

Armenia

I. Social Facts

Armenia was the first nation to adopt Christianity as its official religion, upon the conversion of the king in 301 CE, and Armenian national identity has long been intrinsically linked with the Armenian Apostolic Church. The national church founded at the time of conversion, this Church belongs to the Oriental Orthodox line of churches, which principally includes the Syriac, Coptic, and Ethiopian Churches. As of the 2011 census, Armenia had a total population of 2.8 million, and 90% of the population self-identified as Armenian Apostolic.

Still, a number of other religious faiths exist in Armenia today, though each amounts to less than 5% of the population: Roman Catholics, Armenian Uniate (Mekhitarist) Catholics, Orthodox Christians, Molokans (early Protestant Russians), Evangelical Christians, Pentecostals, Seventh-day Adventists, Baptists, Charismatic Christians, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis (ethnic Kurds of a syncretistic faith), Jews, Shiite Muslims (mostly Iranians and often temporary residents), Sunni Muslims, and Pagans.

Many faiths maintain functioning places of worship in Armenia. The Catholicosate (Patriarchate) of the Armenian Apostolic Church is located at the Mother See of Holy Etchmiadzin, whose cathedral was built by the founders of the faith in the 4th century and is located just 20 minutes from Yerevan, the capital, while a historic Iranian mosque (a remnant of the Persian Empire) serves as both a place of worship and a cultural center in the center of Yerevan itself.

II. Historical Background

Mount Ararat, where according to Genesis Noah's Ark came to rest, is at the center of historic Armenia. In fact, the word "Ararat" is Hebrew for "Urartu", which in turn is Babylonian for the Persian word "Armenia", according to a trilingual inscription of Darius I, King of Persia. Linguistically, the Armenian language belongs to its own branch of Indo-European languages, a direct descendant of theoretical Proto-Indo-European. Academics conclude that Armenians are a unique composite of

Indo-European speakers of the Armenian Highland. However, according to an early Christian Armenian historian who sought to trace Armenian origins based on Biblical texts, Armenians are descendants of Togarmah, called Torgom in Armenian, who was the great-grandson of Noah, whose Ark landed on Ararat. In the Armenian tradition, Togarmah begat Hayk, founder of the nation, and this is the reason Armenians call themselves "Hayk" in the collective context and "Hay" (pronounced "hye") in the individual context, and call Armenia "Hayastan". (Additionally, Sumerian texts refer to the god of the people of the Armenian Highland as "Haya" and the Hittites entered into a treaty with a king of the "Hayasa".)

The Armenian Apostolic Church traces its origins to the Apostles Thaddeus and Bartholomew, who are known to have taught Christianity in Armenia and to have been martyred there. The national Church was founded by Saint Gregory the Illuminator who converted King Trdat III to Christianity in 301 CE upon curing the king of illness. St. Gregory was of the Armenian nobility but was reared in Byzantium, and thus of Hellenist-Christian orientation. Earlier Christian teaching in Armenia, however, was of a more Eastern or Antioch persuasion. While Hellenistic Christianity avows Jesus as both divine and human at birth, perhaps referent to Greek myth which admits the progeny of god-human unions, early Antiochene Christianity focused on baptism—teaching that Jesus was born a man but also became divine upon baptism, the moment when God chose him based on his worthiness. Called "adoptionism", this perspective possibly reflects more the Eastern avatar tradition whereby a teaching spirit becomes incarnate. These divergent perspectives gave rise to the theological debates of early Christianity regarding the nature of Christ. Initially, Armenian Christianity identified with the two-nature Christology of Antioch, but by 430 CE St. Gregory's Church had moved Armenians to a decidedly Hellenistic (Alexandrine) one-nature view.

In the Armenian context the theological debate also had political implications. At this time Armenia was divided between the Byzantine and Persian Empires. While St. Gregory was reared and ordained in Byzantium, the Persians—although Zoroastrian—recognized the Church of the East at

Antioch, and not Constantinople, in issues regarding the governance of Christians. Associated with Armenian nobility on either side of the border, St. Gregory's Church developed its own hierarchical structure independent from either Antioch or Constantinople. In fact, the Armenian Catholicosate was hereditary, passing to St. Gregory's heirs until 451 CE. Whether by design or not, a national church crossed over political boundaries to unite the people.

