of the Islamic Republic of Afghanistan is the sacred religion of Islam

(2) Followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law.

Article 3 [Law and Religion]

In Afghanistan, no law can be contrary to the beliefs and provisions of the sacred religion of Islam.

Article 35 [Organizations, Parties]

(3) Formation and functioning of a party based on ethnicity, language, Islamic school of thought (mazhab-i fiqhi) and region is not permissible.

Article 149 [Islam, Fundamental Rights]

(1) The provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Mass Media Law²

Article 45

Production, reproduction, print and publishing of the following reports and material in mass media, and agencies mentioned in article (27) of this law are not permissible:

¹ Constitution of the Islamic Republic of Afghanistan, Jan. 4, 2004, available at the International Constitutional Law Project, http://www.servat.unibe.ch/icl/af00000_.html (last visited April 28, 2013).

² Law on Mass Media, 2009 (Afghanistan), available at: http://gfmd.info/images/uploads/English-Media_Law_2009.pdf (last visited April 18, 2013).

1. Works and materials those are contrary to the principles and provisions of the holy religion of Islam.
2. Works and materials which are offensive to other religions and sects.
3. Works and materials which are defamatory, insulting and offensive to the real or legal persons.
4. Works and materials which are considered libelous/defamatory to real and legal persons, and cause damage to their personality and credibility.
5. Works and materials which are contrary to the Constitution and are considered crime by the Penal Code.

ALGERIA

The religious framework of the state:

Constitution³

Article 2 [State Religion]

Islam is the religion of the State.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code of 1979⁴

Article 144

Allows for up to 5 years imprisonment and a fine of 50,000 to 100,000 dinars (\$680-\$1,360) for “insulting the prophet and any of the messengers of God, or denigrating the creed and precepts of Islam, whether by writing, drawing, declaration, or any other means.”⁵

The Information Code of 1990⁶ [Deals with the media and restricts blasphemy]

Article 77 bans insults against Islam and the other “heavenly religions” (Christianity and Judaism)

³ The Constitution of the People's Democratic Republic of Algeria, Nov. 19, 1976, as amended, Nov. 28, 1996, available at the International Constitutional Law Project, <http://www.servat.unibe.ch/icl/ag00000.html> (last visited April 18, 2013).

⁴ Order No. 66-156 [Penal Code], June 8, 1966 (Alg.), available at http://www.premier-ministre.gov.dz/images/stories/dossier/Codes/code_p%E9nal.pdf (last visited April 18, 2013).

⁵ Freedom House, Policing Belief: The Impact of Blasphemy Laws on Human Rights (2010) at 15, available at http://www.freedomhouse.org/sites/default/files/Policing_Belief_Full.pdf (last visited April 18, 2013).

⁶ *Id.* at 13.

ANDORRA

The religious framework of the state:

Constitution⁷

Article 11 (3) [State Religion]

The Constitution guarantees the Roman Catholic Church free and public exercise of its activities and the preservation of the relations of special co-operation with the State in accordance with the Andorran tradition.

The Constitution recognizes the full legal capacity of the bodies of the Roman Catholic Church which have legal status in accordance with their own rules.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁸

Article 301

Anyone who insults religious beliefs in public or impedes or disrupts a religious act or ceremony shall be subject to a maximum prison sentence of six months.

⁷ Andorra's Constitution of 1993, Constitute Project, available online at https://www.constituteproject.org/constitution/Andorra_1993.pdf

⁸ Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy* No. 47, Venice Commission, available online at [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

AUSTRIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁹

Section 188 [Disparaging of religious precepts]

Whoever publicly disparages or mocks a person or a thing, respectively, being an object of worship or a dogma, a legally permitted rite, or a legally permitted institution of a church or religious society located in Austria, in a manner capable of giving rise to justified annoyance, is liable to imprisonment for a term not exceeding six months or to a fine.

⁹ Strafgesetzbuch [StGB][Penal Code]BGBl. 1974/60 (Austria), available in “Blasphemy, Insult and Hatred Finding Answers in a Democratic Society,” Science and Technique of Democracy No. 47, European Commission for Democracy and Law, Mar. 31, 2010 at 156.

BAHRAIN

The religious framework of the state:

Constitution

Article 2

The religion of the State is Islam. The Islamic Shari'a is the primary source of law. The official language is Arabic.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code¹⁰

Article 309

A punishment for a period not exceeding one year or a fine not exceeding BD 100 shall be inflicted upon any person who commits an offence by any method of expression against one of the recognized religious communities or ridicules the rituals thereof.

Article 310

The punishment provided for in the preceding Article shall be inflicted upon any person who commits in public an insult against a symbol or a person that is glorified or considered sacred to members of a particular sect; (or) upon any person who imitates in public a religious ritual or ceremony with the intention of ridiculing it.

¹⁰"Bahrain Penal Code." N.p., n.d. Web.

<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&sqi=2&ved=0CDQQFjAB&url=http%3A%2F%2Fwww.track.unodc.org%2FLegalLibrary%2FLegalResources%2FBahrain%2FLaws%2FBahrain%2520Penal%2520Code%25201976.pdf&ei=JhvbUaTWH5G44APC1oHYDg&usg=AFQjCNETA5d9uPzGfaf4Lk0o9DQBuQcKjQ&sig2=5FhUleyjx8ijRdCgRSErNQ&bvm=bv.48705608,d.dmg> .

BANGLADESH

The religious framework of the state:

Constitution¹¹

Article 2A [The state religion]

The state religion of the Republic is Islam, but other religions may be practiced in peace and harmony in the Republic.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code¹²

Article 295A [Deliberate and Malicious Acts Intended to Outrage Religious Feelings of Any Class by Insulting its Religion or Religious Beliefs]

Whoever, **with deliberate and malicious intention of outraging the religious feelings** of any class of the citizens of Bangladesh, by words, either spoken or written, or by visible representations insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Article 298 [Uttering Words, etc., with Deliberate Intent to Wound Religious Feelings]

Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

¹¹ Bangladesh Shongbidhan [Constitution] Dec. 16, 1972 (Bangladesh), available at <http://www1.umn.edu/humanrts/research/bangladesh-constitution.pdf> (last visited April 28, 2013).

¹² Penal Code, 1860 (Bangladesh), available at Bangladesh Ministry of Law, http://bdlaws.minlaw.gov.bd/pdf_part.php?id=11 (last visited April 21, 2013).

BRAZIL

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code¹³

Article 208

Publicly mock someone for reasons of belief or religious function, prevent or disrupt the ceremony or practice of religious worship publicly vilify act or object of worship:

Penalty - imprisonment of one month to one year or a fine.

Sole Paragraph - If there is use of violence, the penalty is increased by a third, without prejudice to the corresponding violence.

¹³ Brazilian Penal Code, available at World Intellectual Property Organization, http://www.wipo.int/wipolex/en/text.jsp?file_id=226393#LinkTarget_5222. Accessed Oct 5, 2013,

BRUNEI

The religious framework of the state:

Constitution¹⁴

Article 3 Religion of Brunei Darussalam and religious observances

- (1) The religion of Brunei Darussalam shall be the Muslim Religion according to the Shafeite sect of that religion.

Provided that all other religions may be practiced in peace and harmony by the person profession them in any part of Brunei Darussalam.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code¹⁵

295 Injuring or defiling place of worship with intent to insult the religion of any class

Whoever destroys, damages, or defiles any place of worship, or any object held sacred by any class of persons, with the intention of thereby insulting the religion of any class of persons, or with knowledge that any class of person is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment for a term which may extend to 5 years and with fine.

Article 298 Uttering words etc. with deliberate intent to wound religious feelings

Whoever, with deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

¹⁴ Brunei's Constitution of 1959 with Amendments through 1984, Constitute Project, available online at https://www.constituteproject.org/constitution/Brunei_1984.pdf

¹⁵ https://www.unodc.org/tldb/pdf/Brunei_Penal_Code_1951_Full_text.pdf

CANADA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code¹⁶

Article 296. (1) Every one who publishes a blasphemous libel is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

- **Marginal note: Question of fact**

(2) It is a question of fact whether or not any matter that is published is a blasphemous libel.

