



INTERNATIONAL NETWORK OF CIVIL LIBERTIES ORGANIZATIONS

Global Developments in Religious Freedom and Equal Treatment

July 2019

Dear Friends:

Welcome to the International Network of Civil Liberties Organizations' (INCLLO) newsletter, *Global Developments in Religious Freedom and Equal Treatment*. This newsletter highlights recent international developments, including cases and legislation, concerning religious freedom, equal treatment, and the intersection of the two.

Here are a few brief highlights from this issue:

- Taiwan legalized same-sex marriage, a historic first for Asia;
- Ecuador's highest court voted to legalize same-sex marriage;
- The High Court of Kenya upheld laws criminalizing same-sex sexual activity;
- Angola eliminated a provision in its law that criminalized same-sex sexual conduct;
- Brazil's Supreme Court decided to criminalize discrimination based on gender identity and sexual orientation;
- State high courts in India issued decisions holding that doctors could proceed with abortions without court orders where the life of the pregnant person is at risk, that cohabitation between two consenting adults of the same sex cannot be considered illegal, and that laws against sexual harassment protect transgender individuals;
- Ireland legalized abortion up to 12 weeks for any reason, and until viability if the pregnancy poses a serious health risk;
- The Isle of Man legalized abortion up to 14 weeks of pregnancy for any reason, and from 15 to 23 weeks' gestation in certain cases;
- A South African appellate court overturned a church's decision not to recognize same-sex marriages;

- South Korea's Constitutional Court ruled that the law criminalizing abortion was unconstitutional and called for the parliament to revise it by the end of 2020;
- The Supreme Court of the United States will hear three cases that present the question whether a federal law barring employment discrimination based on sex covers discrimination based on gender identity and sexual orientation.

As always, please note that this newsletter does not purport to be comprehensive or definitive. Instead, it is our best effort to identify and characterize the international legal developments in this arena. Please feel free to alert us to developments you think should be included in future issues of INCLO's newsletter.

If there is someone you think would benefit from this newsletter or if you would prefer not to receive future issues, please contact Basseem Maleki at INCLONewsletter@aclu.org.

Best,

Louise Melling
Deputy Legal Director, ACLU
Director, ACLU Center for Liberty

Lindsey Kaley
Staff Attorney, ACLU Center for Liberty

About INCLO: The International Network of Civil Liberties Organizations (INCLO) is a group of civil liberties and human rights organizations committed to addressing, among other issues, questions of religious freedom and equal treatment. INCLO's members include: American Civil Liberties Union, Association for Civil Rights in Israel, Canadian Civil Liberties Association, Centro de Estudios Legales y Sociales (Argentina), Dejusticia (Colombia), Egyptian Initiative for Personal Rights, Human Rights Law Network (India), Hungarian Civil Liberties Union, International Human Rights Group Agora (Russia), Irish Council for Civil Liberties, Kenya Human Rights Commission, Legal Resources Centre (South Africa), and Liberty (United Kingdom).

Religious Freedom & LGBT Rights

Adoption

United States: On April 22, a U.S. court of appeals [ruled](#) that the City of Philadelphia did not violate the constitution or federal law by requiring a taxpayer-funded Catholic child welfare agency to comply with the City's antidiscrimination ordinance. Philadelphia had ended referrals to the agency because of its refusal to place foster children with same-sex couples. The agency argued that requiring it to comply with the antidiscrimination ordinance violated its religious rights. In two similar cases, religiously affiliated, taxpayer-funded child-placing agencies and others have [challenged](#) Michigan's policies that prevent state-contracted foster care agencies from turning away same-sex couples or LGBT individuals seeking to foster or adopt children. The plaintiffs claim that requiring them to comply with the policies violates their religious, free speech, and equal protection rights under the U.S. Constitution, as well as federal law.

Consensual Sex

Angola: On January 23, 2019, Angola's parliament approved a new penal code that [eliminated](#) a provision in its law that was widely interpreted to criminalize same-sex sexual conduct. The new penal code also explicitly [prohibits](#) discrimination against individuals on the basis of gender, religion, and sexual orientation, among other bases, in employment and the provision of services.

Botswana: On June 11, 2019, Botswana's High Court [decriminalized](#) same-sex sexual activity between consenting adults. An anonymous gay applicant challenged the laws, which threatened individuals who engaged, or even attempted to engage, in same-sex activity with up to seven years in prison. The Court unanimously ruled that the laws were discriminatory and conflicted with Botswana's Constitution.

