



Contribution to the call for input of the  
**Special Rapporteur on Freedom of Religion or Belief**  
Concerning

**“Report on freedom of religion or belief and migrants,  
IDPs, and refugees”**

**February 2025**

1. This submission from the European Centre for Law and Justice (ECLJ) aims to inform the Special Rapporteur on Freedom of Religion or Belief in preparation for the 2025 report. That report will examine the challenges migrants, Internally Displaced People (IDPs), and refugees face in exercising their freedom of religion or belief and will be presented at the 80<sup>th</sup> session of the UN General Assembly in October 2025<sup>1</sup>.
2. The ECLJ wishes to draw attention to Christian converts from Islam seeking refuge in Europe. Despite international legal protections, they face persecution from their communities, difficulties in asylum procedures, and the risk of wrongful deportation to countries where apostasy is a capital offense.
3. While some states (e.g., Algeria<sup>2</sup>) do not recognize leaving one’s religion as a right, Article 18 of the UDHR and ICCPR (together with General Comment No.22) clearly affirms the right to “*have or to adopt*” a religion or belief, which includes replacing one’s current faith or adopting atheistic views<sup>3</sup>. This same “*freedom to change his religion*” is guaranteed in Article

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<sup>1</sup> OHCHR, (2025), [Call for input: Report on freedom of religion or belief and migrants, IDPs, and refugees](#)

<sup>2</sup> Schaik S. & Hillary L., (2023), *Conceptualization shapes practice: Apostasy-based refugee claims and International Human Rights Law*, Journal of Human Rights Practice, Oxford Academic, p. 723. <https://doi.org/10.1093/jhuman/huad052>

<sup>3</sup> UNHRC, (1993), [General Comment No. 22](#), (CCPR/C/21/Rev.1/Add.4), §5

9 of the European Convention of Human Rights. However, under Sharia law, apostasy is punishable by death<sup>4</sup>.

4. Although Europe faces challenges with refugee integration, security concerns have primarily been linked to Islamist extremism, whereas Christians refugees tend to be more law-abiding<sup>5</sup>. This submission underscores the vulnerabilities of ex-Muslims Christians, state failures to protect them, and the need for stronger safeguards for migrants, refugees, and IDPs.

5. The ECLJ, founded in 1998, is an international NGO dedicated to human rights protection in Europe and globally. The ECLJ has held special consultative status with the United Nations (ECOSOC) since 2007.

## **Q1. Forms of discrimination and violence faced by migrants, refugees, and IDPs based on their religion or belief.**

### **A/ Persecution in countries of origin**

6. Christians are the largest migrant group, increasing from 73 million in 1990 to 131 million in 2020<sup>6</sup>, representing 47% of all migrants in 2020<sup>7</sup>. In many Muslim-majority countries, apostasy<sup>8</sup> is criminalized and can be punishable by death, as in Afghanistan<sup>9</sup>. In Iran, converts often face blasphemy charges or accusations of “enmity against God”<sup>10</sup>.

7. **Raha’s testimony**<sup>11</sup>. The ECLJ interviewed Raha, a Christian convert who fled Iran for Germany after working with the underground church. She was arrested, interrogated and subjected to inhumane treatment by Iranian authorities. Raha testified that the Iranian court justified her prosecution by portraying her faith and beliefs as a threat to national security and fabricating false charges against her.

8. The persecution of ex-Muslim Christians is deeply rooted in legal, cultural, and religious structures. A Pew Research Center survey found that 78% of Afghans, 64% of Egyptians and Pakistanis, and 53% of Malaysians believe apostates deserve capital punishment<sup>12</sup>. In Morocco, the Council of Ulemas affirmed that freedom of conscience does not apply to Moroccan Muslims, advocating the death penalty for apostates<sup>13</sup>. This intolerance follows ex-Muslims into the diaspora.