- **Marginal note: Saving**

(3) No person shall be convicted of an offence under this section for expressing in good faith and in decent language, or attempting to establish by argument used in good faith and conveyed in decent language, an opinion on a religious subject.

- R.S., c. C-34, s. 260.

¹⁶ Canadian Penal Code, Justice Laws Website, Government of Canada, <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-150.html#h-89>. Accessed October 5, 2013.

CYPRUS

The religious framework of the state:

Constitution¹⁷

Article 2

For the purposes of this Constitution

(1) the Greek Community comprises all citizens of the Republic who are of Greek origin and whose mother tongue is Greek or who share the Greek cultural traditions or who are members of the Greek-Orthodox Church;

(2) the Turkish Community comprises all citizens of the Republic who are of Turkish origin and whose mother tongue is Turkish or who share the Turkish cultural traditions or who are Muslims;

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code¹⁸

Article 138

Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult of their religion, is guilty of a misdemeanor.

¹⁷ Cyprus's Constitution of 1960 with Amendments through 2013, Constitute Project, available online at https://www.constituteproject.org/constitution/Cyprus_2013.pdf

¹⁸ 2011 Expert workshop on the prohibition of incitement to national, racial or religious hatreds, available online at <http://www.ohchr.org/Documents/Issues/Expression/ICCPR/Vienna/Annexes/Cyprus.pdf>. See also "Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy* No. 47, Venice Commission, available online at [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

Article 141

Any person who with the deliberate intention of wounding the religious feelings of any person utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of the person, or places any object in the sight of that person, is guilty of misdemeanor and is liable to imprisonment for one year.

Article 142

(1) Any person who publishes a book or pamphlet or any article or letter in a newspaper or periodical which any class of persons consider as a public insult to their religion, with intent to vilify such religion or to shock or insult believers in such religion, is guilty of misdemeanor.

(2) A prosecution for an offence under the provisions of this section shall not be commenced except by, or with the consent of, the Attorney-General of the Republic.

DENMARK

Penal code¹⁹

Section 140²⁰

Any person who, in public, ridicules or insults the dogmas or worship of any lawfully existing religious community in this country shall be liable to imprisonment for any term not exceeding four months or, in mitigating circumstances, to a fine.

¹⁹ Due to government shutdown, the Office of Justice Program was closed. Directly quoted from Søren Sandfeld Jakobsen, “The Case Regarding the Danish Muhammad Drawings,” in The Database on Legal Information Relevant to the Audiovisual Sector in Europe published 2006, accessed October 5, 2013. Available online at <http://merlin.obs.coe.int/iris/2006/8/article105.en.html>

²⁰ http://en.wikipedia.org/wiki/Freedom_of_speech_and_freedom_of_the_press_in_Denmark

EGYPT

The religious framework of the state:

Constitution²¹

Article 2

Islam is the religion of the state and Arabic its official language. Principles of Islamic Sharia are the principal source of legislation.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code²²

Article 98(f)

Detention for a period of not less than six months and not exceeding five years, or paying a fine of not less than five hundred pounds and not exceeding one thousand pounds shall be the penalty inflicted on whoever exploits and uses the religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdaining and contempting any of the heavenly religions or the sects belonging thereto, or prejudicing national unity or social peace.

Article 161

These penalties shall be imposed on any encroachment that takes place by one of the methods prescribed in Article 171, on a religion whose rituals are publicly held.

The following shall fall under the provisions of this Article:

First: Printing and publishing a book which is viewed as holy by members of a religion whose rituals are publicly held, if a text of this book is perverted in a way that changes its meaning.

²¹ Constitution of the Arab Republic of Egypt, January 2014, available at <http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>

²² Law No. 58 of 1937 (Criminal Code of 1937, reformed in 1952), *Al-Jarida Al-Rasmiyya* (Egypt), available at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&ved=0CDgQFjAB&url=http%3A%2F%2Ftrack.unodc.org%2FLegalLibrary%2FLegalResources%2FEgypt%2FLaws%2FEgypt%2520The%2520Penal%2520Code%2520Law%25201937.pdf&ei=Y59vUcn4NrG84AOU-IDAAw&usg=AFQjCNHiRjzauUODRTHUkoDRc4nYY9iUXw&sig2=ARx51QLxrUdzOcUrDcuLWA&bvm=bv.45368065,d.dmg> (last visited April 18, 2013).

Second: Imitating a religious celebration in a public place or public community, with the aim of ridicule, or for the attendants to watch.

Article 171 [Crimes occurring by Means of Newspapers and Others]

Whoever induces one or more persons to commit a felony or misdemeanor, by talks, shouting in public, a deed, or a hint insinuated in public, by writing, drawing, pictures/photographs, marks and symbols, or any other method of representation made in public, or in any other means of public ness, shall be considered an accomplice in doing it, and shall be punished with the penalty prescribed therefor, if such inducement results in actual occurrence of the felon or misdemeanor.

However, if the inducement results in just an attempt of murder, the judge shall apply the legal provisions on attempt penalty. Talk or shouting shall be considered publicly made if it is declared openly or reiterated via any mechanical method at a general meeting, on a public road or any other frequented place, or if it is declared openly or reiterated, such that any one found on that road or in that place can hear it, or if it is diffused by wireless or any other method. The deed or hint shall be considered publicly made if it takes place at a general meeting, on a public road, or at any other frequented place, or if it takes place such that whoever is found on that road or at that place can see it. Writing, drawings, pictures, photographs, signs, symbols and other representation methods shall be considered as publicly displayed, if they are distributed without differentiation to a number of people, or if they are displayed such that whoever is found on the public road or at any frequented place can see them, or if they are sold or offered for sale at any place.

Note on Law No. 263 of 1960²³

“[P]racticing the Baha’i faith is considered blasphemy. The religion is criminalized under Law No. 263of 1960, which bans Baha’i institutions and community activities and strips Baha’is of any legal recognition.”

²³ Freedom House, Policing Belief: The Impact of Blasphemy Laws on Human Rights (2010) at 29, available at http://www.freedomhouse.org/sites/default/files/Policing_Belief_Full.pdf (last visited April 18, 2013).

ERITREA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Proclamation No. 90/1996 “The Press Proclamation”²⁴

Part V Article 12

12. Matters not to be disseminated

All those participating in public or private press in general, and heads of press in particular, [illegible] chief editors and journalists, are prohibited from publishing and disseminating the following matters.

- (1) any matter which vilifies or belittles humanitarian and religious beliefs;
- (2) any document or secret information on the supreme interest of the nation and people, as well as national security and defense secrets;
- (3) any matter which incites religious and sub-national differences, promotes the spirit of division and dissension among the people, vilifies the Eritrean peoples tradition of struggle and incites violence and terrorism;
- (4) any matter which undermines the territorial integrity and sovereignty and independence of the nation;
- (5) any matter which contravenes general morality, encroaches upon the dignity of minors or the personal liberties and private lives of the citizens;
- (6) any defamation or blackmail;
- (7) the in-camera meeting of high officials and organs of the state;
- (8) cases which has been suspended from publication or dissemination by courts, prosecutors and investigation organs or cases at the investigation or trial stages which may be prejudicial to the process of justice;
- (9) inaccurate information and news intentionally disseminated to influence economic conditions, create commotion and confusion and disturb general peace; and
- (10) shapes, pictures and maps of Eritrean territory without first obtaining permissions from the concerned governmental agency.

²⁴ <http://erigazette.org/?p=5419>

ETHIOPIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code²⁵

Article 816— Blasphemous or Scandalous Utterances or Attitudes.

Whoever, apart from the cases punishable under the Criminal Code (Arts 492 and 493)²⁶, in a public place or in a place open to the public or that can be viewed by the public, by gestures or words scoffs at religion or expresses himself in a manner which is blasphemous, scandalous or grossly offensive to the feelings or convictions of others or towards the Divine Being or the religious symbols, rites or religious personages, is punishable with fine or arrest not exceeding one month.

Article 492— Outrage on Religious Peace and Feeling.

Whoever publicly:

- a) prevents the solemnization of, or disturbs or scoffs at, an authorized religious ceremony or office; or
- b) profanes a place, image or object used for religious ceremonies, is punishable with fine not exceeding one thousand Birr, or with simple imprisonment not exceeding two years.