India: On January 29, 2019, a state high court [held](#) that cohabitation between two consenting adults of the same sex cannot be illegal. The ruling came in response to a petition filed by a woman who claimed that her partner was held in illegal confinement by her parents who did not approve of their relationship. The court noted that the constitutional right to life "inheres within its wide amplitude an inherent right of self-determination with regard to one's identity and freedom of choice with regard to sexual orientation or choice of partner."

Kenya: On May 24, 2019, the High Court of Kenya [held](#) that laws criminalizing same-sex sexual activity between consenting adults are constitutional. The case was brought by three Kenyan LGBTQ rights organizations that [challenged](#) two sections of Kenya's penal code that punish "carnal knowledge . . . against the order of nature" with up to 14 years imprisonment, and "indecent practices between males" with up to 5 years imprisonment. The organizations maintained that the laws violated the Kenyan Bill of Rights, including the rights to equality, non-discrimination, human dignity, security, privacy, and health. The court [held](#) that the laws do not violate constitutional protections because the provisions do not single out LGBT individuals.

Lebanon: On March 30, 2019, a Lebanese military court [acquitted](#) four military personnel charged with sodomy, ruling that sodomy is not punishable under Lebanon's penal code, which [punishes](#) any sexual intercourse that is considered "contrary to nature" with up to one year in prison. The court noted that the law does not specify which types of sexual acts are contrary to nature, and so would not enforce it against the military personnel. The military court's decision follows the July 2018 [ruling](#) by a civil appellate court that consensual sex between people of the same sex is not unlawful. The law has previously been used by Lebanese security forces to justify detaining and arresting members of the LGBTQ community, notably resulting in the cancelation of Beirut Pride and a raid on an LGBT rights conference.

[Discrimination](#)

Brazil: On June 13, 2019, Brazil's Supreme Court [decided](#) to criminalize discrimination based on gender identity and sexual orientation. The Court [ruled](#) that such discrimination should be framed within Brazil's law criminalizing racism until Congress approves legislation addressing LGBT discrimination. Brazil's Senate is currently working on a bill that would criminalize discrimination based on gender identity and sexual orientation with prison sentences of up to five years. This decision is viewed by many as an open rebuke to President Bolsonaro's homophobic [rhetoric](#).

Colombia: On April 5, 2019, the [Political Network for Values](#) held a [meeting](#) at the Colombian parliament that included politicians from 30 countries to discuss legislation that could further anti-LGBT and anti-abortion agendas in their respective countries. The Political Network for Values tracks legislation on abortion, in vitro fertilization, surrogate maternity, euthanasia, marriage, adoption by same-sex couples, gender identity, and freedom of conscience and religion.

India: On December 17, 2018, a state high court [affirmed](#) that the provision of the Indian Penal Code that criminalizes sexual harassment protects transgender individuals who are harassed based on their gender identity. A transgender woman brought the suit after police officials failed to pursue her complaint that she had been harassed by male students, on the basis that no penal section was violated. After she initiated her case, the police officials eventually opened an investigation into the harassment.

[Education](#)

Canada: On April 29, 2019, a Canadian court of appeal [affirmed](#) a lower court's refusal to suspend the implementation of a law that requires school administrators to accept students' requests to establish gay-straight alliances and restricts school staff from notifying parents of students' participation in such student groups. The case was [brought](#) by a group of faith-based private schools, parents, and advocacy groups that collectively argued that the bill infringes on their rights to religious freedom, expression, and association under the Canadian charter; the parents argued in addition that the law interferes with the protection of their children and certain parental rights. The court held that the balance of interests favored maintaining the legislation while the litigation continues, in part because "[t]he public good presumed in protecting the safety and privacy interests of these individual children, as well as promoting an inclusive school environment generally, is extremely high."

On March 18, 2019, INCLO-member Canadian Civil Liberties Association (CCLA) sought permission to [appeal](#) an Ontario court's dismissal of its legal challenge to the government-issued directive instructing school boards to use old sex-education curricula, thus removing material on consent and on LGBTQ+ identities, among other topics. The petition stems from one of two [challenges](#) to the directive, one brought by CCLA and a queer parent and another by a teacher and her union, both of which argued that student equality rights and teachers' freedom of expression were violated when the content was removed from the mandatory curriculum.