The bonds of church and nation were solidified when, at the behest of the Armenian Catholicos (St. Gregory's great-grandson Sahak), a monk named Mesrop Mashtots created the Armenian alphabet in approximately 405 CE. The teaching of the alphabet and the translation of religious texts from Aramaic and Greek to Armenian not only facilitated the teaching of Christianity, but also reinforced a unique national identity: the Armenian script is unique, and the learning of the alphabet by children is like a cultural baptism, for even today knowing the alphabet is considered to grant one access to Armenian literature, culture, history, and faith. For this reason Armenian literacy has also become a qualifier of one's "Armenian-ness".

By 430 CE, the result in political terms was an Armenian Church, whose Holy See was located within the Persian Empire, but which was theologically and hierarchically independent from Antioch, the entity affiliated with Persian governance of Christian subjects. Persian authorities interpreted the new Armenian one-nature theology as siding with the Byzantines. In response, the Persians sought to inhibit the growth of an independent Armenian Church and by 450 CE had executed the Armenian Catholicos as they sought to impose Zoroastrianism. Under a call to defend both nation and faith, Armenian forces engaged the Persians at the Battle of Avarayr in 451 CE. Although technically defeated, the fortitude with which the Armenians resisted dissuaded Persian authorities from further efforts.

Independent from the Church of the East, yet not Byzantine, the Armenian Church solidified its unique identity. By 506 CE the Church had officially affirmed the one nature of Christ in line with Constantinople, but to this day the Church celebrates both the birth and the baptism of Christ together (and on 6 January, not 25 December). This is evidence of the unique admixture of Antiochene and Byzantine (Alexandrine) Christianity that took place during the 4th and 5th centuries. Pagan elements were also subsumed as evidenced by today's

priestly blessing of animals before butchering outside Armenian churches on feast days (or when requesting God's intercession), and the celebration of the Armenian pagan fire and water festivals according to the Church calendar. Such unique elements justify the independence of the Church and affirm its national character. Also, considering the frequent absence of an independent kingdom or state throughout the ages, as well as extended periods of occupation, massacre, and genocide, the Church as an independent and national institution has played an important role in preserving language, culture, and identity, as well as faith.

This is not to say, however, that the Church has not been challenged. Adoptionism, accompanied by a rejection of church hierarchies and symbols, has reemerged in Armenia several times throughout the ages. Referring to themselves as the "True Church", and with their own religious text called the "Key of Truth", this reemerging movement was condemned by the Church as the "Paulician Heresy" or Tondrakian movement. Apart from their adoptionism, perhaps the greatest threat posed by the Paulicians was their rejection of hierarchy: as equals before God all individuals can become disciples of Christ upon receiving the Spirit at baptism, and all can assist others along their spiritual path. This threatened the clergy and the Church as an institution. Persecuted for heresy, at one point the Paulicians were exiled to the frontiers of the Byzantine Empire—Bulgaria in today's terms—where they inspired the Bogomils, and thus laid the foundations for the much later European Reformation.

Considering the long periods of political subjugation under the Persians, Byzantines, Arabs, and Turks, the Church as an institution served national identity and vice versa. In Near East empires minorities were ruled through their religious institutions; also, authoritarian rule privatized social relations, consequently heightening the value of the Church as the last remaining public social space. Thus, it was through the Church that community schools and organizations were established. This public, institutional role continued in the Armenian diaspora after the Genocide, while in Soviet Armenia a degree of tolerance towards the Church was exchanged for political legitimacy. Consequently, in today's post-Soviet Republic the constitution recognizes the Church as a national institution and patriotism is often interpreted in terms of faith, such that alternative, proselytizing religious groups are considered threats to national identity. It is in this cultural context that religious freedom, especially for those who

for religious reasons oppose military service during Armenia's ongoing armed conflict with its neighbor, clashes with national identity and concepts of patriotism.

Excluded from this dynamic, however, are ethno-religious groups in Armenia like the Molokans, Yezidis, and others. Molokans are ethnic Russians exiled to the Caucasus from Czarist Russia due to their iconoclasm and rejection of the Orthodox Church and its hierarchy. Referencing early Christianity, Molokans affirm the equality of individuals, communal living, and the importance of good deeds by all in creating the Kingdom of God on earth today. Yezidis, on the other hand, are Kurds whose religious center is Lalish, in northern Iraq, and whose beliefs are steeped in symbolism and reminiscent of Gnostic and other regional belief systems: principally, that the universe is created and administered by the *Tawsi Melek*, or the "Peacock Angel" (along with six other angels who all together are the seven colors of light), and all are an emanation of a transcendental Supreme God. During the search to know the Supreme God through prayer and righteousness, Tawsi Melek serves as protector. Thus, the religious context in Armenia is of a highly ethno-religious character.