²⁵ Criminal Code of the Federal Democratic Republic of Ethiopia Proclamation No. 414 of 2004, May 9, 2005, available at <http://www.refworld.org/docid/49216b572.html> (last visited July 8, 2013).

FINLAND

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal code²⁷

Chapter 17 [Offences against public order (563/1998)]

Section 10 [Breach of the sanctity of religion (563/1998)]

A person who

- (1) publicly blasphemes against God or, for the purpose of offending, publicly defames or desecrates what is otherwise held to be sacred by a church or religious community, as referred to in the Act on the Freedom of Religion (267/1998), or
 - (2) by making noise, acting threateningly or otherwise, disturbs worship, ecclesiastical proceedings, other similar religious proceedings or a funeral,
- shall be sentenced for a breach of the sanctity of religion to a fine or to imprisonment for at most six months.

²⁷ <http://www.hsph.harvard.edu/population/trafficking/finland.penal.pdf>

GERMANY

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code:²⁸

Section 166

Defamation of religions, religious and ideological associations

(1) Whosoever publicly or through dissemination of written materials (section 11(3)) defames the religion or ideology of others in a manner that is capable of disturbing the public peace, shall be liable to imprisonment not exceeding three years or a fine.

(2) Whosoever publicly or through dissemination of written materials (section 11(3)) defames a church or other religious or ideological association within Germany, or their institutions or customs in a manner that is capable of disturbing the public peace, shall incur the same penalty.

²⁸ Translation of the German Criminal Code provided by Dr. Michael Bohlander. Available online at: http://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p1438. Accessed October 8, 2013.

GREECE

The religious framework of the state:

Constitution²⁹

Article 3, Section 1

The prevailing religion in Greece is that of the Eastern Orthodox Church of Christ. The Orthodox Church of Greece, acknowledging our Lord Jesus Christ as its head, is inseparably united in doctrine with the Great Church of Christ in Constantinople and with every other Church of Christ of the same doctrine, observing unwaveringly, as they do, the holy apostolic and synodal canons and sacred traditions. It is autocephalous and is administered by the Holy Synod of serving Bishops and the Permanent Holy Synod originating thereof and assembled as specified by the Statutory Charter of the Church in compliance with the provisions of the Patriarchal Tome of June 29, 1850 and the Synodal Act of September 4, 1928.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code³⁰

Section 7

Article 198

1. One who publicly and maliciously and by any means blasphemes God shall be punished by imprisonment for not more than two years.
2. Except for cases under paragraph 1, one who by blasphemy publicly manifests a lack of respect for the divinity shall be punished by imprisonment for not more than three months.

²⁹ "Refworld | The Leader in Refugee Decision Support." *Refworld*. N.p., n.d. Web. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search> .

³⁰ "Blasphemy Report - Greece." *Freedom of Expression*. N.p., n.d. Web. 27 June 2013. <http://www.refworld.org/docid/4d5a700bc.html> .

Article 199

One who publicly and maliciously and by any means blasphemes the Greek Orthodox Church or any other religion tolerable in Greece shall be punished by imprisonment for not more than two years.

ICELAND

The religious framework of the state:

Constitution³¹

Article 62

The Evangelical Lutheran Church shall be the State Church in Iceland and, as such, it shall be supported and protected by the State. This may be amended by law.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

General Criminal Code³²

Article 125

Anyone officially ridiculing or insulting the dogmas or worship of a lawfully existing religious community in this Country shall be subject to fines or [imprisonment up to 3 months.] Lawsuits shall not be brought except upon the instructions of the Public Prosecutor.*

*Act 82/1998, Article 48

³¹ Iceland's Constitution of 1944 with Amendments through 1999, Constitute Project, available online at https://www.constituteproject.org/constitution/Iceland_1999.pdf

³² Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy* No. 47, Venice Commission, available online at [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

INDIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code³³

Penal Code: Article 295 [Injuring or defiling place of worship, with intent to insult the religion of any class]³⁴

Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Article 295A [Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs]

Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of [citizens of India], [by words, either spoken or written, or by signs or by visible representations or otherwise] insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to [three years], or with fine, or with both.]

Article 298 [Uttering words, etc., with deliberate intent to wound religious feelings]

Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

³³ Pen. Code, No. 45 of 1860 (India), available at Government of India Ministry of Home Affairs, <http://mha.nic.in/pdfs/IPC1860.pdf> (last visited April 25, 2013).

³⁴ Pen. Code, No. 45 of 1860 (India), available at Government of India Ministry of Home Affairs, <http://mha.nic.in/pdfs/IPC1860.pdf> (last visited April 25, 2013).

INDONESIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code Provisions³⁵

Article 156(a)

By a maximum imprisonment of five years shall be punished any person who deliberately in public gives expression to feelings or commits an act,

- a) which principally have the character of being at enmity with, abusing or staining a religion, adhered to in Indonesia;
- b) with the intention to prevent a person to adhere to any religion based on the belief of the almighty God.

³⁵ Kitab Undang-undang Hukum Pidana[Penal Code of Indonesia] Feb. 27, 1982, <http://www.refworld.org/docid/3ffc09ae2.html> (last visited April 15, 2013).

IRAN

The religious framework of the state:

Constitution³⁶

Article 1 [Form of Government]

The form of government of Iran is that of an Islamic Republic, endorsed by the people of Iran on the basis of their longstanding belief in the sovereignty of truth and Koranic justice, in the referendum of 29 and 30 March 1979, through the affirmative vote of a majority of 98.2% of eligible voters, held after the victorious Islamic Revolution led by Imam Khomeini.

Article 12 [Official Religion]

The official religion of Iran is Islam and the Twelver Ja'fari school, and this principle will remain eternally immutable. Other Islamic schools are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites. These schools enjoy official status in matters pertaining to religious education, affairs of personal status (marriage, divorce, inheritance, and wills) and related litigation in courts of law. In regions of the country where Muslims following any one of these schools constitute the majority, local regulations, within the bounds of the jurisdiction of local councils, are to be in accordance with the respective school, without infringing upon the rights of the followers of other schools.

³⁶ Qanuni Assasi Jumhuriai Islami Iran [The Constitution of the Islamic Republic of Iran] 1358 [1980], available at the International Constitutional Law Project, http://www.servat.unibe.ch/icl/ir00000_.html (last visited April 26, 2013).

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code³⁷

Article 513

Anyone who insults the Islamic sanctities or any of the imams or her excellency Sadigheh Tahereh should be executed if his insult equals to speaking disparagingly of Prophet Muhammad. Otherwise, should be imprisoned from one to five years.

Press Law³⁸

Article 6

The print media are permitted to publish news items except in cases when they violate Islamic principles and codes and public rights as outlined in this chapter:

1. Publishing atheistic articles or issues which are prejudicial to Islamic codes, or, promoting subjects which might damage the foundation of the Islamic Republic;
2. Propagating obscene and religiously forbidden acts and publishing indecent pictures and issues which violate public decency;
3. Propagating luxury and extravagance;
4. Creating discord between and among social walks of life specially by raising ethnic and racial issues;
5. Encouraging and instigating individuals and groups to act against the security, dignity and interests of the Islamic Republic of Iran within or outside the country;
6. Disclosing and publishing classified documents, orders and issues, or, disclosing the secrets of the Armed Forces of the Islamic Republic, military maps and fortifications, publishing closed-door deliberations of the Islamic Consultative Assembly or private proceedings of courts of justice and investigations conducted by judicial authorities without legal permit;
7. Insulting Islam and its sanctities, or, offending the Leader of the Revolution and recognized religious authorities (senior Islamic jurists);

³⁷ Islamic Penal Code, Nov. 28, 1991 (Iran), available at <http://www.refworld.org/docid/4d384ae32.html> (last visited April 27, 2013).

³⁸ Press Law, Jan. 31, 1987 (Iran), available at http://www.parstimes.com/law/press_law.html (last visited April 29, 2013).

8. Publishing libel against officials, institutions, organizations and individuals in the
2. country or insulting legal or real persons who are lawfully respected, even by means of pictures or caricatures; and
9. Committing plagiarism or quoting articles from the deviant press, parties and groups which oppose Islam (inside and outside the country) in such a manner as to propagate such ideas (the limits of such offenses shall be defined by the executive by-law).

