













INTERNATIONAL CENTER FOR LAW AND RELIGION STUDIES

AT







ANNUAL REPORT 2013









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Welcome W. Cole Durham, Jr.

Director, International Center for Law and Religion Studies



Reviewing the events of the past year has reminded me of the remarkable opportunities we have had to collaborate with others and increase the quality and effectiveness of our work in promoting religious freedom for all. This year we held our 20th Annual International Law and Religion Symposium, which over the years has brought nearly 1000 scholars and government officials from some 120 countries to BYU. We are continuing to implement this type of discussion and exchange of ideas at the regional level as well. Working with academic institutions such as Oxford and Peking University, as well as with groups such as the Latin American Consortium for Religious Liberty and the African Consortium for Law and Religion Studies, we have helped organize regional conferences this year focusing on Latin America, Eastern Europe, Western Europe, Asia, the Muslim world, and Africa.

In China and Vietnam, we have also worked with distinguished academic bodies and official government institutions to implement certificate training programs. The two-week training courses bring together international scholars to train and certify local professors and teachers in the field of law and religion. By training those who teach at universities and colleges, who will go on to teach many others, we hope to multiply our impact. We have signed an historic memorandum of understanding with the government of

Vietnam for further comparative work there on religion and law.

Beyond conferences and trainings, we have been engaged in many forms of outreach: we have participated in law reform efforts in a number of countries, have launched our law and religion news headlines service, have produced significant publications, and have hosted a web-broadcast religious freedom lecture series. I have had the opportunity to serve as president of the global International Consortium for Law and Religion Studies, and helped organize their biannual conference this year in Virginia.

None of these activities would be possible without the significant support of the members of the International Advisory Council and the generous donors who contributed to the Center's Cornerstone Endowment and the Sterling and Eleanor Colton Chair in Law and Religion. We are also always grateful of course for the efforts of the Academic Advisory Board and the Center staff and leadership. Representatives of all of these groups have traveled to and assisted with conferences and trainings, donated time and resources, and provided the continuous support needed for the operations of the Center. These people are simply incredible. One of the great blessings of this work in my life is the great privilege it affords to be associated with so many outstanding individuals. Thank you for making this year such a rewarding and productive one!

W. Cole Dusham J

ABOUT THE CENTER

The Mission of the International Center for Law and Religion Studies is to help secure the blessings of freedom of religion and belief for all people.



The mission of the International Center for Law and Religion Studies is threefold:

(1) to expand and disseminate knowledge and expertise regarding the interrelationship of law and religion,

(2) to facilitate the growth of networks of scholars, experts, and policy makers involved in the field of religion and law, and

(3) to contribute to law reform processes and broader implementation of principles of religious freedom worldwide.

Organization

The International Center for Law and Religion Studies was formally established on January 1st 2000, organized within the J. Reuben Clark Law School at Brigham Young University. The work of the Center, however, was already a decade old, as its Director, W. Cole Durham, Jr., had contributed to law reform in Eastern Europe, where he began to work intensively following the fall of the Berlin Wall in 1989. Subsequently Professor Durham began working with colleagues worldwide, as well as colleagues and students within the Law School, to build networks, organize conferences, and publish papers in the BYU Law Review on the topic of establishing and preserving freedom of religion or belief worldwide. The formal organization of the Center in 2000, with its establishment of an International Academic Advisory Board, made up of distinguished global experts, and an International Advisory Council, comprised of key supporters and advisors, has enabled an expansion of efforts into a truly global and internationally renowned endeavor.

Major Initiatives

The Center hosts a number of important conferences each year, in the United States and worldwide. The Center's hallmark conference is its annual International Law and

Religion Symposium, held each October in Provo. Working to assist in building networks of scholars, experts, and policy makers, the Center has been hosting the Symposium for 20 years. In that time nearly 1,000 experts from more than 120 countries have come to BYU's J. Reuben Clark Law School to discuss pressing issues of law and religion. The Symposium has become



one of the leading global events in the law and religion field.

Beginning in 2013, the Center also committed to organizing one annual conference in each of the following areas: Africa, Asia, Western Europe, Eastern Europe, Latin America, the Pacific, and the Muslim world. In addition, the Center sponsors or co-sponsors another 10-15 conferences, and Center scholars attend 30-50 conferences, each year.

Another important Center initiative is its Religious Freedom Discussion Series, bimonthly lectures by experts in international law and religion. The lectures are broadcast live via Webinar from the J. Reuben Clark Law School.

Donor Support

All of the Center's endeavors are made possible by the generous support over the years of many dedicated friends. All cannot be named here, but a few deserve special mention.

Key contributions have come over the yeas from donors to our Cornerstone campaign—including David and Mary Christensen, Richard and Christena Durham, Duane and Erlyn Madsen, David and Linda Nearon, and Bill and Margaret Pope—and from patrons of the Sterling and Eleanor Colton Chair in Law and Religion. The Center is also grateful for support received from Jacobsen Lake Foundation, W. George & Helen Lowe Johnson Trust, Marriott Foundation, Smith Family Foundation, Sorenson Legacy Foundation, and The John Templeton Foundation.

The Center is humbled by these and countless other contributions and commitments, and by the personal sacrifice and consecration they represent. Without this support, it would be impossible for the Center to move forward the realization of its vision.

Student Support

The Center provides several opportunities for student involvement. Each year, the Center selects 12-15 outstanding law students as Student Fellows. These students are given the unique experience of participating in five-week summer externships with the offices of the legal counsels for The Church of Jesus Christ of Latter-day Saints, either in one of 25 area offices worldwide or at the Office of General Counsel in Salt Lake City. The students then return to the Center to work for the remainder of the summer on research and editing projects.