India: On March 26, 2019, a state high court [directed](#) the government of Karnataka to make provisions for transgender individuals to change their names and genders on educational certificates. The court's [order](#) comes after the Education Department refused to change a transgender man's name and gender on his educational certificates absent a court order. The court ordered the government to provide guidelines for individuals to make such changes to their educational certificates without court orders.

United Kingdom: On May 31, 2019, protests against a primary school's teaching of LGBTQIA+ equality were halted after a civil court [issued](#) an interim injunction that bans protestors from congregating in the streets surrounding the school. A full trial to consider the injunction will take place at the end of July 2019. Recent months have seen protests outside various schools, objecting to primary schools in the U.K. teaching children about LGBTQIA+ people and families as part of relationship education. Some campaigners claim that any mention of LGBTQIA+ people, families and communities conflicts with their religious beliefs. INCLO-member Liberty has [written](#) to the heads of all primary schools in England and Wales to outline that parents' right to their religious beliefs does not allow the imposition of those beliefs on others in a way that is discriminatory – such as by seeking to erase the existence of LGBTQIA+ people and families from primary schools' curriculum.

[Employment](#)

United States: On April 22, 2019, the Supreme Court [agreed](#) to review the question whether a federal law barring employment discrimination based on sex covers discrimination based on gender identity and sexual orientation. The Supreme Court accepted three cases for review, two cases in which the employees contend that they were unlawfully discriminated against based on their sexual orientation, and one in which a transgender employee of a funeral home was found to have been unlawfully discriminated against based on her gender identity. In that case, the owner of the funeral home had argued that he “would be violating God’s commands” if he supported the “idea that sex is a changeable social construct” and permitted employees to dress consistent with their gender identity. INCLC-member ACLU [represents](#) the employees in two of the cases.

[Marriage](#)

Cayman Islands: On April 10, 2019, the Cayman Islands Court of Appeal [granted](#) the government’s request to stay a lower court’s judgment legalizing same-sex marriage in the country. The case was [brought](#) by a same-sex couple after the government refused their application for marriage. The lower court ruled that the government’s decision was discriminatory, violating the couple’s constitutional right to a private and family life, and ordered that the provision in the marriage law excluding same-sex couples be altered to state that marriage is between two “spouses.” The Court of Appeal will hear the appeal on the merits in August.

Ecuador: On June 12, 2019, Ecuador’s highest constitutional court ruled to [legalize](#) marriage for same-sex couples. Two same-sex couples brought the case to challenge the law that recognized same-sex unions but not marriage. The court held the law was discriminatory and unconstitutional and that same-sex couples should be allowed equal rights. The National Assembly will still be required to amend the laws defining marriage for the country, but same-sex couples will be able to marry as soon as the court notifies government offices of its ruling.

Ireland: On November 9, 2018, the Workplace Relations Commission (WRC) [ruled](#) that a print and design company unlawfully discriminated based on sexual orientation when it refused to print invitations for a civil partnership ceremony for a same-sex couple. The company [argued](#) that it was justified in refusing service because the request contradicted its religious beliefs. The WRC ordered the company to pay a fine, concluding that the company would have made wedding invitations if it was not for a same-sex couple, so regardless of the reasons for not providing the wedding invitation – including the company owner’s religious beliefs – the company discriminated based on the customer’s sexual orientation.

South Africa: On December 6, 2018, the National Assembly of the South African parliament adopted a bill that [repealed](#) a section of a law that allowed state-employed marriage officers to refuse to marry same-sex couples because of the officer’s conscience or religious beliefs. The provision only allowed marriage officers to raise religious objections to same-sex civil unions – they could not refuse to solemnize any other marriages based on religious beliefs. The bill still has to be adopted by the second house of parliament, the National Council of Provinces. INCLC-member LRC offered written and oral submissions in favor of the bill in response to the parliament’s request for public participation.

On March 8, 2019, an appellate court [ruled](#) that the Dutch Reformed Church’s decision not to recognize marriages between same-sex couples and to require pastors in same-sex couples to be celibate was unlawful and invalid, as it discriminates based on sexual orientation. In 2015,

the church had [decided](#) to permit pastors to solemnize weddings between same-sex couples and eliminated the requirement that pastors in same-sex relationships be celibate, but overturned that order less than a year later. The court rejected the church's argument that its decision was not subject to judicial review because the judgment was that of a religious body.