Article 26

Whoever insults Islam and its sanctities through the press and his/her guilt amounts to apostasy, shall be sentenced as an apostate and should his/her offense fall short of apostasy he/she shall be subject to the Islamic penal code.

IRAQ

The religious framework of the state:

Constitution³⁹

Article 2 [Official State Religion]

First: Islam is the official religion of the State and is a foundation source of legislation:

- A. No law may be enacted that contradicts the established provisions of Islam
- B. No law may be enacted that contradicts the principles of democracy.
- C. No law may be enacted that contradicts the rights and basic freedoms stipulated in this Constitution.

Second: This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandaean Sabians.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁴⁰

Chapter 8 Section 2 [Offences that violate religious sensibilities]

Paragraph 372 –

The following persons are punishable by a period of detention not exceeding 3 years or by a fine not exceeding 100 dinars:

- (1) Any person who attacks the creed of a religious minority or pours scorn on its religious practices.
- (4) Any person who prints or publishes a book sacred to a religious minority and deliberately misspells the texts so that the meaning of the text is altered or who makes light of its tenets or teachings.
- (5) Any person who publicly insults a symbol or a person who constitutes an object of sanctification, worship or reverence to a religious minority.
- (6) Any person who publicly imitates a religious ceremony or celebration with intent to deceive.

³⁹ UN/US/UK agreed Final English Translation of The Constitution of Iraq, Jan. 25, 2004, available at the Global Justice Project: Iraq at S.J. Quinney College of Law, <http://gjpi.org/library/primary/iraqi-constitution/> (last visited July 1, 2013).

⁴⁰ Iraq Penal-Code with Amendments Third Edition No (111), 1969, available http://law.case.edu/saddamtrial/documents/Iraqi_Penal_Code_1969.pdf (last visited July 1, 2013).

IRELAND

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Constitution⁴¹

Article 40 [Personal Rights]

6. 1. The State guarantees liberty for the exercise of the following rights, subject to public order and morality:

i. The right of the citizens to express freely their convictions and opinions.

The education of public opinion being, however, a matter of such grave import to the common good, the State shall endeavour to ensure that organs of public opinion, such as the radio, the press, the cinema, while preserving their rightful liberty of expression, including criticism of Government policy, shall not be used to undermine public order or morality or the authority of the State.

The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law.

Defamation Act of 2009⁴²

Article 36

(1) A person who publishes or utters blasphemous matter shall be guilty of an offence and shall be liable upon conviction on indictment to a fine not exceeding €25,000.

(2) For the purposes of this section, a person publishes or utters blasphemous matter if—

(a) he or she publishes or utters matter that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion, and

(b) he or she intends, by the publication or utterance of the matter concerned, to cause such outrage.

(3) It shall be a defence to proceedings for an offence under this section for the

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http://www.taoiseach.gov.ie/eng/Publications/Publications_Archive/Publications_2010/March%202010%20Version%20-%20Constitution%20of%20Ireland.pdf

⁴² Defamation Act of 2009, Irish Statute Book, published by the Office of the Attorney General. Available online at <http://www.irishstatutebook.ie/pdf/2009/en.act.2009.0031.pdf>. Accessed October 5, 2013.

- (4) defendant to prove that a reasonable person would find genuine literary, artistic, political, scientific, or academic value in the matter to which the offence relates.
- (4) In this section “ religion ” does not include an organisation or cult—
 - (a) the principal object of which is the making of profit, or
 - (b) that employs oppressive psychological manipulation—
 - (i) of its followers, or
 - (ii) for the purpose of gaining new followers.

ISRAEL

The religious framework of the state:

Basic Law for Human Dignity and Liberty (1992) ⁴³

1a Purpose (Amendment No 1)

The purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel as a Jewish and democratic state.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁴⁴

Article 170_Insult to religion

If a person destroys, damages or desecrates a place of worship or any object which is held sacred by a group of persons, with the intention of to reviling their religion, or in the knowledge that they are liable to deem that act an insult to their religion, then he is liable to three years imprisonment.

Article 173 Injury to religious sentiment

If a person does any of the following, then he is liable to one year imprisonment:

- (1) he publishes a publication that is liable crudely to offend the religious faith or sentiment of others;
- (2) he voices in a public place and in the hearing of another person any word or sound that is liable crudely to offend the religious faith or sentiment of others.

⁴³ Israel's Constitution of 1958 with Amendments through 2007, Constitute Project, available online at https://www.constituteproject.org/constitution/Israel_2007.pdf

⁴⁴ <http://www.oecd.org/investment/anti-bribery/anti-briberyconvention/43289694.pdf>

JORDAN

The religious framework of the state:

Constitution⁴⁵

Article 2

Islam is the religion of the State and Arabic is its official language.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁴⁶

Article 273

Anyone proven to have publicly offended any prophet shall be sentenced to imprisonment for a period between one to three years.

Article 278

Anyone found guilty of any of the following shall be sentenced to imprisonment for a period not exceeding three months or a fine not exceeding 20 dinars:

1. Publishing any material that is offensive to other people's religious feelings or beliefs.
2. Publicly, with another person listening thereto, making a speech or sound that is offensive to said other person's religious feelings or beliefs.

Should the public prosecutor decide to prosecute journalists under Article 38 of the Press and Publications Law rather than the Penal Code, a fine of 10,000-20,000 dinars would be imposed.”⁴⁷

⁴⁵ The Constitution of the Hashemite Kingdom of Jordan, Jan. 1, 1952, available at: <http://www.refworld.org/docid/3ae6b53310.html> (last visited April 28, 2013).

⁴⁶ Douglas Griffin and Libby Morgan, Introduction to News Media Law and Policy in Jordan, Jordan Media Strengthening Program, USAID, at 42-43, available at http://global.asc.upenn.edu/fileLibrary/PDFs/JMSPprimer_english.pdf (last visited April 20, 2013).

⁴⁷ *Id.*

Press and Publications Law⁴⁸

Article 38

Publication of any of the following shall be prohibited:

- a) Any material containing slander, libel or defamation directed at, or offensive to, any religion, freedom of which is enshrined in the Constitution
- b) Any material offensive to or implying vilification of founders of religions or prophets, whether by means of writing, drawing, symbols, pictures, or any other means
- c) Any material offending religious feelings or beliefs or inciting sectarian or racial hatred
- d) Any material undermining the dignity and personal freedoms of individuals, or containing false information or rumors about them

Article 46 states that anyone in violation of (a), (b), or (c) above shall be sentenced to a fine of no less than 10,000 dinars and not exceeding 20,000 dinars.

⁴⁸ Douglas Griffin, *Introduction to News Media Law and Policy in Jordan* at 35, available at http://global.asc.upenn.edu/fileLibrary/PDFs/JMSPprimer_english.pdf (last visited April 22, 2013).

KUWAIT

The religious framework of the state:

Constitution⁴⁹

Article 2 [State Religion]:

The religion of the State is Islam, and the Islamic Sharia shall be a main source of legislation.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code

Article 111⁵⁰

Whoever broadcasts (i.e. communicates)...views including ridicule, contempt, or belittlement of religion or religious doctrine — whether it is to challenge beliefs, practices, rituals, or teachings — is punished with imprisonment for a period of time not exceeding 1 year, and a fine not exceeding 1000 dinars, or either of these two punishments.

Article 112⁵¹

There is no crime if this communication constitutes research of religion or religious doctrine, in discussion or for a scientific article or book, in a calm and balanced manner free of exciting words, and the good intention of the researcher is proven for scientific exchange only.

New Press Law

“The Kuwaiti parliament approved a new press law on March 6, 2006 by unanimous vote
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⁴⁹ "The Diwan of His Highness the Prime Minister of the State of Kuwait: Kuwait Constitution." *The Diwan of His Highness the Prime Minister of the State of Kuwait: Kuwait Constitution*. N.p., n.d. Web. http://www.pm.gov.kw/en/state_Of_Kuwait/kuwaitConstitution.jsp .

⁵⁰ "Civil and Political Rights Violations in Kuwait." *Refworld*. N.p., n.d. Web. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=45d1b1532> .