The Center also selects 12-15 law students each year to serve on the Executive Committee for the International Law and Religion Symposium. These students are charged with planning and executing many of the logistical issues surrounding the Symposium and

its side events, including the recruitment and supervision of an additional 60-80 student volunteers from across the BYU campus. These dedicated students are in large part responsible for the success of the symposium.

Volunteer Support

The Center has been for several years greatly assisted by the work of numerous legal volunteers, under the leadership of Gayla Sorenson, who have assisted with international conferences and with the annual Symposium in Provo. They also have helped draft and edit law and religion framework documents for some two dozen countries, which have been posted in the respective country portals at religlaw.org. Additional volunteers, under the direction of Nan Barker, have helped edit articles from 40 countries so far, for a comprehensive World Encyclopedia of Law and Religion, to be published in 2014 by Brill Publishers, Netherlands. For these and many other efforts, the Center expresses deep appreciation.

Law Reform Activities

The Center has been directly involved in constitutional and legislative reform efforts in nearly 50 countries. Center scholars have testified before the U.S. Congress and the parliaments of several other countries.

It has also participated in preparing *amicus curiae* briefs in leading cases in the European Court of Human Rights and U.S. Supreme Court, including, in 2013, the *Hollingsworth v. Perry* and *United States v. Windsor* same-sex marriage cases and two European Court church autonomy cases: *Fernandez Martinez v. Spain* and *Sindicatul "Păstorul cel Bun" v. Romania*.

Web Presence

The Center operates three websites:

- ICLRS.org, where information about the Center and its activities may be found.
- **StrasbourgConsortium.org**, covering the freedom of religion or belief jurisprudence of the European Court of Human Rights.
- **Religlaw.org**, an ever-building database of documents and court cases concerning freedom of conscience, religion, or belief from all countries of the world.

This year the Center launched a Law and Religion Headlines news service, with 50-100 links to news from all parts of the world sent six days a week to more than 1500 subscribers worldwide.



EXECUTIVE LEADERSHIP

The International Center for Law and Religion Studies at BYU is directed by an esteemed group of scholars and legal professionals.



W. Cole Durham, Jr. Director The founding director of the Center, W. Cole Durham Jr., is Susa Young Gates University Professor of Law at the J. Reuben Clark Law School and an internationally distinguished scholar and advocate on matters of law and religion. Since the fall of communism in Eastern Europe in the 1990s, he has assisted in drafting constitutions and developing laws to protect freedom of religion in many countries worldwide.

Where in the world is **W. Cole Durham, Jr.?**

This map highlights places where representatives of the Center have traveled to participate in religious freedom conferences in 2013.



Robert T. Smith Managing Director



Elizabeth A. Clark Associate Director



Gary B. Doxey Associate Director



Brett G. Scharffs Associate Director & Associate Dean



David M. Kirkham Senior Fellow



Managing Editor



Deborah Wright Coordinator and Administrative Assistant

ACADEMIC ADVISORY **BOARD**

The Center is honored to have a distinguished group of globally recognized scholars serve as its Academic Advisory Board. The contributions of these outstanding individuals in illuminating the intricacies of religious freedom principles and promoting enlightened discussion of those principles are of tremendous value. These advisors significantly advance the Center's mission and the cause of religious freedom throughout the world.

Members of the Academic Advisory Board

Professor W. Cole Durham, Jr., Director

Susa Young Gates University Professor of Law Brigham Young University, Provo, Utah, USA

Professor Sophie van Bijsterveld

Tilburg University, The Netherlands Member, Dutch Upper House of Parliament

Reverend Doctor Kim-Kwong Chan

Executive Secretary, Hong Kong Christian Council Hong Kong, China

Professor Carolyn Evans

Dean of the Law School, University of Melbourne Melbourne, Victoria, Australia

Professor Silvio Ferrari Department Cesare Beccaria, Università degli Studi di Milano Milan, Italy

Professor Mohammad Hashim Kamali

International Institute of Advanced Islamic Studies Kuala Lumpur, Malaysia

Professor Tore Lindholm Norwegian Centre for Human Rights Oslo, Norway

Dr. Liu Peng Pu Shi Institute for Social Science Beijing, China

Professor Juan G. Navarro Floria Pontificia Universidad Católica

Buenos Aires, Argentina

Professor Tahir Mahmood

Founder and Chairman, Amity University Institute of Advanced Legal Studies, New Delhi, India

Professor Javier Martínez-Torrón

Universidad Complutense Madrid, Spain

Professor Gerhard Robbers Trier Universität Trier, Germany

Professor Rik Torfs Rector, Katholieke Universiteit Leuven Leuven, Belgium

Professor Juan Carlos A. Valderrama Universidad Católica Lima, Peru Members of the International Advisory Council (IAC) play critical roles in promoting the cause of religious freedom worldwide. The members of the IAC host international delegates at the Center's annual symposium in Provo, travel to many parts of the world to participate in important religious conferences, and otherwise generously share their time, talents, and other resources to move the work forward.

INTERNATIONAL ADVISORY COUNCIL



Current Chair

IAC Executive Committee

Doug Bush Gary Doxey W. Cole Durham, Jr. **Duane Madsen** David & Linda Nearon

Alan & Denise Alexander Gary & Lynn Anderson Brent & Cheri Andrus William F. & Ann B. Atkin Frank & Jackie Bakker Ann Barney Denny, Jr. & Nichole Barney Angus Belliston Doug & Ann Bush Craig & Deborah Cardon William & Patricia Child Sheldon & Joan Child David & Mary Christensen John P. (Phil) & Barbara Colton S. David & Julie Colton