Taiwan: On May 17, 2019, Taiwan's legislature [legalized](#) marriage for same-sex couples, a historic first for Asia. Same-sex couples were also granted the right to [adopt](#) children who are blood relatives. However, same-sex couples still [cannot](#) marry if one partner is from a country where same-sex marriages are illegal. The legislation followed a decision by Taiwan's High Court, which had [ruled](#) that it was unconstitutional to bar same-sex couples from marrying and gave the legislature two years to legalize marriages for same-sex couples.

Religious Freedom, Reproductive Rights and Women's Rights

Access to Abortion

Australia: On April 10, 2019, the High Court of Australia [upheld](#) Victorian and Tasmanian laws establishing safe-access zones around abortion clinics. Anti-abortion activists who were convicted for protesting and handing out anti-abortion pamphlets in safe-access zones had [challenged](#) the laws, claiming they violate the protestors' constitutional freedom of communication on governmental and political matters. The High Court unanimously affirmed that the laws comply with the constitution because their purpose – to protect the privacy, safety, and dignity of individuals seeking lawful medical services – was a compelling objective compatible with the constitution.

Canada: On May 15, 2019, the Court of Appeal for Ontario [upheld](#) a requirement that doctors who refuse to perform certain medical services for religious reasons [must](#) refer patients to other healthcare providers where they can get the care they need. The decision arose in a case brought by physicians challenging the College of Physicians and Surgeons of Ontario's policy that requires physicians who object to providing certain medical care on the basis of religion or conscience – in particular, medically assisted death as well as abortion and reproductive health care – to provide the patient with a referral to a non-objecting, available, and accessible health-care provider. The physicians argued that referral requirements infringe their freedom of conscience and religion under the Canadian Charter of Rights and Freedoms because they obligate the physicians to be complicit in procedures that offend their religious beliefs, as well as discriminate against physicians based on religion. The court concluded that as the physicians are "members of a regulated and publicly-funded profession, they are subject to requirements that focus on the public interest, rather than their interests," and that the referral requirement is a reasonable compromise that avoids requiring them to personally provide their patients these services.

On April 16, 2019, the Canadian government's national health department [removed](#) the requirement that individuals need to undergo an ultrasound before they can be prescribed the drug for a medical abortion. Advocates had [argued](#) that requiring individuals to undergo an ultrasound before getting the prescription places a disproportionate burden on individuals for whom accessing an ultrasound and medical appointments in a short period is very difficult.

Chile: On December 6, 2018, the Constitutional Court of Chile [held](#) that a protocol prohibiting public and private institutions that receive certain public funds from conscientiously objecting to providing abortions was unconstitutional as applied to private institutions. The Chilean

government announced that it will comply with the ruling and will permit private clinics to refuse to provide abortions even while maintaining state contracts.

El Salvador: In March 2019, the Supreme Court of El Salvador [commuted](#) the 30-year sentences of three women who were convicted of abortion-related crimes – after they had already been imprisoned for years – on the basis that the sentences were disproportionate and immoral considering the economic support the women provide their families. El Salvador bans abortion under all circumstances. The women were convicted of aggravated homicide even though they maintained that they had experienced miscarriages or medical emergencies and had not had abortions. Advocates have successfully [freed](#) a total of 13 women convicted of crimes related to abortion in 2018 and 2019, but must argue for each person on a case-by-case basis.

Germany: On February 21, 2019, Germany's parliament [revised](#) the prohibition on doctors advertising that they perform abortions. The new regulation allows doctors to advertise that they provide abortions, but prohibits them from mentioning the methods they use or their costs. Instead, the German Medical Association will maintain a centralized list with that information. Prior to the revision, at least three gynecologists challenged the law's constitutionality after they were [prosecuted](#) for advertising that they provide abortion services.

India: On April 3, 2019, after [hearing](#) three petitions filed by women seeking abortions after the permitted 20 week window, a state high court held that a registered medical practitioner may medically terminate a pregnancy that exceeds 20 weeks without permission from a court, but only when such pregnancy is immediately necessary to save the life of the pregnant person. The court also ordered that in cases where a child is born alive after attempts to terminate the pregnancy, the state must assume full responsibility for the child if the parents are unwilling or unable to care for the child. Finally, the court directed the government to establish medical boards in each district to review cases of people seeking abortions after 20 weeks, and to provide safe and hygienic health care facilities for prenatal care and abortions in rural areas.

Meanwhile, the courts have addressed several cases of women seeking abortions after 20 weeks, where the abortion was not lifesaving.