9. In *M.A.M. v. Switzerland*<sup>14</sup>, the ECtHR ruled that Swiss authorities failed to account for the heightened danger faced by converts, noting that general conditions for Christians in

<sup>4</sup> T. Virgili, (2015), [Apostasy from Islam under Sharia law](#), Stals

<sup>5</sup> Cordesman A. H., (2017), [Trends in extremist violence and terrorism in Europe through the end of 2016](#), Center for Strategic and International Studies, Retrieved February 25, 2025

<sup>6</sup> Les Echos, (2024), [Les chrétiens sont les premiers migrants du monde](#), Retrieved February 20, 2025

<sup>7</sup> Kramer S. & Tong Y., (2024), [The religious composition of the world's migrants](#), Pew Research Center

<sup>8</sup> *Conversion refers to adopting a new religion, apostasy involves renouncing one's former faith; conversion often implies apostasy.*

<sup>9</sup> EUAA, (2024), Country Guidance Afghanistan 2024, [3.11. Individuals considered to have committed blasphemy and/or apostasy](#)

<sup>10</sup> ECLJ, (2014), [F.G. case: ECLJ submits observations](#)

<sup>11</sup> BR24, (2024), [Todesstrafe in Heimat? Iranerin aus Bamberg droht Abschiebung](#), Retrieved February 24, 2025

<sup>12</sup> France Culture, (2014), [Défendre les ex-musulmans](#), Radio France, Retrieved February 24, 2025

<sup>13</sup> Ibid.

<sup>14</sup> ECtHR, (2022), [M.A.M. c. Suisse](#)

Pakistan differ from those of ex-Muslims, who are specifically targeted. This decision is revealing in acknowledging the dangers faced by converts who “deserve” death according to the Sharia<sup>15</sup>. Ex-Muslims are viewed as traitors, making them prime targets for harassment and violence, as some radicals consider punishing apostates a religious duty<sup>16</sup>.

10. Even in Western countries, ex-Muslim remain at risk. This fear of leaving Islam persists everywhere, forcing many to hide their faith to avoid community retaliation<sup>17</sup>. Some governments, instead of addressing religious intolerance, align with community leaders who claim to represent entire groups. The United Kingdom “fell into this trap”<sup>18</sup>, leading to increased restrictions on ex-Muslims freedoms, as documented in “[Hate crimes in the UK against Ex-Muslims](#)”<sup>19</sup>.

### **B/ Persecution in host countries**

11. Although Sharia Law is not officially<sup>20</sup> enforced in Europe, significant Muslim communities can threaten the religious freedom of those seeking to leave Islam. The ECLJ’s report on “[The persecution of ex-muslim Christians in France and in Europe](#)”<sup>21</sup>, shows that converts often face pressure from both family and community, including insults, threats, harassment, and in extreme cases physical assault or even fatal violence<sup>22</sup>.

12. Many Christian converts continue to suffer persecution in asylum centers, where radicalized migrants enforce informal religious control. Numerous cases across Europe illustrate the severity of this issue:

- a. Germany: a study by Open Doors found that 91% of Christian asylum seekers experienced religiously motivated discrimination, threats, or physical violence<sup>23</sup>.
- b. Austria: Syrian Christian refugees reported being forced to participate in Islamic rituals suffering physical attacks for reading the Bible<sup>24</sup>.
- c. The Netherlands: a Pakistani Christian refugee was harassed in an asylum center where Christian residents were prohibited from using the fridge because their food wasn’t “halal”. When offered a room change, he responded: “[...] *I can change rooms, but then what is the difference between Pakistan and the Netherlands?*”<sup>25</sup>.

<sup>15</sup> ECLJ, (2022), [Persecution of Converts in Pakistan](#)

<sup>16</sup>Open Doors Deutschland, (2016), [Mangelnder Schutz religiöser Minderheiten in Deutschland: Religiös motivierte Übergriffe auf 743 christliche Flüchtlinge in deutschen Asylunterkünften](#), 6. Besondere Situation von Konvertiten, Retrieved February 24, 2025

<sup>17</sup> ECLJ, (2022), [Report on the persecution of ex-Muslims Christians in France and in Europe](#)

<sup>18</sup> France Culture, (2014), op.cit. (n 7)

<sup>19</sup> British Pakistani Christian Association, (n.d.), [Hate crimes in the UK against ex-Muslims: Experiences, effects and recommendations](#), Retrieved February 24, 2025

<sup>20</sup> Le Figaro, (2018), [Charia: ce que révèle la décision de la CEDH](#), par Grégor Puppink, Retrieved February 25, 2025

<sup>21</sup> [Report on the persecution of ex-Muslims Christians in France and in Europe](#), op. cit. (n 11)