International Advisory Council Members

Sterling & Eleanor Colton Chris & Allison Jones Richard & Doreen Kopf Jim & Sandy Cook Lew & Barbara Cramer David Lee Mark & Janette Cressler David & Nancy LeSueur Gary & Ann Crocker Kent & Karen Lundquist Ralph & Mary Dewsnup Duane & Erlyn Madsen Richard & Christena Durham Stan & Susan Martineau Larry & Shirley Gibson Lee & Pam McCullough Simon & Susan Gibson Jason & Marin Meyer Wayne & Connie Hancock Reid & Melanie Moon Ralph & Carole Hardy David & Linda Nearon Ron & Debbie Harrison Jeff & Janet Nelson King & Diane Husein Todd & Amy Nelson Dennis & Joni Kay Neuenschwander Raymond B. & Jill Johnson John & Catia Nichols

Robert & Joy Orton Bob & Catherine Pedersen lames & Bonnie Pollock Margaret Pope Mike & Corinne Russon Greg & Sharon Slater Wayne & Patrice Tew Noel & Corrine Vallejo Bryce & Peggy Wade Blake & Leslie Walker Myron & Olene Walker Robert & Lyn Wilcox Kenneth & Athelia Woollev Bob & Christie Worsley



Helen Leon

Leadership NC AC



Immediate Past Chair



Erlyn Gould Madsen Center Historian

2013 IAC ACTIVITIES

The International Advisory Council hosts activities each year to keep current with issues and events concerning religious freedom throughout the world

2013 Spring Meeting of the International Advisory Council

The Spring 2013 Meeting of the International Advisory Council took place April 4-5 in Salt Lake City. On Thursday evening, longtime Center supporter and IAC member Linda Nearon unveiled her painting "The Majesty of the Golden Gate Bridge", symbolizing many facets of the Center's work. Those assembled were then privileged to hear from Michael O. Leavitt, former Utah Governor and U.S. Secretary of Health and Human Services, who addressed the event theme, "Frontiers of Religious Freedom: A Briefing on Emerging Issues."

The following day, members were pleased to hear from IAC President David Christensen, Associate General Counsel of the LDS Church William F. Atkin, and ICLRS Director W. Cole Durham, Jr., as well as other members of the Center's leadership.



Oxford Initiative

This year the Center joined with Oxford University institutions and the Brigham Young University London Centre in launching a long-term initiative to foster freedom of religion and belief worldwide. To mark the launch, friends in the United Kingdom, including IAC Executive Committee member Simon Gibson, arranged an extraordinary series of events for IAC members and guests – at the Celtic Manor in Wales and the restored Gadfield Elm Chapel in Worchester, at the House of Lords in London, and in the historic halls and environs of Oxford University, where participants attended sessions of the conference "International Protection of Religious Freedom: Emerging Issues" and heard from such esteemed academics as Heiner Bielefeldt, Christopher McCrudden, Kent Greenawalt, John Milbank, and the Reverend Gary Wilton.



STUDENT INVOLVEMENT



Student Research Fellows

The ICLRS Student Research Fellows program invites students from the J. Reuben Clark Law School to participate in an international externship followed by a guided individual research project. Fellows gain practical experience as well as significant research and writing experience, important for launching and sustaining their careers, while enjoying opportunities for personal encounters with global leaders in the field of religious freedom. At the same time, the Fellows offer a vital service to the work of the Center and to the cause of religious freedom worldwide.

This year's students — John Anderson, Lacee Curtis, Monica Gardner, Jake Garfield, Bryant Hinckley, Stanley Jean-Charles, Kyler McCarty, Lynn Nouri, Daniel Ortner, Derek Parry, Alex Storms, Shantel Talbot, and Cristina Wood — spent time in Germany, New Zealand, Australia, Ghana, Mexico City, South Africa, Dominican Republic, Argentina, Hong Kong, Japan, the Philippines, and Salt Lake City before returning to complete their work in Provo.

An essential key to the success of the Center has been the involvement of highly motivated and capable law students.



Symposium Student Executive Committee

The success of the International Law and Religion Symposium each year is due in large part to the planning and performance of dedicated students from the J. Reuben Clark Law School who serve on the Student Executive Committee. This year's committee, acting under the direction of Center Coordinator Deborah Wright and Associate Director Elizabeth Clark, were divided into five teams: Michelle Jeffs and Chase Thomas overseeing the Master Schedule, Cherise Bacalski and Kia Hohia chairing the Recruitment team, assisted by Monica Gardner, Rachel Bennion, Shantel Talbot, and Daniel Scow. Jorge Gavilanes chaired the Transportation Team, assisted by Joseph Ricks and Jason Sweat. Erica Berrett as chair, with Lynn Nouri, John Anderson, and Josh Bishop assisting, served as the Concierge and Hosting Liaison, and Natalia Peterson and Eimi Priddis as co-chairs, assisted by James Heilpern and Bryant Hinckley, managed conference documents.



January

» **14-15:** The first Regional Conference (Africa), "Law and Religion in Africa: Comparative Practices, Experiences, and Prospects," was held at the University of Ghana in Legon, Ghana. The conference was attended by Cole Durham, Robert Smith, and David Kirkham.

March

» **20:** The third year of the Religious Freedom Discussion Series opened with "Against Free Exercise Reductionism," by Cole Durham.

April

» **23:** Cole Durham gave the opening lecture "Freedom of Religion or Belief - Emerging Tensions" at the Oxford Journal of Law and Religion Trinity Term Lecture Series in Oxford, England.

» **25-27:** The second Regional Conference (Eastern Europe), "Challenges for Democracy: Religion, Law and Dialogue in the CIS and Baltics," was held in Riga, Latvia with Elizabeth Clark and Cole Durham participating.

» **29:** Cole Durham moderated the panel "Unprecedented Repression of Religious Minorities and NGOs in Russia," a side-event at the United Nations Office in Geneva.

May

» 8: Center Associate Director Elizabeth Clark delivered the Discussion Series Lecture: "Converging Challenges to Religious Freedom."

» **10-11:** Senior Fellow David Kirkham was the keynote speaker at the conference "Models of Relationship of State and Church: Contemporary Tendencies" in Yerevan, Armenia.