⁵¹ "Selfscholar." *Selfscholar*. N.p., n.d. Web. <http://selfscholar.wordpress.com/2012/12/19/blasphemy-laws-in-the-middle-east/> .

the 53 MPs present at the session. The law, which, replaces the 1961 press and publications

law, prohibits the arrest and detention of journalists until a final court verdict is delivered by

The Supreme Court ...It also bans jailing journalists for all but religious offenses, criticism

of the emir, and calls to overthrow the government, stipulating up to one year in jail for these offenses and fines ranging between US\$17,000 and US\$70,000. This last stipulation was the source of heated debate in parliament as liberal MPs called for abolishing all jail terms while Islamist MPs insisted that jail penalties must be greater for religious offenses.”

“Article 23 prohibits publications that violate "by allusion, slander, sarcasm, or disparagement God or the prophets or the companions of the prophet Mohammad"; or "subject the person of the Amir to criticism" or "attribute statements to the Amir without obtaining special written permission from the Printing and Publications Office.”

“In cases where the materials prohibited by articles 23-27 have appeared in a newspaper, magazine or other periodical, both the editor of the publication and the author of the material in question are subject to imprisonment for up to six months and/or fines up to KD75 (US\$245) for a first offense, and up to one year in prison and a KD150 (US\$490) fine for a second offense. In cases where the editor or author have previous convictions under these articles, the court can order their imprisonment for up to one year and a KD150 (US\$490) fine, suspend the publication for up to one year and confiscate the issue in question, and/or revoke the publication's permit.”

LEBANON

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal code

Article 473 and 474 ⁵²

One who "blasphemes God publicly" faces imprisonment for up to a year.

⁵² <http://www.state.gov/j/drl/rls/hrrpt/2000/nea/800.htm>; see also <http://www.freedomhouse.org/report/freedom-press/2005/lebanon>

LIBYA

The Constitutional Declaration⁵³

Article 1

Libya is an independent Democratic State wherein the people are the source of powers. The city of Tripoli shall be the capital of the State. Islam is the Religion of the State and the principal source of legislation is Islamic Jurisprudence (Shari'a). The State shall guarantee for non-Muslims the freedom of practicing religious rituals. Arabic is its official language. The State shall guarantee the cultural rights for all components of the Libyan society and its languages shall be deemed national ones.

Penal Code

Article 291⁵⁴

Whoever publically attacks the Mohammedan religion which is the official religion of the State in accordance with the Constitution of the United Kingdom of Libya, or who blasphemes against God, Mohammed or the prophets shall be punished by a penalty of detention for a period not exceeding 1 year or of a fine not exceeding LD 50

⁵³ The Constitutional Declaration, available at: <http://corpus.learningpartnership.org/constitution-of-libya-1-general-provisions> (last visited October 9, 2013).

⁵⁴ The Penal Code, available at: <http://ia600704.us.archive.org/25/items/LibyanPenalCodeenglish/LibyanPenalCode.pdf> (last visited October 9, 2013).

LIECHTENSTEIN

The religious framework of the state:

Constitution⁵⁵

Article 37

- (6) The Roman Catholic Church is the State Church and as such enjoys the full protection of the State; other confessions shall be entitled to practice their creeds and to hold religious services to the extent consistent with morality and public order.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁵⁶

Section 188 – Disparaging of religious precepts

Whoever publicly disparages or mocks a person or a thing, respectively, being an object of worship or a dogma, a legally permitted rite, or a legally permitted institution of a church or religious society located on the territory in a manner capable of giving rise to justified annoyance is liable to imprisonment for a term not exceeding six months or to a fine of up to 360 days' pay.

⁵⁵ Liechtenstein's Constitution of 1921 with Amendments through 2003, Constitute Project, available online at https://www.constituteproject.org/constitution/Liechtenstein_2003.pdf

⁵⁶ Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy* No. 47, Venice Commission, available online at [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

MALAYSIA

The religious framework of the state

Constitution⁵⁷

Article 3 [Religion of the Federation]

Islam is the religion of the Federation but other religions may be practiced in peace and harmony in any part of the Federation.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁵⁸

Chapter XV - Offences Relating to Religion

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295 [Injuring or defiling place of worship, with Intent to insult the religion of any class]

Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction damage or defilement as an insult to their religion shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

295-B [Defiling, etc., of Holy Qur'an]

Whoever wilfully defiles, damages or desecrates a copy of the Holy Qur'an or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.

298 [Uttering words, etc., with deliberate intent to wound the religious feelings of any person]

Whoever, with deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

⁵⁷ Federal Constitution of Malaysia, Aug. 27, 1957, available at <http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20%28BI%20text%29.pdf> (last visited April 18, 2013)

⁵⁸ Act No. 574 [Penal Code], Aug. 7, 1997 (Malaysia), available at <http://www.unhcr.org/refworld/docid/3ae6b5cf0.html> (last visited April 18, 2013).

298A [Causing, etc., disharmony, disunity, or feelings of enmity, hatred or ill-will, or prejudicing etc., the maintenance of harmony or unity, on grounds of religion]

(1) Whoever by words, either spoken or written, or by signs, or by visible representations, or by any act, activity or conduct, or by organising, promoting or arranging, or assisting in organising, promoting or arranging, any activity, or otherwise in any other manner-

(a) causes, or attempts to cause, or is likely to cause disharmony, disunity, or feelings of enmity, hatred or ill-will; or

(b) prejudices, or attempts to prejudice, or is likely to prejudice, the maintenance of harmony or unity, on grounds of religion, between persons or groups of persons professing the same or different religions, shall be punished with imprisonment for a term of not less than two years and not more than five years.

MALTA

The religious framework of the state:

Constitution⁵⁹

Article 2

- (1) The religion of Malta is the Roman Catholic Apostolic Religion.
- (2) The authorities of the Roman Catholic Apostolic Church have the duty and the right to teach which principles are right and which are wrong.
- (3) Religious teaching of the Roman Catholic Apostolic Faith shall be provided in all State schools as part of compulsory education.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁶⁰

Title IV

OF CRIMES AGAINST THE RELIGIOUS SENTIMENT

Vilification of the Roman Catholic Apostolic Religion.

163. Whosoever by words, gestures, written matter, whether printed or not, or pictures or by some other visible means, publicly vilifies the Roman Catholic Apostolic Religion which is the religion of Malta, or gives offence to the Roman Catholic Apostolic Religion by vilifying those who profess such religion or its ministers, or anything which forms the object of, or is consecrated to, or is necessarily destined for Roman Catholic worship, shall, on conviction, be liable to imprisonment for a term from one to six months.

Vilification of other cults tolerated by law.

164. Whosoever commits any of the acts referred to in the last preceding article against any cult tolerated by law, shall, on conviction, be liable to imprisonment for a term from one to three months.

⁵⁹ Malta's Constitution of 1964 with Amendments through 2011, Constitute Project, available online at https://www.constituteproject.org/constitution/Malta_2011.pdf

⁶⁰ <http://legislationline.org/documents/section/criminal-codes>

NIGERIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁶¹

Chapter 19, Offences relating to Religious Worship

Section 204

Any person who does an act which any class of persons consider as a public insult on their religion, with the intention that they should consider the act such an insult, and any person who does an unlawful act with the knowledge that any class of persons will consider it such an insult, is guilty of a misdemeanour, and is liable to imprisonment for two years.

⁶¹ Criminal Code Act (1990) Cap. (77), available at World Intellectual Property Organization, http://www.wipo.int/wipolex/en/text.jsp?file_id=179687 (last visited April 18, 2013).

OMAN

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code

Article 209 [On crimes related to religion and family]⁶²

A penalty of imprisonment from 10 days to 3 years, or a fine from 5 riyals to 500 riyals shall be imposed on any person who:

- (1) Blasphemes in public against Almighty God or the great prophets;
- (2) Makes insulting remarks, in public or through publication, against revealed religions or religious beliefs with the intention of denigrating them;
- (3) Commits an act that disturbs a meeting held in accordance with the law for the performance of religious rites.

⁶² [www.unhchr.ch/tbs/doc.nsf/0/.../\\$FILE/G0641414.DOC](http://www.unhchr.ch/tbs/doc.nsf/0/.../$FILE/G0641414.DOC)

PAKISTAN

The religious framework of the state:

Constitution⁶³

Article 1 [The Republic and its territories]

(1) Pakistan shall be [a] Federal Republic to be known as the Islamic Republic of Pakistan, hereinafter referred to as Pakistan.