- On April 1, 2019, a state high court [rejected](#) the petition of a woman to terminate her 24-week pregnancy on the basis that it was a result of sexual assault and that carrying the pregnancy to term would be detrimental to her mental health.
- On February 18, 2019, a state high court [allowed](#) a pregnant woman to terminate her 29-week pregnancy after [observing](#) that the continuation of the pregnancy would severely compromise the quality of life for both the woman and fetus.
- On December 28, 2018, a state high court [ruled](#) that a surrogate was permitted to terminate her 24 week pregnancy after a medical board found that the fetus had multiple cardiac abnormalities and would have a low chance of survival. The intended parents consented to the abortion.

Ireland: On December 20, 2018, Ireland's President [signed](#) a bill into law that permits abortion up to 12 weeks for any reason, and until viability if the pregnancy is life-threatening, poses a risk of serious harm, or the fetus has been diagnosed with a fatal abnormality. Under the laws, abortion is free of charge as part of the maternity health care service – though there is a mandatory [three-day](#) waiting period and doctors who are willing to perform abortions must [opt in](#)

to the service. The legislation comes after the country voted to repeal the constitutional ban on abortion in May 2018 by a [margin](#) of 66.4% to 33.6%. INCLLO-member Irish Council for Civil Liberties [supported](#) efforts to overturn the ban and is part of a working group monitoring the implementation of the legislation, including a mandatory review of the legislation after three years.

Isle of Man: On May 24, 2019, the Abortion Reform Act went into [effect](#), permitting abortion up to 14 weeks of pregnancy for any reason, and from 15 to 23 weeks' gestation in cases of sexual assault, severe fetal impairment, or risk to the pregnant person's health. Additionally, abortion will be allowed at any point during the pregnancy if a medical practitioner finds a substantial risk of long-term injury to the pregnant person, risk to their life, risk that the child would die during labor, or risk that the child would sustain severe impairment that would limit the length and quality of their life. The law also creates buffer zones around abortion clinics and [requires](#) that the patient is offered counseling before abortion services are provided. Prior to passage of the Abortion Reform Act, abortion was only allowed in cases where the pregnancy was life-threatening or the fetus had a low survival rate.

Kenya: On June 12, 2019, Kenya's High Court [ruled](#) that abortions are permitted for people pregnant as a result of rape and where the pregnancy poses a risk to the person's physical or mental health. The Court further [held](#) that the Kenyan government's withdrawal of guidelines for abortions violated the constitution, which guarantees the right to health, life, and dignity, by creating uncertainty regarding the legality of abortions and thus discouraging medical providers from administering abortions. The Court directed authorities to reinstate the guidelines and to provide training for health professionals. The challenge was filed on behalf of a teen who was raped at age 15 and died as a result of an unsafe abortion; the Court ordered that the government pay the teen's mother \$29,600 for reparations.

Mexico: On May 15, 2019, the Supreme Court of Mexico [ruled](#) that individuals who have health risks during pregnancy can apply for an abortion, even if their life is not at risk, because denying access to abortions under these circumstances would violate the patient's right to health. The case was brought by a woman who was denied an abortion even though her pregnancy was high risk due to recent surgery, diabetes, and hypertension. Previously, Mexico's Federal Penal Code only permitted abortions in cases of rape or when the individual's life was at risk.

North Macedonia: On March 14, 2019, the North Macedonian parliament [extended](#) abortion access from 10 to 12 weeks of pregnancy for any reason, and eliminated the three-day waiting period and the counseling requirement. Under the new law, abortions can now be performed from 12-22 weeks for socio-economic reasons, rape and incest, medical risks, and fetal anomaly, and approval from a hospital commission is no longer required, meaning people can have abortions from 12-22 weeks based on their statement alone. Furthermore, medication abortion is now an option and can be provided in clinics outside of hospitals.

Rwanda: As of April 8, 2019, Rwanda's penal code no longer [requires](#) approval of a court and two doctors for abortion; now a single doctor can approve an abortion. Even with a doctor's approval, abortion is only [permitted](#) in cases of rape, incest, forced marriage, or risk to the health of the pregnant person or fetus. On April 4, days prior to the revisions going into effect, the President of Rwanda [pardoned](#) 367 people imprisoned for abortion-related crimes such as abortion, complicity in abortion, and infanticide.

South Korea: On April 11, 2019, South Korea's Constitutional Court [ruled](#) that the law criminalizing abortion except in cases of rape or incest, or severe health risk to the woman or

fetus, was unconstitutional. Abortion was otherwise [punishable](#) by up to one year in prison for pregnant people who intentionally aborted a pregnancy, and up to two years for doctors who administered an abortion. The law will remain in full effect until the parliament amends the law; if parliament does not revise the law by the end of 2020, the law will be declared null and void.