> 14: David Kirkham presented a paper at the Law and Religion Scholars Network Annual Conference in Cardiff, Wales.

» **23-24:** Brett Scharffs presented a paper at "Human Rights and Justice in Iraq," an International Symposium held in Istanbul, Turkey.

» **25:** Cole Durham participated in the World Festival of Religious Freedom in São Paulo, Brazil.

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» **28:** At the conference on "Religion and Law in State Policies" in Moscow, Cole Durham presented on "Freedom of Religion or Belief: Problems in International Law."

» 30: Associate Director Gary Doxey participated in the National Religious Freedom Conference in Washington DC

» **30:** While in Washington, Professor Doxey represented the Center in signing a Memorandum of Understanding concerning religious freedom policy in Vietnam with a delegation from the University of Social Sciences and Humanities at the Vietnam National University and the Institute for Global Engagement. Subsequently, further documents were signed at BYU.

June

» **7-8:** The Center organized two events at Central European University in Budapest, Hungary: a panel discussion on "Freedom of Religion and Church-State Relations in Hungary," chaired by Professor Durham and our Hungarian colleague, Renáta Uitz, and the conference "Freedom of Religion and Non-Discrimination."

» 14: Cole Durham was awarded an honorary doctorate from Ovidius University, Constanta, Romania, and attended a Seminar in Celebration of Mary Ann Glendon in Florence, Italy.

» 14-20: Members of the Center's International
 Advisory Council and guests — along with Center

Associate Director Brett Scharffs, Center Senior Editor Donlu Thayer, and BYU Law School Dean James Rasband and his wife, Mary — were hosted by Simon Gibson at the Celtic Manor Resort in Newport, Wales, and at Harris Manchester College, Oxford, where they attended a day of the Centersponsored Oxford Conference.

» **18-20:** Cole Durham, Brett Scharffs, David Kirkham, James Rasband, and Donlu Thayer, along with the director of the BYU London Centre and ICLRS Senior Fellow James Faulconer, attended the Center co-sponsored conference "International Protection of Religious Freedom, Emerging Issues" at Harris Manchester College, Oxford, where Scharffs and Thayer, on a panel moderated by Kirkham, presented "Religious Majorities and

Restrictions on Religious Freedom."

» 17-22: Durham, Scharffs, Kirkham, Faulconer, and Thayer also attended the first annual Oxford Journal of Law and Religion Summer Academy, held at Regent's Park College, Oxford. Durham is Co-Editor-in-Chief of the Journal; Thayer is a casenote editor; Scharffs is a member of the Journal's Advisory Board.

» **30:** The Center bade farewell to Marshall Morrise, who had given invaluable service as the Center's Website Development Manager for the last three-and-a-half years, as he, with his wife, Susan, left to serve as an LDS Mission President in Seoul South Korea.

July

» 12: David Kirkham delivered the Discussion Series Lecture, "Freedom of Conscience and the American Identity."

» **15-16:** The fourth annual Summer Certificate Training Program was held in China. Brett Scharffs delivered a presentation during the training.

August

» 19-21: The Center hosted the 13th Annual Colloquium of the Latin American Consortium for Religious Liberty, "Libertad Religiosa, Igualdad y Autonomía de las Entidades Religiosas," in Richmond, Virginia. » **21-23:** The Center co-sponsored the Third ICLARS Conference in Richmond, Charlottesville, and Williamsburg, Virginia.

September

» **4:** Brett Scharffs addressed the topic "Can Public Reason Accommodate Conscience?" at the Religious Freedom Discussion Series.

» **16-25:** The second Vietnam Certificate Training Program on Religion and the Rule of Law was held in Ho Chi Minh City, with Cole Durham and Brett Scharffs participating

October

» **6-9:** The 20th Annual International Law and Religion Symposium was held in Provo, Utah.



» 10: The Fourth Annual Religious Liberty Award was presented to Dr. John Graz and winners of the Religious Liberty Essay Contest were announced at the Award Dinner in Washington DC

» 10: The Center sponsored the second day of the event, "Freedom to Flourish: Is Religious Freedom Necessary for Peace, Prosperity, and Democracy?" held at Georgetown University in Washington DC

» **30:** The Center hosted a panel discussion following the latest report of the UN Special Rapporteur Heiner Bielefeldt on "Freedom of Religion or Belief and Equality between Men and Women" at the United Nations in New York.

» **30-31:** Brett Scharffs presented his paper, "Freedom and Security: Beyond the Balancing Metaphor" at the "Balance Between Freedom and Security in the Fight Against Terrorism" International Symposium in Istanbul, Turkey.

November

» **1:** A China Certificate Training Alumni Meeting was held in Beijing, Brett Scharffs attending.

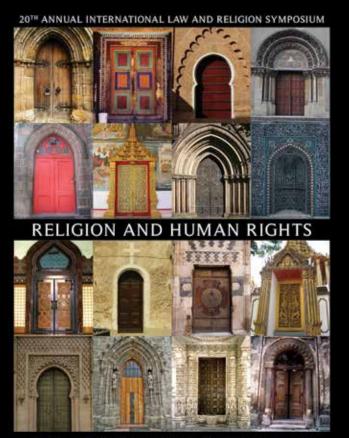
» 2-4: Brett Scharffs presented a paper addressing the question "Can Public Reason Accommodate Conscience?" at the conference "World Religions and the Dialogue of Civilizations," sponsored by the Chinese Academy of Social Sciences, Beijing, China. » **7-9:** Cole Durham joined other international scholars who assembled at Al Akhawayn University in Ifrane, Morocco, where the Center hosted its regional Muslim World conference, "Islam in the Law: Sharia, Secularim, and Society in the Euro-Mediterranean Region."