Article 2 [Islam to be State religion]

Islam shall be the State religion of Pakistan.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁶⁴

Chapter XV – Of Offences Relating to Religion

295 [Injuring or defiling place of worship, with Intent to insult the religion of any class]

Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction damage or defilement as an insult to their religion shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

295-A [Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs]

Whoever, with deliberate and malicious intention of outraging the 'religious feelings of any class of the citizens of Pakistan, by words, either spoken or written, or by visible representations insults the religion or the religious beliefs of that class, shall be punished

⁶³ Pakistan Const., available at National Assembly of Pakistan, <http://www.na.gov.pk/publications/constitution.pdf> (last visited April 27, 2013).

⁶⁴ Act XLV of 1860 [Penal Code], Oct. 6, 1860 (Pak.), available at <http://www.refworld.org/docid/485231942.html> (last visited April 17, 2013).

with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.

295-B [Defiling, etc., of Holy Qur'an]

Whoever wilfully defiles, damages or desecrates a copy of the Holy Qur'an or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.

295-C [Use of derogatory remarks, etc., in respect of the Holy Prophet]

Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.

298 [Uttering words, etc., with deliberate intent to wound religious feelings]

Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year or with fine, or with both.

298-A [Use of derogatory remarks, etc., in respect of holy personages]

Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of any wife (Ummul Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulafae-Rashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

298-B [Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places]

(1) Any person of the Qadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name who by words, either spoken or written, or by visible representation- (a) refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (peace be upon him), as "Ameer-ulMumineen", "Khalifatul- Mumineen", Khalifa-tul-Muslimeen", "Sahaabi" or "Razi Allah Anho";

(b) refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him), as "Ummul-Mumineen";

(c) refers to, or addresses, any person, other than a member of the family "Ahle-bait" of the Holy Prophet Muhammad (peace be upon him), as "Ahle-bait"; or

(d) refers to, or names, or calls, his place of worship a "Masjid";

shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

(2) Any person of the Qadiani group or Lahori group (who call themselves "Ahmadis" or by any other name) who by words, either spoken or written, or by visible representation refers to the mode or form of call to prayers followed by his faith as "Azan", or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

298-C [Person of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith]

Any person of the Qadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name), who directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

POLAND

Constitution⁶⁵

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁶⁶

Criminal Code—Offences Against Freedom of Conscience and Religion

Article 196

Anyone found guilty of offending religious feelings through public calumny of an object or place of worship is liable to a fine, restriction of liberty or a maximum two-year prison sentence.

⁶⁵ Poland – Constitution, available at the International Constitutional Law Project, http://www.servat.unibe.ch/icl/af00000_.html (last visited September 25, 2013).

⁶⁶ European Commission for Democracy Through Law (Venice Commission), Annexe II: Analysis of the Domestic Law Concerning Blasphemy, Religious Insults and Inciting Religious Hatred in Albania, Austria, Belgium, Denmark, France, Greece, Ireland, the Netherlands, Poland, Romania, Turkey, United Kingdom, on the basis of replies to a questionnaire (October 2008), pp72- 81, available at <http://www.strasbourgconsortium.org/common/document.view.php?DocumentID=4493> (last visited April 18, 2013).

QATAR

The religious framework of the state:

Constitution⁶⁷

Article 1

Qatar is an independent sovereign Arab State. Its religion is Islam and Shari'a law shall be a main source of its legislations. Its political system is democratic. The Arabic Language shall be its official language. The people of Qatar are a part of the Arab nation.

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁶⁸

Article 1 [Introductory Provisions]

Islamic Sharia provisions concerning the following crimes are applicable if the suspect or the victim is a Muslim:

- (1) The crimes such as theft, adultery, defamation, drinking alcohol and apostasy.
- (2) The crimes of retaliation and the blood money.

Otherwise, the crimes and the punishments are determined due to this law and any other law.

Article 256 [Crimes related to religions and the violability of the dead]

One is convicted to no more than seven years in prison in case of committing any of the following deeds:

- (1) Insulting the Supreme Being in letter and spirit, in writing, drawing, gesturing or in any other way.
- (2) Offending, misinterpreting or violating the Holy Koran.
- (3) Offending the Islamic religion or one of its rites.
- (4) Cursing any of the divine religions according to the regulations of the Islamic law.
- (5) Insulting any of the prophets in letter and spirit, in writing, drawing, gesturing or in any other way.

⁶⁷ Constitution of Qatar found at:

<http://portal.www.gov.qa/wps/wcm/connect/5a5512804665e3afa54fb5fd2b4ab27a/Constitution+of+Qatar+EN.pdf?MOD=AJPERES>

⁶⁸ Law No. (II) of 2004 Penal Code found at:

<http://www.qfiu.gov.qa/files/Law%2011%20for%20the%20year2004-E.pdf>

(6) Sabotaging, breaking, damaging or violating places or their contents if they are made to perform religious rites for one of the divine religions according to the regulations of the Islamic law.

Article 263

One is convicted to no more than a year and to a fine of no more than a thousand riyals or to one of these two penalties in case of producing, selling, exposing for sale or circulation, or possessing products, merchandise, prints or tapes including drawings, slogans, words, symbols, signals or anything else that might offend the Islamic religion or other divine religions according to the regulations of the Islamic law.

The same penalty is imposed on everyone who uses disks, computer programs or magnetized tapes to offend Islam or other divine religions according to the regulations of the Islamic law

RUSSIA

Federal Law on freedom of conscience and religious associations (26 September 1997, as amended in 2002)⁶⁹

Article 3

6. Prevention of exercise of rights to freedom of conscience and faith, including that associated with violence against the person, the intentional hurting of feelings of citizens in connection with their attitude to religion, propaganda of religious supremacy, the destruction of or damage to property or a threat of committing such actions shall be prohibited and prosecuted in accordance with the Federal Law. Conducting public events or putting up texts and images that may hurt the religious feelings of citizens close to projects of religious worship shall be prohibited.

Article 148⁷⁰ * See note regarding the new anti-blaspemy law below*****

Illegal obstruction of the activity of religious organisations or of the performance of religious rites –

Shall be punishable with a fine in an amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for the period of up to six months, or by compulsory works for a term of up to 360 hours, compulsory works for a term of up to one year, or arrest for a term of up to three months.

With regards to Russia's new anti-blaspemy laws, I was unable to find an official translation of the law but I believe that the bill would amend Article 148 of the Russian penal code to inflict harsher punishments.

⁶⁹ "Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy*, No. 47, Venice Commission (Council of Europe Publishing, March 2010): pp. 206-208. Available online at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

⁷⁰ Although we were unable to find an official translation of the law, we believe that the new anti-blaspemy bill would amend Article 148 of the Russian penal code to inflict harsher punishments. According to the Moscow Times, "The new draft of the bill lowers the maximum prison sentence for 'offending the feelings of religious believers' to three years, while the maximum fine stays at 500,000 rubles (\$16,000)." Prosecutors would have to prove that the offenders' actions were premeditated. The bill would also punish desecration of religious literature, marks, labels and symbols. Available online at: <http://www.themoscowtimes.com/mobile/article/481657.html>. See also, <http://www.article19.org/resources.php/resource/37100/en/russia:-religious-insult-laws-a-threat-to-free-expression>; and, http://legislationline.org/download/action/download/id/4247/file/RF_CC_1996_am03.2012_en.pdf

SAN MARINO

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁷¹

Article 260 – Religious insult

Whoever desecrates the symbols or the objects of cult or worship of a religion which is not contrary to morals or publicly mocks the acts of a cult is liable to first-degree imprisonment.

The same penalty is applicable to attacks on the honour or prestige of a priest in or due to the exercise of his functions. Whoever desecrates the sacred relics of San Marino is liable to second term imprisonment.