<sup>22</sup> ECLJ, (2022), [Ex-Muslim Christians in Europe](#)

<sup>23</sup> Open Doors Deutschland, (2016), op. cit. (n 10), 5.3. Ausprägungen von Diskriminierung und Gewalt

<sup>24</sup> Id., 9.1. Österreich

<sup>25</sup> Reformatorisch Dagblad, (2015), [Christelijke asielzoekers „ontvlucht” azc uit angst voor moslims](#), Retrieved February 24, 2025, (literal translation from the Dutch article)

- d. Greece: Christian refugees faced physical assaults, death threats and even gang rape for their faith<sup>26</sup>. “*These camps are like a mini-Iran or mini-Afghanistan, with the same persecution as back home*”<sup>27</sup>.
- e. Sweden: Christian converts were threatened and physically assaulted in migration centers. Additionally, 68% of Afghan Christian converts were denied asylum due to authorities dismissing their conversion as insincere, prioritizing theological knowledge over genuine belief<sup>28</sup>.

## Q2. Challenges in exercising religious freedom

13. Apostasy-based persecution forces many ex-Muslim Christians to conceal their faith. While this persecution often justifies asylum claims<sup>29</sup>, converts still face barriers in freely practicing their new faith.

14. *Limited access to worship places*. Many avoid joining a church out of fear of being recognized as ex-Muslims<sup>30</sup>. Some report that when they disclose their conversion to family, they are either cut off by the family or forbidden from attending church to avoid exposure and the risk of being seen<sup>31</sup>. Highlighting this climate of fear.

15. *Limited expression of belief*. In the UK, Abdul, an ex-Muslim, felt compelled to hide his apostasy for security reasons. To maintain appearances, he continued attending the mosque, fasting during Ramadan, and leading prayers, despite internally renouncing Islam<sup>32</sup>. Infringing upon the right for people “*to live their lives according to their conscience*”<sup>33</sup>.

16. *Challenges in spiritual guidance*. The ECLJ received testimonies from converts who faced exclusion from Christian communities. Being seen not as Christians but as “former Muslims”. Some priests and pastors hesitating/refusing to offer catechism or pastoral care<sup>34</sup>.

17. *Administrative and judicial restrictions*. The ECLJ recognize that putting the faith of believers under scrutiny does not violate religious freedom if done fairly and objectively. However, some cases seem arbitrary, failing to recognize an applicant’s sincere faith, and endangering their *forum externum* should they be returned to their home country (cf. Q3). While there is no absolute right to official recognition as a believer<sup>35</sup>, refoulement of a genuine convert effectively blocks their ability to freely express their faith in countries where apostasy is a crime.

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<sup>26</sup> International Christian Consulate, (2016), [ICC Greece Report: Christian Refugees in Greece Urgently in Need of Safe Haven](#)

<sup>27</sup> Open Doors Deutschland, (2016), op. cit. (n 10), 9.9. Griechenland, (literal translation from the German report)

<sup>28</sup> UNHRC, (2024), [Visit to Sweden: Report of the Special Rapporteur on freedom of religion or belief](#) (A/HRC/55/47/Add.2), United Nations, §64

<sup>29</sup> UNHCR, (2004), [Guidelines on international protection: Religion-based refugee claims under Article 1A\(2\) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees](#), (HCR/GIP/04/06), §§3, 12, 13, 19

<sup>30</sup> [Report on the persecution of ex-Muslims Christians in France and in Europe](#), op. cit. (n 11), p.2

<sup>31</sup> *Id.*, p.10

<sup>32</sup> *Hate crimes in the UK against ex-Muslims*, op. cit. (n 13), full report, p.35

<sup>33</sup> [Visit to Sweden: Report of the Special Rapporteur on freedom of religion or belief](#), op. cit. (n 21), §29

<sup>34</sup> [Report on the persecution of ex-Muslims Christians in France and in Europe](#), op. cit. (n 11), p.18

<sup>35</sup> *This means that expressing one’s faith does not automatically grant them the right to be officially recognized as a practicing member of that faith by others.*

### Q3. Upholding the principle of non-refoulement

18. Article 33 of the 1951 Refugee Convention prohibits returning refugees to countries where their life or liberty would be threatened on account of religion. Despite this, violations frequently occur, at the core of these violations is the issue of credibility assessment<sup>36</sup>.