December

» **3-5:** Cole Durham participated in a panel discussion at the Second International Religious Freedom Conference, "Tearing Down Walls: Achieving Religious Equality in Turkey," sponsored by the Order of St. Andrew the Apostle, Archons of the Ecumenical Patriarchate, based in Berlin, Germany.



TWENTIETH ANNUAL INTERNATIONAL LAW AND RELIGION SYMPOSIUM



OCTOBER 6-8, 2013 I BRIGHAM YOUNG UNIVERSITY | PROVO, UTAH

More than 80 distinguished delegates from more than 40 countries met, along with approximately 200 guests and students, at the Twentieth Annual International Law and Religion Symposium, held October 6-9 at the J. Reuben Clark Law School.

Keynote speakers at the opening session on the evening of October 6th were Françoise Tulkens, ad hoc judge and former Vice President of the European Court of Human Rights, and Malcolm Evans, OBE, Professor of Public International Law at the University of Bristol Law School and Chair of the United Nations Subcommittee for the Prevention of Torture. Professor Evans received the Center's 2013 Distinguished Service Award.

This year's Symposium owed its unparalleled success in great part to generous support provided by the Cornerstone Endowment. The Center is grateful this year once again for a distinguished group of delegates, an outstanding Student Executive Committee, our Hosting Committee Chairs Linda Nearon and Lynn Anderson, the Regional Advisors under the direction of Gayla Sorensen, who reported on Symposium sessions, and others who befriended delegates and in so many other ways contributed to what one delegate called the most outstanding conference of its type he had ever attended.





















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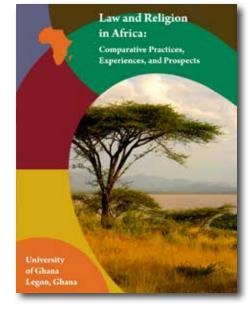
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Law and Religion in Africa

University of Ghana | Legon, Ghana | 14-15 January 2013

The Center-sponsored conference "Law and Religion in Africa: Comparative Practices, Experiences, and Prospects" was held 14-15 January 2013 at the University of Ghana in Legon, Ghana. Scholars, legal professionals, and religious leaders from Botswana, Ethiopia, Ghana, Liberia, Malawi, Namibia, Nigeria, Rwanda, Sierra Leone, South Africa, Tanzania, Togo, Uganda, the United Kingdom, and the United States gathered in Legon for the two-day event to share expertise and experiences in what was a most enlightening experience for all. Conference participants were greeted by Ernest Aryeetey, Vice-Chancellor and Professor, University of Ghana; James R. Rasband, Dean and Hugh W. Colton Professor of Law of the J. Reuben Clark Law School; Kofi Quashigah, Dean of the Faculty of Law, University of Ghana; Justice Samuel Kofi Date-Bah, Supreme Courts of Ghana and the Gambia; and Naa John S. Nabila, Professor and President, National House of Chiefs, Ghana. The Center is grateful for the generous donations of Sheldon and Joan Child and Brent and Cheri Andrus, which helped make this conference possible.





REGIONAL CONFERENCES **EASTERN EUROPE**

Challenges for Democracy: Religion, Law and Dialogue in the CIS and Baltics

Baltic International Academy | Riga, Latvia | 25-27 April 2013

The conference "Challenges for Democracy: Religion, Law and Dialogue in the CIS and Baltics" was held April 25-27 at the Baltic International Academy in Riga, Latvia. The conference brought together some 50 scholars and government leaders from the Commonwealth of Independent States (the region of the former USSR) and the Baltics to look at law and religion issues in this region. Cole Durham, Elizabeth Clark, and Russian-speaking law students Chris Pieper and Travis Hunt attended from BYU. IAC executives David and Linda Nearon and Regional Advisor Robert Orton also attended, along with LDS Associate General Counsel William Atkin. In addition to Clark and Durham, the conference organizing committee consisted of Ringolds Balodis, University of Latvia; Ekaterina Elbakyan, Academy of Labor and Social Relations (Moscow); Merilin Kiviorg, Oxford University; Andrei Tatarchuk, Baltic International Academy; and Renata Uitz, Central European University. This milestone conference was videotaped and distributed via YouTube and other outlets.















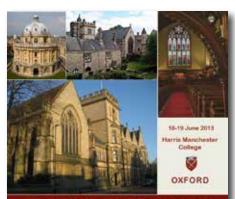


REGIONAL CONFERENCES **OXFORD**

International Protection of Religious Freedom, Emerging Issues

Oxford University | Oxford, United Kingdom | 18-19 June 2013

The Center, along with the Brigham Young University London Centre, co-sponsored the conference "International Protection of Religious Freedom: Emerging Issues," held at Harris Manchester College, Oxford University, 18-19 June 2013. This was a central event of the inaugural Oxford Journal of Law and Religion Summer Academy. Among those attending from BYU were Law School Dean James Rasband; Cole Durham, an Editor-in Chief of the Oxford Journal; Brett Scharffs, a member of the Journal's Advisory Board; Donlu Thayer, Journal Case Note Editor; David Kirkham, Center Regional Advisor for Europe and a primary organizer of the conference; and James Faulconer, Director of the London Centre. Several members of the ICLRS International Advisory Council were also able to attend. The Center's special thanks go to William and Patricia Child, and to Simon Gibson and Don Mealing for their assistance in making the conference possible.



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INTERNATIONAL PROTECTION OF RELIGIOUS FREEDOM: EMERGING ISSUES











"Libertad Religiosa, Igualdad y Autonomía de las Entidades Religiosas"

Randolph-Macon University | Richmond, Virginia | 19-21 August 2013

The Consorcio Latinoamericano de Libertad Religiosa held its 13th Annual Colloquium – "Libertad Religiosa, Igualdad y Autonomía de las Entidades Religiosas" – August 19-21 at Randolph-Macon University near Richmond, Virginia. The conference was sponsored by the Center, and Center Director Cole Durham was the keynote speaker. The Consorcio Latinoamericano de Libertad Religiosa is the foremost academic association for scholars of law and religion in Latin America. Scholars from the International Center for Law and Religion Studies have participated in the Consorcio's annual colloquium every year since its inception in 2000. This is the first year the Center has hosted the colloquium. The Consorcio's immediate past president, Juan Navarro Floria, serves on the Center's Academic Advisory Board. Current president of the Consorcio is Ana María Celis Brunet of Pontificia Universidad Católica of Chile.