⁷¹ Blasphemy, insult and hatred: finding answers in a democratic society," *Science and technique of democracy* No. 47, Venice Commission, available online at [http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD\(2010\)047-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-STD(2010)047-e)

SAUDI ARABIA

“Saudi Arabia does not have a written penal code, but relies on judges’ interpretations of the Sharia for determination of which actions constitute crimes and what the attendant punishment should be. The definitions of crimes and nature and severity of punishments may vary from case to case.”⁷²

“Saudi law divides punishments for criminal acts into three broad categories: (1) offenses against God carrying inalterable punishments prescribed by the Quran (hadd); (2) private rights to retribution connected with a criminal act (qisas); and (3) discretionary punishments (ta’zir) for all other criminal offenses.”⁷³

Apostasy (*riddah*) is a hadd crime and is punishable by death. Blasphemy against Salafism or the Saudi monarchy is also punishable by death, but the more common penalties are prison sentences, fines, and lashing.⁷⁴ “There have been no confirmed reports of executions for either apostasy or blasphemy in recent years.”⁷⁵

The Commission to Promote Virtue and Prevent Vice (CPVPV), or *Mutaween*, is the Saudi government’s religious police, tasked with enforcing public morality based on the Saudi government’s interpretation of Islamic law. The CPVPV consists of approximately 5,000 field officers, approximately 2,000 administrative workers and more than 3,500 offices throughout the country. In more recent years, the Saudi government have curtailed the powers of the CPVPV; for example, they are no longer allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, and carry out any kind of punishment.⁷⁶

Basic Law of Government

Chapter 1 General Principles

Article 1 [Official state religion]

⁷² http://www.hrw.org/sites/default/files/reports/saudijustice0308_1.pdf

⁷³ *Id.*

⁷⁴ <http://berkeleycenter.georgetown.edu/resources/essays/national-laws-on-blasphemy-saudi-arabia>

⁷⁵ 2011 Report on International Religious Freedom, <http://www.state.gov/j/drl/rls/irf/2011/nea/192905.htm>

⁷⁶ USCIRF 2013 Report on Saudi Arabia, pp. 141-142. Accessed September 25, 2013. Available online at [http://www.uscirtf.gov/images/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirtf.gov/images/2013%20USCIRF%20Annual%20Report%20(2).pdf)

The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God's Book and the Sunnah of His Prophet, God's prayers and peace be upon him, are its constitution, Arabic is its language and Riyadh is its capital.

Article 11

Saudi society will be based on the principle of adherence to God's command, on mutual cooperation in good deeds and piety and mutual support and inseparability.

Article 48

The courts will apply the rules of the Islamic Shari'ah in the cases that are brought before them, in accordance with what is indicated in the Book and the Sunnah, and statutes decreed by the Ruler which do not contradict the Book or the Sunnah.

External Printed Matters

Article 18

External printed matters shall be approved if free from anything insulting to Islam or the system of Government or injurious to high interests of the state or scarify public morality and conflict with ethical standards.

SINGAPORE

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code [Offences Relating to Religion or Race]⁷⁷

Article 298 [Uttering words, et c., with deliberate intent to wound the religious or racial feelings of any person]

Whoever, with deliberate intention of wounding the religious or racial feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, or causes any matter however represented to be seen or heard by that person, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.

⁷⁷ http://statutes.agc.gov.sg/aol/search/display/view.w3p;ident=3864d97d-2a0c-4e90-9edc-2d0760121cfb;page=0;query=CompId%3Ae40d5913-c2dc-4284-bf68-eb315c55c8fa;rec=0#P4XV_295-

SPAIN

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁷⁸

Article 525

1. Whoever, in order to offend the feelings of the members of a religious confession, publicly disparages their dogmas, beliefs, rites or ceremonies in public, verbally or in writing, or insult, also publicly, those who profess or practice these, shall incur the punishment of a fine from eight to twelve months.
2. The same penalties shall be incurred by those who publicly disparage, verbally or in writing, those who do not profess any religion or belief whatsoever.

⁷⁸ Spanish Criminal Code, official government translation by Ministerio de Justicia – Secretaria General Técnica, published 2013. Text available for download as PDF file:
[http://www.mjusticia.gob.es/cs/Satellite/MJusticia/1292417756327?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DCriminal_Code_\(C%C3%B3digo_Penal\).PDF](http://www.mjusticia.gob.es/cs/Satellite/MJusticia/1292417756327?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DCriminal_Code_(C%C3%B3digo_Penal).PDF)

SRI LANKA

The religious framework of the state:

Constitution⁷⁹

9. [Buddhism]

The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana, while assuring to all religions the rights granted by Article 10 and 14(1)(e).

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁸⁰

Chapter XV [Offences Relating to Religion]

Article 291A

Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Article 291B

Whoever, with the deliberate and malicious intention of outraging the religious feelings of **any** class of persons, by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

⁷⁹Commonwealth Legal Information Institute, Sri Lankan Constitution, available at <http://www.commonlii.org/lk/legis/const/2000/3.html> (last visited September 30, 2013).

⁸⁰ An Ordinance to Provide a General Penal Code for Ceylon [Penal Code], available at http://www.commonlii.org/lk/legis/consol_act/pc25130.pdf (last visited April 29, 2013).

ST. LUCIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal code⁸¹

Article 318 [Conditional privilege on publication in good faith]

A publication of defamatory matter is privileged, on condition that it is published in good faith, and in any of the following cases —

(g) if the matter published is in fact a fair report of anything said, done, or shown in a civil or criminal inquiry or proceeding before any Court, unless the Court prohibits the publication of anything said or shown before it, on the ground that it is seditious, immoral, or blasphemous;

Article 326 Plea of justification of libel

(1) Where a person accused of publishing defamatory matter pleads that the defamatory matter published by him or her was true, and that it was for the public benefit that the matter should be published in the manner in which and at the time when it was published, such plea may justify the defamatory matter in the sense specified, if any, in the count, or in the sense which the defamatory matter bears without any such specific justification, or separate pleas justifying the defamatory matter in each sense may be pleaded separately, as if two libels had been charged in separate counts.

(6) No plea of justification shall be pleaded to any indictment or count of a charge of seditious, blasphemous or obscene libel.

Article 566 Irreverence near place of worship during service, or cemetery during burial

Any person who —

(a) behaves irreverently near any church, chapel, or other building for religious worship during divine service;

(b) behaves irreverently or indecently in or near any public burial ground during the burial of a dead body, is liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year.

Article 567 Disturbing person in place of worship

⁸¹ <http://www.rslpf.com/site/criminal%20code%202004.pdf>

Any person who —

(a) disturbs or molests any other person in any place of divine worship, whether during divine service or at any other time;

(b) behaves in a riotous, indecent, disorderly, or insulting manner in any place of divine worship, whether during divine service or at any other time; is liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year.

Article 568 Disturbing minister, etc, at celebration in public

Any person who disturbs or molests any minister of religion while celebrating any religious rite or office in any public way or public place, or any other person aiding, assisting, or attending at the celebration of such rite or office, is liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year.

SUDAN

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code ⁸²

The Criminal Act of 1991

PART XIII [Offenses Relating to Religions]

Article 125 [Insulting Religious Creeds]

Whoever by any means publicly abuses or insults any religion, their rights or beliefs or sanctifications or seeks to excite feelings of contempt and disrespect against the believers thereof, shall be punished with imprisonment for a term not exceeding one year or with a fine or with whipping which may not exceed 40 lashes.

⁸² Sudan: The Criminal Act 1991, Arab Law Quarterly, Vol 9, No. 1 (1994), pp. 32-80, <http://www.jstor.org/stable/3381514> (last visited April 18, 2013).

SOUTH SUDAN

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁸³

CHAPTER XV—OFFENCES RELATING TO RELIGION

201. [Insulting or Inciting Contempt of Religious Creed.]

Whoever by any means publicly insults or seeks to incite contempt of any religion in such a manner as to be likely to lead to a breach of the peace, commits an offence, and upon conviction, shall be sentenced to imprisonment for a term exceeding three years or with a fine or with both.

⁸³ Penal Code of South Sudan. 2008, available at http://www.goss-online.org/magnoliaPublic/en/Laws--Legislation--Policies/mainColumnParagraphs/0/content_files/file12/15.pdf (last visited April 28, 2013).

SWITZERLAND

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁸⁴

Title Twelve [Felonies and Misdemeanours against Public Order]

Article 261

Any person who publically and maliciously insults or mocks the religious conventions of others, and in particular their belief in God, or maliciously desecrates objects of religious veneration, is liable to a monetary penalty not exceeding 180 daily penalty units.