19. *False conversion allegations.* While opportunistic conversions do occur, genuine converts often face presumption of deceit, making it difficult to prove their faith. The EUAA's<sup>37</sup> practical guide on the proper handling of religious asylum claims<sup>38</sup>, affirms that sincere conversion does not necessarily require deep theological knowledge. The guide therefore provides advice on questions to ask<sup>39</sup>. This recommendatory guide can help authorities to determine if the applicant is sincere and if his request is legitimate.

20. Misrepresentation of testimony can severely impact asylum determinations. The ECLJ raises concerns regarding the role of translators in asylum interviews. The freedom of someone to express one's faith requires to be understood, especially in such a situation (asylum interviews) where religious identity determination is crucial<sup>40</sup>. Ex-Muslim converts report that biased translators distorted their statements<sup>41</sup>. **In her interview Raha** (§6), shared that some translators lack knowledge of religious vocabulary and were unable to accurately convey her words or how she defended her faith. Furthermore, she claimed that "*Muslims translators sometimes try to sabotage your case*". She later realized that some of the statements recorded and written on paper did not reflect what she had actually said, but by then, she had no opportunity to object.

21. In Germany, the BAMF<sup>42</sup> may consider faith affidavits, issued by churches, as evidence of conversion but frequently rejects or discount them, favoring their own judgment over religious expertise<sup>43</sup>. Church leaders, aware of the possibility of fake conversions, argue that assessing religious sincerity should be left to people with the competence to do so<sup>44</sup>.

22. Said, an Iranian Christian convert in Germany was denied asylum despite evidence of his faith and support from his church. The BAMF judged his conversion as opportunistic<sup>45</sup>.

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<sup>36</sup> ECtHR, (2017), *Assessment of the credibility of asylum-seekers: the burden of proof and the limits of the ECHR's examination*, [Intervention by G. Ravarani at the opening of the Judicial Year](#), p.1

<sup>37</sup> European Union Agency for Asylum

<sup>38</sup> EUAA, (2022), [Practical guide on interviewing applicants with religion-based asylum claims](#)

<sup>39</sup> ECLJ, (2023), [UEAA: A new realistic and positive guide to asylum on religious grounds](#)

<sup>40</sup> ECtHR, (2007), [Svyato-Mykhaylivska Parafiya v. Ukraine](#), §138.

*The inability of an asylum applicant to fully express their religious identity due to an inefficient translator or a lack of proper vocabulary may result in a failure to conduct an "acceptable assessment of the relevant facts" as required under § 138. Furthermore, according to the ECtHR's interpretative Guide on Article 9 §30, when authorities cast doubt on the sincerity of the applicant's religious belief, they must support their position with solid and cogent evidence, [rather than relying on subjective impressions or linguistic misunderstandings].*

<sup>41</sup> ECLJ, (2023), op. cit. (n 34)

<sup>42</sup> Bundesamt für Migration und Flüchtlinge

<sup>43</sup> Open Doors Deutschland, (2021), [Disregard of the human dignity of refugees in Germany](#), 6. The purpose of faith affidavits, p.20

<sup>44</sup> Id., p.21

<sup>45</sup> Id., 8.1. The case of Said



23. *Sur-place conversion*. Individuals who convert after leaving their country of origin usually face higher suspicion. A [2024 ruling from the CJUE](#)<sup>46</sup> highlighted that such conversions should be assessed on a case-by-case basis, rather than automatically dismissed as abusive<sup>47</sup>. Following that question on the interpretation of Article 5(3) of the EU Directive 2011/95/EU, the UNHCR released a statement of interpretation, which likewise holds that a person's well-founded fear of persecution remains valid, regardless of conversion date<sup>48</sup>.

24. The [case of Ata Fathimaharlooeei](#). The decision on credibility sometimes looks arbitrary. Ata, an Iranian convert, was ordered to leave France despite death threats in his home country, and in addition to that, leaving his Iranian wife, who is also a convert, and their two children in France<sup>49</sup>. Although Iran lacks explicit laws addressing the status of converts, the authorities have still prosecuted them as apostates, often resulting in severe consequences, including loss of life<sup>50</sup>. Authorities seemingly underplayed apostasy laws in Iran and questioned the authenticity of his conversion, risking a breach of non-refoulement obligations.