XIII COLOQUIO ANUAL DEL CONSORCIO LATINOAMERICANO

DE LIBERTAD RELIGIOSA

LIBERTAD RELIGIOSA, KRUALDAD Y AUTONOMÉA DE LAS ENTIDADES RELIGIOSAS







Religion and the Rule of Law

Ho Chi Min City, Vietnam | 21 September 2013

The first of the Center's annual regional conferences in Asia took place in Ho Chi Minh City on September 21, in connection with the Second Annual Vietnam Certificate Training program, conducted in partnership with the Institute for Global Engagement (IGE) and the University of Social Science and Humanities (USSH at Vietnam National University Hanoi).

The conference featured speakers from the United States and Vietnam, including Professors W. Cole Durham, Jr. and Brett G. Scharffs of Brigham Young University, and Professor Do Quang Hung, a prominent scholar on religion and rule of law and a professor at the USSH/VNA. As a result of this successful conference, a delegation from Vietnam traveled to Washington DC to meet with Center leaders and representatives of IGE and the International Religious Freedom Roundtable to sign a milestone agreement: the first-ever memorandum of understanding to support further study of the implementation of religion and rule of law in Vietnam.

Subsequently, the delegation, including Professor Hung and Vietnamese Embassy's Deputy Chief of Mission, Dr. Nguyen Vu Tung, traveled to BYU to meet with University officials and conclude further agreements between the Center and Vietnam.



Political Islam in Euro-Mediterranean Region

Ifrane, Morocco | 7-9 November 2013

The conference "Islam in the Law: Sharia, Secularism, and Society in the Euro-Mediterranean Region" was held November 7-9 at Al Akhawayn University in Ifrane, Morocco. Welcomes by Dean Nisar Messari of the School of Humanities and Social Sciences and Professor T. Jeremy Gunn both of Al Akhawayn, were followed by keynote addresses by Professor Olivier Roy, European University Institute, and Tahir Mahmood, Professor of Eminence & Honorary Chair, Institute of Advanced Legal Studies, Amity International University. Other speakers were Professors Cole Durham and James Toronto of BYU; Professor Gerhard Robbers, University of Trier; Professor Alessandro Ferrari, University of Milan; Professor Blandine Chelini-Pont, University Aix-Marseilles; Professor Javier Martínez-Torrón, Complutense University; Professor Mohammed Mouaquit, Hassan II University Casablanca; Professor Amal Idrissi, Moulay Ismail University, Meknès Morocco; and Professors Émilie Roy, Christopher Longhurst, Doris Gray, Driss Maghraoui, Jack Kalpakian, and Djallil Lounna, all of Al Akhawayn University. Also speaking were Father Vsevolod Chaplin, Russian Orthodox Church; Dr. Pasquale Annicchino, European University Institute; Dr. Baudoin Dupret, Director, Centre Jacques-Berque (Rabat, Morocco); and The Honorable Waël Rady, Chief Judge, Economic Court of Cairo.









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Khóa học Ngắn hạn về Tôn giáo và Pháp quyền Certificate Training on Religion and Rule of Law

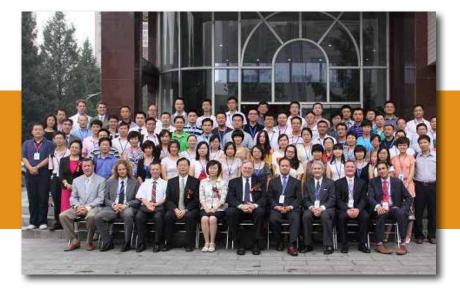


16 September - 25 September 2013, Ho Chi Minh City, Vietnam



CERTIFICATE TRAINING **PROGRAMS**

The Center has established influential Certificate Training Programs in both China and Vietnam



China

The fourth China Certificate Training Program took place from 15 to 26 July at the Beijing Foreign Studies University, co-sponsored by ICLRS, the Center for Constitutional and Administrative Law, Peking University Law School, the Pu Shi Institute for Social Science, and the Beijing Foreign Studies University. Brett Schaffs, Cole Durham, and BYU Law student Carl Hollan participated. Scharffs also made a presentation, on law and religion fellowships at BYU Law School, at the China training programs reunion in Beijing on November 1, where 34 program alumni met to discuss the future of religion and the rule of law in China and elsewhere in Asia, and to share their recent research. A fifth Certificate Training Program will be held in Beijing in July 2014.

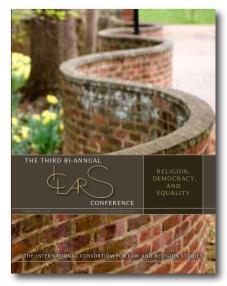
Vietnam

The Center co-sponsored second Vietnam Certificate Training Program took place in Ho Chi Min City from 16 to 25 September. Cole Durham and Brett Scharffs participated in this program, which is designed to help build an intellectual infrastructure to guide the current and emerging generation of Vietnamese scholars, government officials, policy advisors, and religious leaders, as they work to improve policy on religious freedom in their own contexts, providing a network for change, so that these Vietnamese leaders can make the case from within their own cultural context that religious freedom is essential for a stable and prosperous society. The first Vietnam Certificate Program took place in 2012 in Hanoi, and a third is scheduled for May 2014.