III. Legal Sources and Basic Approaches to Religion and Belief

The Constitution of the Republic of Armenia (RA) is unique in that it explicitly declares the separation of church and state, but then qualifies that: "The Republic of Armenia recognises the exclusive mission of the Armenian Apostolic Holy Church, as a national church, in the spiritual life of the Armenian people, in the development of their national culture and preservation of their national identity" (Art. 8.1). Also noteworthy is a sentence that states that "freedom of activity" for legally functioning religious organizations is guaranteed. But such a guarantee benefits organizations "functioning as prescribed by law," not any organization and not individuals. In contrast, Article 26 clearly guarantees to individuals "freedom of thought, conscience and religion" and guarantees the right to manifest beliefs "either individually or in community with others". Of course, manifestation, pursuant to this article, may be limited when necessary to protect "public safety, health, morals, or the rights and freedoms of others". Lastly, Article 14.1 prohibits discrimination based on religion, and Article 41

guarantees individuals the right to preserve their national and ethnic identity, and this includes the right to preserve the religion associated with the ethnicity.

Although Articles 8.1 and 41 seem reminiscent of an outdated, group rights approach which could be unduly restrictive of religious freedom if one's religious organization or religiously based ethnicity were not legally recognized, such a perspective is overcome by the individual rights perspective of Articles 26 and 14.1, as well as by Armenia's international and regional treaty obligations. As a monist state Armenia's treaty obligations are directly applicable in domestic law, meaning that the constitution and legislation must be interpreted as in agreement with Armenia's international and regional obligations. As a state party to the International Covenant on Civil and Political Rights (ICCPR) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), Armenia is obligated by Article 18 of the ICCPR and Article 5(d) (vii) of the CERD to adhere to an individual rights approach and international standards regarding religious freedom. Also, as a state party to regional instruments, Armenia is obligated by Article 9 of the European Convention on Human Rights (ECHR) and several articles of the European Framework Convention for the Protection of National Minorities (FCNM) to guarantee individual religious freedom to the standard of these frameworks. Moreover, Article 15 of the RA Judicial Code specifies that decisions of the European Court of Human Rights (ECtHR) are directly applicable in domestic courts; this means that Armenian court decisions must be in line with the ECtHR's interpretation of religious freedom as per the ECHR. Thus, an individual rights perspective and international and regional standards regarding religious freedom are secure as per law.

Interestingly, the preamble to the RA Law on Freedom of Conscience and on Religious Organizations (1991, 1997) makes reference to the special role of the Armenian Church in terms of spiritual life and national preservation, but also reaffirms that international norms, and ICCPR Article 18 specifically, are guiding principles for the Law. Article 1 of the Law guarantees to individuals the right to profess a religion, or none at all, and to participate individually or collectively. Article 2 prohibits religiously based discrimination and states that those who unduly restrict religious practice are to be held accountable. Also, Article 3 prohibits compelling anyone to participate, or not to participate,

in religious activities, including religious education. However, the majority of the Law regulates religious organizations, and if not for the domestic application of international norms, some provisions could be interpreted in a way that infringe on an individual's freedom to manifest beliefs in community with others. For example, some criteria for recognition of a religious organization include that it be based on historically recognized holy scriptures and its doctrines part of international contemporary religious ecclesiastical communities. Despite such ambiguous language, however, religions like The Church of Jesus Christ of Latter-day Saints (Mormons) and Jehovah's Witnesses, to whom this prohibitory language could have been applied, function in Armenia and maintain places of worship. Lastly, religion is not *per se* defined in the Law.