25. **The case of Raha (§§6,15)**. Fearing for her life in Iran, Raha sought asylum in Germany. However, the German administration dismissed her fear of persecution in Iran and questioned the sincerity of her faith. Despite extensive documentation, including proof of identity, religious belief, and church involvement, her asylum request was denied, and she was ordered to be sent back to Iran. A police officer reportedly dismissed her concerns, stating: “*You are a liar, Iranian police don't kill anyone*”, ignoring Iran's well-documented persecution of Christian converts. Her case raises concern of potential violation of the principle of non-refoulement if she is forcibly returned.

26. Some authorities tried to justify “*refoulement*” by arguing that converts could engage “*in a low-profile, discreet, or even secret practice of [their] religious beliefs*”<sup>51</sup>. However, this argument has been refused by the courts (CJUE & ECtHR)<sup>52</sup>.

27. Determinations on credibility sometimes seem subjective. Instances where ex-Muslims deported from Europe were arrested upon return exist, confirming the dangers they had initially warned about and undermining the principle of non-refoulement.

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<sup>46</sup> CJUE, (2024), *Bundesamt für Fremdenwesen und Asyl v. JF* ([Case C-222/22](#))

<sup>47</sup> In regard to “*sur-place*” conversion, the CJUE was asked whether *sur-place* conversion must be the expression and continuation of a belief expressed in the country of origin. In its decision from February 29th, 2024, the Court said that, the fact that an applicant cannot “normally” be recognized as a refugee due to “circumstances which the foreign national has created by his or her own decision since leaving his or her country of origin” (art. 5(3) Directive 2011/95/EU) is only meant to limit the abuse of the procedure. The adverb “normally” does not exclude that, even in such circumstances, an applicant may, under certain conditions, be granted this status (§§24,26). ECLI:EU:C:2024:192. See also ECLJ, (2024), [The CJEU protects converts to Christianity; and France?](#)

<sup>48</sup> UNHCR, (2023), [Statement on the interpretation of Article 5\(3\) of the EU Qualification Directive regarding subsequent applications for international protection based on sur place religious conversion](#), §5.1, 5.2

<sup>49</sup> Le Figaro, (2024), [Perpignan: Menacé de mort pour apostasie en Iran, un père de famille objet d'une OOTF](#). See also: RFI, (2022), [Iranian couple facing death sentence denied refugee status in France](#)

<sup>50</sup> ECtHR, (2016), [F.G. v. Sweden](#), §57

<sup>51</sup> ECtHR, (2016), [F.G. v. Sweden](#), Joint Separate Opinion of Judges Ziemele, De Gaetano, Pinto De Albuquerque and Wojtyczek, §6

<sup>52</sup> CJUE, (2012), *Bundesrepublik Deutschland v. Y and Z*, [Joined Cases C-71/11 & C-99/11](#), §§78-80  
See also: ECtHR, (2016), [F.G. v. Sweden](#), §145

## **Q5. Strengthening collaboration between states, international organizations, and faith-based actors**

28. While acknowledging instances of false conversions, the ECLJ emphasizes that **church leaders**, as direct witnesses to an individual's faith journey, should play a key role in evaluating conversion sincerity. Their expertise should be respected and given due weight by the government.

29. In asylum hearings, establishing certified and independent **translators** specialized in religious matters, or creating a linguistic control unit to prevent alteration of testimonies would enhance fairness (cf. §20).

30. **International organizations and states** should collaborate on training programs for police, social services and authorities, raising awareness on the hatred and challenges faced by apostates. States should ensure that ex-Muslim asylum seekers are placed in housing separate from radicalized individuals. Additionally, an independent monitoring system could ensure the safety of converted refugees' post-asylum.

31. Concern have been raised regarding **private Islamic schools and charities**, particularly in the UK, where some have promoted material suggesting that "apostates" should be killed<sup>53</sup>. Stronger state oversight and collaboration could be achieved by requiring these institutions to sign commitments condemning incitement to violence. Similar commitments should also be required of Islamic mosques<sup>54</sup>.

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<sup>53</sup> National Secular Society, (2019), [Islamic charities push death for 'apostates' and female subjugation](#)

<sup>54</sup> [Hate crimes in the UK against ex-Muslims: Experiences, effects and recommendations](#), op. cit. (n 13), p.12