ICLARS **CONFERENCE**

Religion, Democracy, and Equality

Virginia, USA | 21-23 August 2013



"Religion, Democracy, and Equality, " the third bi-annual conference of the International Consortium for Law and Religion Studies (ICLARS), was held August 21-23 in historic venues in Virginia. One day was spent in RIchmond, another at the University of Virginia in historic Charlottesville, and a third at the College of William and Mary in Williamsburg.

The keynote address was given by Heiner Bielefeldt, UN Special Rapporteur on Freedom of Religion or Belief, and more than 90 US and international scholars participated.

ICLARS is a network of scholars and experts on law and religion begun in 2007 with Professor Silvio Ferrari of the University of Milan as President. Its members come from more than 40 countries. Cole Durham was installed as president of ICLARS in Santiago, Chile, in September 2011.

ICLRS Associate Director Elizabeth Clark and Center Coordinator Deborah Wright played the primary organizing role of this Center-hosted conference, under the advisement of the ICLARS Steering Committee. The organizers were particularly grateful for the invaluable assistance of attorney Megan Healey Taylor; Southern Virginia University student Nicholas Gaughan; and Olga Medina of Salt Lake City. Co-sponsors of the conference included the University of Virginia School of Law, the Institute of Bill of Rights Law of William & Mary Law School, and the First Freedom Center. The organizers extended special thanks to Southern Virginia University and Glade M. and Kathleen Knight.







2013 RELIGIOUS FREEDOM AWARD DINNER

THE J. REUBEN CLARK LAW SOCIETY and THE INTERNATIONAL CENTER FOR LAW and RELIGION STUDIES

CORDIALLY INVITE YOU TO ATTEND the 2013 INTERNATIONAL RELIGIOUS LIBERTY AWARD DINNER HONORING

Dr. John Graz

Department of Public Affairs and Religious Libert

OCTOBER 10, 2013 7:00 pm WASHINGTON COURT HOTEL 525 New Jersey Ave., NW • Washington, D.C.

> An educational program on religious liberty will be presented at 6:00 pm

Reply card enclosed or reply online at www.jrclsdc.org e possible in part by the Sterling and Eleanor Colton Chair in Law and Religion and the Host Committee The J. Reuben Clark Law Society and the International Center for Law and Religion Studies hosted the International Religious Liberty Award Dinner at the Washington Court Hotel in Washington DC on October 10, honoring Dr. John Graz, Secretary-General of the International Religious Liberty Association (IRLA), with the 2013 Religious Liberty Award. Former Senator Gordon Smith delivered the keynote address, speaking about the unique link between American history and religious freedom.

Also honored at the dinner were the winners of the 2013 Religious Liberty Student Essay Contest, with awards presented by Eric Baxter, Chair of the DC Mid-Atlantic Chapter of the Clark Society, to James Cleith Phillips, Ethan Blevins, Landes Taylor, and Spencer R. Nelson.

The award to Dr. Graz was presented by BYU Law School Dean James R. Rasband.

Giving tribute to Dr. Graz were Professor Cole Durham of BYU Law School and Dr. David Little, Professor Emeritus of the Practice in Religion, Ethnicity, and International Conflict at Harvard Divinity School.

Both Professor Durham and Professor Little have been associated with Dr. Graz for many years as regular contributors to the annual IRLA Meeting of Experts, which promotes religious liberty in academic circles and settings.

Dr. Little highlighted Dr. Graz's infatigable dedication to the cause of religious liberty and commended him specially for his contributions to organizing congresses, symposia, lectures, and workshops for the promotion and protection of religious liberty for everyone, in all places: "We all owe a great debt of gratitude to John Graz," said Professor Little. In turn, Dr. Graz thanked his team at IRLA as well as his associates worldwide: "In receiving this great honor, I feel I represent them and that this award is given to all of them."

The Center is grateful for the support of the Sterling and Eleanor Colton Chair of Law and Religion, which helps support this annual award dinner.





Religious Freedom Lectures Discussion Series

According to recent studies, some 75 percent of the world's people live under high or very high restrictions on religious freedom. Restrictions on the ability to practice religion according to one's conscience, alone and in company with others, are rising rapidly in many nations, from Africa to Asia, from the United Kingdom to the United States. Helping people understand and effectively respond to the challenges of protecting this precious and increasingly vulnerable right is an important part of the Center's work. To this end, the Center sponsors an annual Religious Freedom Discussion Series. Delivered at BYU Law School and offered by live Webinar worldwide, these discussions of timely and important law and religion issues are led by the internationally recognized experts who direct the work of the Center. Director Cole Durham opened this third year in the series with "Against Free Exercise Reductionism." Elizabeth Clark spoke on "Converging Challenges to Religious Freedom." David Kirkham addressed "Freedom of Conscience and the American Identity." Brett Scharffs asked "Can Public Reason Accommodate Conscience?" Recordings of these presentations and those from previous years are available on the Center's website.



2013 Center **PUBLICATIONS**

The Center is actively involved in writing and publication projects year round. In addition to articles in journals and chapters in books, Center scholars delivered, collectively, more than 30 papers or other presentations in 2013.



Law, Religion, Constitution: Freedom of Religion, Equal Treatment, and the Law

W. Cole Durham, Jr., Silvio Ferrari, Cristiana Cianitto, and Donlu Thayer, eds. | Ashgate 2013

Center Editor Donlu Thayer assumed primary responsibility for editing the proceedings of the Second Conference of the International Consortium for Law and Religion Studies (ICLARS), held in Santiago, Chile in 2011. Cole Durham was installed as President of ICLARS at that Conference. Editing of the collection of papers from the Third ICLARS Conference, which was held in August of this year in Virginia, is now underway.