United Kingdom: On January 30, 2019, the Belfast High Court [heard](#) argument in a case challenging Northern Ireland's abortion law as violating the United Kingdom's human rights commitments. Northern Ireland is the only country in the U.K. where abortion remains [illegal](#). In June 2018, the U.K. Supreme Court [ruled](#) in a prior case that Northern Ireland's abortion law violates the right of respect for private and family life under the European Convention on Human Rights, but because the case was brought by an organization, not a woman affected by the law, the Court could not issue a formal declaration of incompatibility. This most recent case was brought by a woman who was denied an abortion in 2013 even though doctors said her child would die once born.

United States: On May 15, 2019, the state of Alabama enacted a law [banning](#) abortion, with exceptions only for cases of serious health risk to the pregnant person or lethal anomaly to the fetus. Under the new law, doctors who perform abortions could be charged with a felony and face up to 99 years in prison. To date, [six](#) other states have passed bans on abortions as soon as a heartbeat is detectable, which is as early as 6 or 8 weeks. Abortion still remains legal in all the states as none of the laws have gone into effect yet. Lawsuits have been or will be filed to stop the bans from going into effect; INCLC-member ACLU has filed four such lawsuits.

On May 2, 2019, the U.S. Department of Health and Human Services [issued](#) a regulation intended to dramatically expand existing exemptions to enable refusals to provide health care services because of religious objections. For example, among other issues, the regulation requires an employer to accommodate an employee's religious beliefs with no consideration of the hardship to the employer or patients permitted as part of the analysis. Additionally, the regulation does not include exceptions for emergencies, creating a question whether a health care provider can refuse to provide lifesaving care. INCLC-member ACLU is among the several groups that have brought multiple cases to [challenge](#) the regulation.

[Marriage](#)

India: On February 21, 2019, the President promulgated an ordinance (a temporary law) that criminalizes "triple talaq" – a practice where a Muslim man legally divorces his wife by saying "talaq" three times. On March 25, 2019, the Supreme Court of India [dismissed](#) a petition challenging the measure. Legislative action is required for the ordinance to become permanent. An earlier version of the ordinance was initially promulgated following a 2017 Supreme Court decision ruling that the practice was unconstitutional and violated Muslim women's fundamental rights, but the bill that was pending in the parliament to turn the ordinance into a permanent law [lapsed](#).

[Other Reproductive Health Care](#)

United Nations: On April 23, 2019, the United Nations (U.N.) [adopted](#) a [resolution](#) aimed at preventing the use of sexual violence as a weapon of war, and calling on countries to adopt a survivor-centered approach to ensure people receive medical and psychosocial care without discrimination. The resolution omitted references to protecting survivors' access to sexual and

reproductive health services that were included in earlier drafts after the U.S. [threatened](#) to veto the resolution, believing the phrase implied support for abortion.

On April 1, 2019, members of the U.N. unanimously agreed to reaffirm [support](#) for the Programme of Action of the International Conference on Population and Development (ICPD), which established the importance of reproductive health, women's rights, and female empowerment with regards to achieving sustainable development. This declaration reaffirming support for ICPD calls for an accelerated global effort to achieve its goals to address poverty, gender equality, and the overall health and well-being of all people.

Religious Freedom & Individual Rights

Religious Freedom

Canada: On June 16, 2019, the Quebec government [passed](#) a bill that would [prohibit](#) public officials – including teachers, police officers, and prosecutors, among others – from wearing religious symbols. To shield the bill from legal challenges, the government invoked a clause that enables it to override both the Canadian Charter of Rights and Freedoms and the Quebec Charter. An earlier law that prohibited covering one's face while giving or receiving any public service including schooling, daycare, transit, and universities was enjoined in a case brought by INCLC-member CCLA together with the National Council of Canadian Muslims.

Pakistan: On January 29, 2019, Pakistan's Supreme Court [upheld](#) its October 2018 acquittal of Asia Bibi, a Christian woman who was convicted of blasphemy and sentenced to death, on the grounds that the prosecution [failed](#) to prove its case beyond reasonable doubt. Pakistan's Penal Code [provides](#) that the use of derogatory remarks towards the Holy Prophet Mohammad is punishable by death or life in prison, though Bibi would have been the first person executed for blasphemy.

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