Another potential problem hidden in the language of the Law is the prohibition on proselytizing (literally "soul-hunting" in Armenian), coexisting with a separate provision that recognizes the Armenian Church as having the sole privilege to preach and disseminate its faith throughout the Republic. Whether this was meant to mean that only the Armenian Church may preach or proselytize is unclear. From a national church perspective, preaching to Armenians is not proselytizing because there is no issue of conversion as Armenians by ethnicity belong to the Armenian Church; thus, there is no contradiction between the two provisions. As for other religions, all religious groups have the right, *inter alia*, to rally their faithful, provide religious instruction to members, and utilize the media. But, by limiting religious activities to *existing members* of the organization, the Law would imply a distinction whereby the sphere of activity of religious organizations other than the Armenian Church is limited to their existing members. Countering this notion, however, is Article 3's prohibition on coercing or compelling an individual to participate in, or *not* to participate in, religious education: whether to participate or not is thus an individual choice. Accordingly, and pursuant to an individual rights perspective and international norms, individuals freely choose whether to participate or not in any religious education, and so as individuals Jehovah's Witnesses today go door to door seeking out other individuals, each of whom exercises a choice to participate or not in the proffered religious education. Once the organizational context is dismissed, the legal conundrum disappears. Other issues of concern raised by the Law, such as religious education in public schools, military service, and a stipulation

precluding a religious organization whose religious center is abroad from receiving financing from its foreign center, are discussed below.

An additional piece of legislation regulating the religious sphere is the RA Law Regarding the Relationship between the Republic of Armenia and the Holy Armenian Apostolic Church (2007). Although a separate piece of legislation, for the most part it reaffirms privileges already outlined in the legislation discussed above, and most importantly, many of the privileges are the same as those guaranteed to any religious organization: to engage in a number of religious, educational, and charitable activities and be exempt from taxes. Explicitly repeated in both laws is that the Armenian Catholics be afforded Armenian citizenship (in case of selection from the diaspora), that the Armenian Church can build new churches and other structures, that it can contribute to education on religion in state educational institutions, and that Armenian priests cannot be compelled to reveal confessions made to them. However, pursuant to the 1991 Law confessions are confidential no matter the religious affiliation and other religious organizations also have property rights and have built new churches.

Apart from affording citizenship and the public education issues, there is a real question about whether any unique privileges are afforded the Armenian Church. For example, the 2007 legislation specifies that the Republic of Armenia recognizes marriages performed by the Armenian Church. However, pursuant to the Civil Code and the Family Code, only civil marriages have legal affect, and according to the RA Law on Legal Acts, the Civil and Family Codes take precedence over the 2007 Law. Considering this, the majority of the privileges granted to the Armenian Church in this piece of legislation seem illusory. Besides, the constitution and the 1991 legislation specify separation of church and state; Article 17 of the 1991 Law states that the state cannot force adherence to any religion, that it cannot interfere in internal affairs of a church, and that the church cannot participate in governance or carry out governmental functions.

IV. Individual Freedom of Religion or Belief

The RA Constitution guarantees to individuals "freedom of thought, conscience and religion" and guarantees the right to manifest beliefs "either individually or in community with others". Likewise,

the 1991 RA Law on Freedom of Conscience and on Religious Organizations guarantees to individuals the freedom to decide one's beliefs, to profess a religion or no religion at all, and to engage in religious activities individually or in community with others. Although the statutory language guarantees these freedoms to "citizens", the RA Constitution and the application of Armenia's international legal obligations in the domestic sphere necessitate a legislative interpretation such that these guarantees apply to any individual under the jurisdiction of the state.

The law also prohibits discrimination based on religious grounds and stipulates that those unduly restricting, directly or indirectly, the practice of another's faith be held accountable. Additionally, one cannot be coerced or compelled to participate, or not participate, in religious services, rites, ceremonies, or religious education. Freedom of conscience can only be limited as necessary to ensure public safety, law and order, health and morality, and the defense of the rights of others. Also, under the RA Law on Child's Rights (1996), children are guaranteed freedom of conscience and belief, but cannot become members of a religious organization while under the age of 16 without their parents' consent. Religious education of children is also at the parents' consent. Case law on the scope of religious freedom in general is presently underdeveloped.

Until recently, Armenia had not provided a full alternative service option for conscientious objectors conscripted to the military, and many Jehovah's Witnesses were prosecuted and incarcerated for failing to report for duty. In the landmark case of *Bayatyan v. Armenia*, the ECtHR held this to be a violation of freedom of religion. As a consequence, Jehovah's Witnesses incarcerated on these grounds have since been pardoned and in May 2013 amendments were made to the RA Law on Alternative Service creating a full alternative service option in line with international norms.