⁸⁴ <http://www.admin.ch/ch/e/rs/3/311.0.en.pdf>

TANZANIA

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Penal Code⁸⁵

CHAPTER XIV: OFFENCES RELATING TO RELIGION

125. Any person who destroys, damages or defiles any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, is guilty of a misdemeanor.

127. Every person who with the intention of wounding the feelings of any person or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or in any place of sepulture or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the purpose of funeral ceremonies, is guilty of a misdemeanor.

129. Any person who, with the deliberate intention of wounding the religious feelings of any person, utters any word, or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, is guilty of a misdemeanor, and is liable to imprisonment for one year.

⁸⁵"Tanzania Penal Code."

http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TZA_penal_code.pdf. N.p., n.d. Web.

TUNISIA

Constitution⁸⁶

Article (1)

Tunisia is a free, independent and sovereign state. Its religion is Islam, its language is Arabic and its form of government is a republic.

Penal Code:

The penal code's article 121(3) makes it an offense to “distribute, offer for sale, publicly display, or possess, with the intent to distribute, sell, display for the purpose of propaganda, tracts, bulletins, and fliers, whether of foreign origin or not, that are liable to cause harm to the public order or public morals.”⁸⁷

Article 226(2) says that a person found guilty of undermining public morals by “intentionally disturbing other persons in a way that offends the sense of public decency” can be sentenced to prison.

Article 121 (3) in original French :

Sont interdites la distribution, la mise en vente, l'exposition aux regards du public et la détention en vue de la de la distribution, de la vente, de l'exposition dans un but de propagande, de tracts, bulletins et papillons d'origine étrangère ou nom, de nature à nuire à l'ordre public ou aux bonnes moeurs. Toute infraction à l'interdiction édictée par l'alinéa précédent pourra entraîner, outre la saisie immédiate, un emprisonnement de 6 mois à 5 ans et une amende de 120 à 1.200 dinars .

Article 226 (2) in original French :

Est puni de six mois d'emprisonnement et d'une amende de mille dinars quiconque porte publiquement atteinte aux bonnes moeurs ou à la morale publique par le geste ou la parole ou gêne intentionnellement autrui d'une façon qui porte atteinte à la pudeur. Est passible des mêmes peines prévues au paragraphe précédent quiconque attire publiquement l'attention sur une occasion de commettre la débauche, par des écrits, des enregistrements, des messages audio ou visuels, électroniques ou optiques.

TURKEY

Laws that pay a specific reference to sanctioning insult, blasphemy or defamation of religion:

Criminal Code⁸⁸

Article 216 (3) A person who openly denigrates the religious values of a section of the population shall be sentenced to imprisonment for a term of six months to one year in case the act is likely to distort public peace.

⁸⁸Law Nr. 5237 [Criminal Code], available at <http://www.legislationline.org/documents/action/popup/id/6872/preview> (last visited April 28, 2013); *See also* European Commission for Democracy Through Law (Venice Commission), Annexe II: Analysis of the Domestic Law Concerning Blasphemy, Religious Insults and Inciting Religious Hatred in Albania, Austria, Belgium, Denmark, France, Greece, Ireland, the Netherlands, Poland, Romania, Turkey, United Kingdom, on the basis of replies to a questionnaire (October 2008), pp 82-84.

UNITED ARAB EMIRATES

The religious framework of the state:

Constitution⁸⁹

Part One [The Union, its Fundamental Constituents and Aims]

Article 7

Islam is the official religion of the Union. The Islamic Shari'ah shall be a main source of legislation in the Union. The official language of the Union is Arabic.

Penal Code [Fed. Law 3 of 1987 as Amended]⁹⁰

Book Two [Crimes and their Punishments]

Article 312 [Crimes against Religious Faith and Rights]

Shall be punishable by confinement and by fine or by one of these two penalties any individual who commits any of the following offences:

1. Offence against any of the Islamic sacred things or rites
2. To insult and revile any of the recognized divine religions

Where any of the above offences is committed in public, the punishment shall be either confinement for a minimum period of one year or a fine

⁸⁹ <http://www.refworld.org/docid/48eca8132.html>

⁹⁰ <http://www.scribd.com/doc/122309224/312/Article-312#page=124>

UNITED KINGDOM

Criminal Libel Act 1819 ([click here for link to full text](#))

“publications that are a seditious libel and those that are a blasphemous libel. In the case of blasphemous libel, where material is judged to be a blasphemous libel ‘tending...to excite his Majesty's subjects to attempt the alteration of any matter in the Church...by law established, otherwise than by lawful means.’⁹¹

Other notes:

- This Act has not been repealed because the Home Office stated there is a need to retain the provisions for seditious libel. The provision does not appear to have been used in modern times.⁹²
- Blasphemy is a common offence with an unlimited penalty. Given that the UK is a common law country, there is no comprehensive compilation of legal rules and statutes. Rather, the UK (and the US) legal system depend on precedent (i.e., judicial decisions that have already been made in similar cases).
- Moreover, given the UK's adoption of the Human Rights Act 1998, it is believed that “any prosecution for blasphemy today... is likely to fail on grounds either of discrimination or denial of the right to freedom of expression.”⁹³

⁹¹ House of Lords Select Committee on Religious Offences in England and Wales, Session 2002-03, HL Paper 95-1, CHAPTER 3, ¶22. Available online at: <http://www.parliament.the-stationery-office.co.uk/pa/ld200203/ldselect/ldrel/of/95/9505.htm#a5>

⁹³ House of Lords Select Committee on Religious Offences in England and Wales, Session 2002-03, HL Paper 95-1, APPENDIX 3, ¶10. Available online at: <http://www.parliament.the-stationery-office.co.uk/pa/ld200203/ldselect/ldrel/of/95/9515.htm>

YEMEN

Constitution [Chapter I: The Political Foundations]⁹⁴

Article 1

The Republic of Yemen is an Arab, Islamic and independent sovereign state whose integrity is inviolable, and no part of which may be ceded. The people of Yemen are part of the Arab and Islamic nation.

Article 2

Islam is the religion of the state, and Arabic is its official language.

Article 3

Islamic Shari'ah is the source of all legislation.

Penal code⁹⁵

Article 194 [Ridiculing Religion and Instigation that Disturbs Public Peace]

To be sentenced to imprisonment for a period not exceeding three years or to a fine:

First: Whoever disseminates in public ideas containing ridicule or contempt of religion in its beliefs or rituals or teachings.

Second: Whoever instigates in public or ridicules a faction of people or empowers a faction to dominate for the purpose of disturbing public peace.

Article 195 [Ridicule of the Islamic Religion or any of its Sects]

The sentence shall be imprisonment for a period not exceeding five years or a fine if the religion or the sect which is affected by ridicule or contempt or inferiority is the Islamic religion.

Chapter Three

Apostasy

Article 259 [Crimes Related Religion and the Sanctity Of The Dead]

Anyone who turns back from or denounces the religion of Islam, is punished by the death penalty after being questioned for repentance three times and after giving him a respite of thirty days. The Apostasy in public by speech or acts is considered contradictory to the principles of Islam and its pillars in intention and determination. If the intention or determination is not established and the guilty shows repentance, there will be no punishment

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Desecration

Article 260 [Distortion Of The Holy Koran]

⁹⁴ <http://www.al-bab.com/yemen/gov/con94.htm>

⁹⁵ <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=country&category=LEGAL&publisher=&type=LEGISLATION&coi=YEM&rid=4562d8cf2&docid=3fec62f17&skip=0>

Punishment with imprisonment for a period not exceeding five years or a fine is to anyone who distorts willfully the Holy Quran in a manner which changes its meaning with the purpose of harming the natural Religion.

Article 261 [Assault on the Sanctity Of The Faith]

Punishment with imprisonment for a period not exceeding one year or a fine not more than two thousand Ryals will be imposed on:

(1) Whoever destroys or misrepresents or profanes a mosque or any other place set up by a license from the State to perform religious rituals or a symbol or other objects having religious sanctity.

(2) Whoever distorts deliberately the establishment of recognized rituals of a sect or a celebration or religious meeting or disrupts something out of that or forbids it by force or threat.