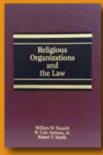
International Law and the Defamation of Religion Conundrum Brett G. Scharffs | Review of Faith & International Affairs

Among the Center faculty publications in 2013 were two by Brett Scharffs, Center Associate Director and, since July 1, Law School Associate Dean for Research and Academic Affairs. "John Banzhaf's Fatwa against Catholic University" appeared in the 10 January 2013 issue of the University of Chicago Divinity School's online publication, *Sightings*, and "International Law and the Defamation of Religion Conundrum" appeared in the 10th Anniversary Issue of *The Review of Faith & International Affairs*.



Oxford Journal of Law and Religion

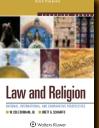
The Oxford Journal of Law and Religion has concluded its second year of publication. Having produced two numbers for Volumes 1 & 2 (2012, 2013), the Journal will move to three numbers in 2014 and four numbers each year thereafter. Cole Durham serves as one of the Journal's five international Editors-in-Chief; Donlu Thayer is a Case Note Editor and the final proofreader for the Journal; and Dean Brett Scharffs serves on the Journal's Advisory Board. BYU contributions to the Journal have included case commentaries by Donlu Thayer and Professor Lynn Wardle, and case notes by Thayer and by students Randa Begni da Silva Vieira and Michael Worley.



Religious Organizations and the Law (4 Vols.)

William W. Bassett, W. Cole Durham, Jr., and Robert T. Smith | West 2013

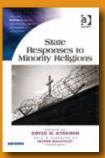
This comprehensive treatise, originated by William W. Bassett of the University of San Francisco, and now co-authored by Cole Durham and Robert Smith, has been updated annually since 1997. Since the Center took over the work in 2007, students and staff, with input from an interdenominational advisory board of legal professionals, have worked to expand the work from 10 chapters to 19, and from two volumes to four, with groundwork having been laid during 2013 for a second, greatly expanded edition in 2014, which will bring the total number of chapters to more than 30.



Law and Religion: National, International, and Comparative Perspectives, Second Edition

W. Cole Durham, Jr., Brett G. Scharffs | Wolters Kluwer forthcoming

Revisions for the second edition of the groundbreaking casebook *Law and Religion: National, International, and Comparative Perspectives*, by Cole Durham and Brett Scharffs, were completed during 2013, along with updates to the companion Web Supplement and Teacher's Manual, by a student team directed by Center Editor Donlu Thayer. After final review by Professors Scharffs and Durham, the edition, containing dozens of new cases and commentaries, will go to press in mid 2014.



State Responses to Minority Religions David M. Kirkham, ed. | Ashgate 2013

Edited by Professor David Kirkham, Senior Fellow for Comparative Law and International Policy and the Center's Regional Advisor for the European Union and Council of Europe, this book provides a legal and normative overview of the variety of responses to minority religions available to states. Exploring case studies ranging from Islamic regions such as Indonesia, Pakistan, and the wider Middle East, to Western Europe, Eastern Europe, China, Russia, Canada, and the Baltics, contributors include international scholars and experts in law, sociology, religious studies, and political science.

UPCOMING **EVENTS**

Here is a look at some of the events the Center has planned for the upcoming year. Several of the dates are still being finalized. Please contact the Center for the most current event dates.

January 6-9, 2014: International Religious Liberty Association (IRLA) Board of Experts, to be held in Athens, Greece

January 15-16, 2014: International Conference on "Religion, Democracy and Law," to be held at the London Metropolitan University, London, United Kingdom

January 2014: Meeting of the Executive Committee, International Advisory Council of the International Center for Law and Religion Studies, Provo, Utah

March 2014: Meeting of the Executive Committee, International Advisory Council of the International Center for Law and Religion Studies, Provo, Utah

April 3-4, 2014: Meeting of the International Advisory Council of the International Center for Law and Religion Studies, Salt Lake City, Utah

April 24-26, 2014: Central America Regional Conference, to be held in Guatemala City, Guatemala

May 5-16, 2014: Third Certificate Training Program and Conference, Vietnam *[tentative date]*

May 26-28, 2014: Law and Religion Conference, to be held at the Stellenbosch University, Stellenbosch, South Africa

May 30 - June 2, 2014: IAC Travel Study Program in Italy, beginning in Rome and concluding in Como

June 3-5, 2014: Islamic Regional Conference, to be held at Insubria University, Como, Italy

June 23-27, 2014: Conference in Oxford

Late May-Early June 2014: Conference to be held at Central European University, Budapest, Hungary

June 2014: Conference in Indonesia

June 2014: Meeting of the Executive Committee, International Advisory Council of the International Center for Law and Religion Studies, Provo, Utah

July 7-9, 2014: CLE Training Seminar on Religious Liberty, Provo, Utah

July 21 - August 1, 2014: Fifth Certificate Training Program, China

August 2014: Meeting of the Executive Committee, International Advisory Council of the International Center for Law and Religion Studies, Provo, Utah

September 1-3, 2014: Conference of the Latin American Consortium, Cordoba, Argentina

September 3-5, 2014: International Congress on "Religious Freedom in the XXI Century: Religion, State and Society," to be held the National University of Cordoba, Argentina

September 11, 2014: Conference on Freedom of Religion in the European Court of Human Rights, Strasbourg

October 5-7, 2014: 21st Annual International Law and Religion Symposium, to be held at Brigham Young University, Provo, Utah

October 9-10, 2014: 21st Annual International Law and Religion Symposium sessions, to be held in Washington DC

Late October 2014: Meetings on Law and Religion held in relation to the release of the Annual Report by the U.N. Special Rapporteur, New York, New York

November 6-7, 2014: Eastern Europe Regional Conference, Jagiellonian University, Cracow, Poland

November 2014: Regional Conference on Law and Religion, to be held in Amity University near New Delhi, India

November 15-16, 2014: Law and Religion Conference to be held in conjunction with the G20 Summit, to be held in Brisbane, Australia

November 2014: Meeting of the Executive Committee, International Advisory Council of the International Center for Law and Religion Studies, Provo, Utah

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