Lastly, although both the constitution and legislation affirm a separation of church and state, both also affirm a special role for the Armenian Church in preserving spirituality and national identity. In recent years the government has accommodated the Church by periodically declaring the Monday following certain Church holidays as official non-working days, but requiring employees to work on Saturdays to make up the hours. For other faiths, such an accommodation by either the government or individual employers would be hard to come by.

Thus, while religious freedom in the individual context seems well ensured, religious organiza-

tions face regulations which, depending on interpretation, could infringe on an individual's right to manifest religion in community with others. Consider the discussion in "Legal Sources and Basis Approaches to Religion and Belief" above and "The Legal Status of Religious Communities" below.

V. The Legal Status of Religious Communities

The dominant perspective in Armenia and the region links ethnicity with religion. Thus, the Armenian Church is the national church for Armenians and other ethnicities are considered to maintain their own faiths. For this reason, Article 41 of the RA Constitution provides that everyone has a right to preserve their ethnic identity, and as such to "preserve and develop their traditions, religion, language and culture". Consequently, the religious organizations of ethnic minorities are exempt by law from the legal criteria that regulate recognition of religious organizations.

In order to be recognized, non-ethnically based religious organizations must qualify based on certain criteria, principally that they are based on historically recognized holy scripture, are based on doctrines forming part of the international contemporary religious-ecclesiastical communities, are free from materialism and intended for purely spiritual goals, and have at least 50 members. While some of this language is ambiguous and could be used to exclude certain religions, international norms govern interpretation and so recognition is not currently an issue.

Also, lack of recognition is not necessarily detrimental to religious practice. The law on religious organizations includes a long list of religious activities that religious organizations may engage in: performing services and rites, organizing religious education, and engaging with religious institutions abroad. But lack of recognition could not prohibit individuals from engaging in these activities communally because under the constitution and the law individuals are guaranteed the freedom to manifest their beliefs in community with others. Thus, the principal benefit to recognition as a religious organization is the tax-exempt status. Non-governmental organizations are also tax-exempt but legislation prohibits NGOs from engaging in religious activities. Nevertheless, religious communities have organized themselves as either registered or unregistered social organizations in order to facilitate their religious

activity. Thus, recognition as a religious organization may be determinative of tax-exempt status but is not determinative of manifesting religious belief in community with others.

VI. Religious Autonomy

Apart from reference to the special role of the Armenian Church as a national church, both the constitution and applicable law affirm the separation of church and state. Pursuant to law the state shall not force adherence to any religion, shall not interfere in the internal affairs of religious organizations, and shall not allow participation of the Church in issues of governance or delegation of government functions to religious organizations.

Despite this language, legislation appears to grant specific privileges to the Armenian Church. But as explained in “Legal Sources and Basic Approaches to Religion and Belief” above, other than granting Armenian citizenship to the Armenian Catholicos and the issue of Church involvement in public education, which is explained below, the privileges granted the Armenian Church are either illusory or substantially the same as those guaranteed to all religious organizations. Although some religious organizations have faced problems with building permits, issues are eventually resolved, and no case law has developed regarding the issue of religious autonomy.

VII. Education

Religious organizations have the ability to found their own educational institutions and to train clergy and teachers as well as to educate members, including children upon the consent of their parents. The Word of Life Church in Armenia maintains a private primary and secondary school. The school follows the state curriculum in addition to its own instruction.

With regard to public education, Article 4 of the RA Law on Education (1999) specifies that the state policy in education includes reinforcing the spiritual and intellectual potential of Armenians, and “the Armenian Church shall contribute thereto”. The result is a required course in public secondary schools entitled “Armenian Church History”. Moreover, Article VIII of the 2007 RA Law Regarding the Relationship between the Republic and the Armenian Church further specifies that the Arme-

nian Church participates in the preparation of the curriculum and textbook for the course and the setting of minimum requirements for instructors for the course, and may present prospective instructors to schools. Whether this level of involvement, especially recommending instructors, conflicts with separation of church and state as per Article 17 of the 1991 Law, which prohibits the delegation of government functions to the Church, is a question yet to be presented to the Armenian courts.

While this required course is entitled “Armenian Church History”, it is alleged that the topics taught focus more on the religious tenets of the Church than on its history. Most distressing are reports that instructors have used the course to criticize other faiths and to humiliate those students who are not followers of the Armenian Apostolic Church. While the history of the Armenian people is intertwined with the history of the Church, that a required course in public schools related to religion should be used as an instrument of intolerance should warrant immediate corrective action from both state authorities and the Church.

VIII. Religion and Personnel Matters

Both the constitution and the RA Labor Code (2004) prohibit discrimination based on religion. Additionally, Article 114(4)(4) of the Labor Code specifies that religion cannot be grounds for termination. Also, Article 132(4) of the Labor Code prohibits employers from acquiring and recording the personal data of employees with regard to political, religious, and other convictions, unless the information is relevant to the employment and the employee consents in writing. Considering this, legal protections seem sufficient, but specific legal accommodations for religious distinction are absent. Also, human rights groups have reported cases in which school teachers dismissed from employment have alleged religious discrimination, but no case law has been developed on this issue.

IX. Finance

According to the 1991 RA Law on Freedom of Conscience and on Religious Organizations, recognized religious organizations are exempt from tax and may receive monetary donations and gifts which they administer for their support. There is no mechanism for tax deductions in Armenia, so donations

are not deductible by donors. Interestingly, a religious organization whose religious center is abroad is prohibited from receiving financing from such foreign center or any political organization. How this provision may be enforced, however, is unclear and no case law has developed on this issue.

According to the Law, the state shall not finance any religious organization. However, the state is responsible for the preservation of historic monuments of religious significance and in the past has dedicated funds to the renovation of a Russian Orthodox Church and a Jewish synagogue. The 2007 RA Law Regarding the Relationship between the Republic and the Armenian Church also mentions that state funds may be designated for preservation of Armenian Church properties that constitute a part of the national cultural inheritance.

X. Religious Assistance in and Access to Public Institutions

According to Article X of the 2007 RA Law Regarding the Relationship between the Republic and the Armenian Church, the Armenian Church may have permanent spiritual representatives at hospitals, orphanages, boarding schools, military bases, and penal institutions, including investigative isolation cells. In contrast, the 1991 RA Law on Freedom of Conscience and on Religious Organizations allows representatives of other religious organizations to be present at such places only upon the request of one of their members, and the investigative isolation cell is not specified. The extent to which the Armenian Church maintains permanent representatives at such institutions is unclear, as is the significance of this advantage for the Church.

XI. Religion and Family Matters

According to Article IX of the 2007 RA Law Regarding the Relationship between the Republic and the Armenian Church, the state recognizes the marriages and marriage dissolutions performed by the Armenian Church. However, enforcement regulations have never been issued and the Civil Code and the Family Code both require a state civil marriage to give legal affect to any marriage. Also, based on the RA Law on Legal Acts, the Civil Code and Family Code take precedence over the 2007 Law, rendering Article IX legally inconsequential. No other provisions for the secular recognition of other religious

acts exist. Also, Article 17 of the 1991 RA Law on Freedom of Conscience and on Religious Organizations expressly prohibits the delegation of government functions to religious organizations.

XII. Religion in Criminal Law and Other Public Regulations

Article 6 of the RA Criminal Code (2003) guarantees equal treatment before the law regardless of religion or other discriminatory grounds. Also, the violation of one's rights for reasons of religion or other grounds of discrimination is a separate criminal offense punishable by fine or imprisonment (Art. 143). Furthermore, interference with one's exercise of freedom of conscience or religion is another crime punishable by fine or imprisonment (Art. 160). Inciting national, racial, or religious hatred is also a crime (Art. 226). Conversely, establishment or management of a religious association whose activities damage the health of individuals, infringe on others' rights, or incite citizens not to comply with civic duties is a crime punishable by a fine or imprisonment (Art. 162). Case law with regard to these crimes is underdeveloped.

Religious motives for crimes are also considered an aggravating circumstance for the purpose of sentencing (Art. 63). Additionally, the specific provisions for several crimes specify the increased punishment due to religious motive: Murder (Art. 104), Infliction of Heavy or Medium Damage to Health (e.g. Battery) (Arts. 112 and 113), and Torture (Art. 119). An increased sentence is also provided for the crime of Destruction of Property (Art. 185) and the crime of Outrageous Treatment of Dead Bodies or Burial Places (Art. 126) when committed out of religious hatred. Lastly, a number of crimes against the person of an individual, when committed due to "racial, national, ethnic identity, political views and religion", constitute Crimes Against Human Security and carry a sentence of imprisonment from seven to 15 years or life (Art. 392).

XIII. Select Bibliography and Leading Cases

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