



# Protecting Converts against Deportation to Countries where Christians are persecuted

Survey on the Situation of  
6,516 Converts in Germany



**Open Doors**  
Im Dienst der verfolgten **Christen** weltweit



Professur für **Religionsfreiheit** und  
Erforschung der **Christenverfolgung**



## Publishers

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# Editorial by Markus Rode

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Helping the helpless honors a country. When more than one million refugees arrived in 2015 and 2016, Germany was praised for its goodwill. Hundreds of thousands of volunteers provided practical and material assistance. Among them, Christians from different churches invited these refugees of another culture and religion into their homes and worship services. Thousands of Muslims opened their hearts to the Christian faith, many of whom had already encountered it in their home countries. At home, they had heard how Christians love even their enemies, now they experienced charity and love firsthand.

But in the overcrowded refugee shelters, there were soon tensions and even violence against refugees from religious minorities, including traditional and converted Christians. However, their cries for help because of increasing attacks and death threats were not heard by the federal or state governments. Reported attacks were relativized for the sake of "political correctness" and often rejected as outliers. The perpetrators often formed a larger body of witnesses than the victims, leaving them without justice.

In response, Open Doors conducted a survey of 743 Christian refugees together with other relief organizations and the Central Council of Oriental Christians in Germany (ZOCD). Two studies published the results of the survey on the 9<sup>th</sup> of May and the 16<sup>th</sup> of October 2016 respectively. The reports of repeated and severe violence, death threats and discrimination indicated a widespread problem. In reaction to the Open Doors reports, Hesse was the first federal state to implement necessary improvements in the protection of religious minorities.

Many of the Muslims in the refugee shelters in Germany came from Iran and Afghanistan, countries in which leaving Islam (apostasy) is considered a crime worthy of capital punishment. Some refugees brought this attitude with them. The Christian refugees now experienced persecution even in Germany, manifesting itself in uprisings and violence. No matter how visibly a convert lives his faith, in his country of origin he is considered a renegade. The resulting danger to the lives of converts was not recognized by many staff of the Federal

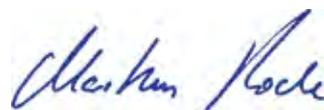
Office for Migration and Refugees (BAMF) and the administrative courts involved in the asylum process.

In the last two years, converts have received less and less protection status. In the event of a deportation, converted asylum seekers must expect strong persecution. Open Doors and its partners have thus initiated this study on the protection of converts against deportation to a country in which Christians are persecuted. Open Doors has stood by the side of persecuted Christians for more than 60 years and knows to what extent Christians, especially converts, are exposed to persecution.

A large proportion of converts come from the Islamic Republic of Iran. A recent study by Open Doors International from August 2019 shows what consequences the deportation to Iran has for them: "Iran: The reality for Christians – Considerations for immigration officials, government agencies and advocates of Iranian Christians", to be found in Chapter 17.5. starting on page 82.

One aim of this representative survey was the investigation of the widespread assumption that many Muslims convert to Christianity for strategic purposes. This study is intended to enable the interior ministers at federal and state level as well as the staff of the BAMF and the administrative courts to reassess their current information. Building on this, we have formulated recommendations for action along with specific demands in Chapter 15 (page 52) intended to provide better protection for converts.

I hope and pray that all those involved in the decision-making process will become increasingly aware of their full responsibility for the lives of the converts entrusted to us, and will act accordingly.



Markus Rode  
CEO Open Doors Germany

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1 Open Doors, "Mangelnder Schutz religiöser Minderheiten", [https://www.opendoors.de/sites/default/files/.../2016\\_10\\_Erhebung\\_Mangelnder\\_Schutz\\_religioeser\\_Minderheiten\\_Auflage4\\_04\\_2017.pdf](https://www.opendoors.de/sites/default/files/.../2016_10_Erhebung_Mangelnder_Schutz_religioeser_Minderheiten_Auflage4_04_2017.pdf) access on 10/23/2019.

# 1. Executive Summary

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- 1) Christian converts are the group most severely affected by persecution of Christians worldwide. With their fleeing to Germany, many converts try to escape exactly this persecution and need special protection.
- 2) This study deals with people who seek protection in Germany and have left the Islamic faith for the Christian one. These new Christians will be related to as "converts" in the following pages. The study focuses on converts possessing a clerical affidavit concerning the authenticity of their faith and their involvement in church life.
- 3) 179 churches from several denominations and from all federal states representing 6,516 converts participated in the study. According to our estimates, this makes up to 15–30 % of refugee converts.
- 4) Time frame: The survey was conducted in two parts
  - a. Pilot study: 7/16–8/8/2019
  - b. Main study: 8/9–9/20/2019
- 5) The acceptance rate for converts is only slightly higher than that of the general refugee population. The particular vulnerability of converts is hardly reflected in the decisions on asylum applications.
- 6) The protection rate for converts by the Federal Office for Migration and Refugees (BAMF) has fallen considerably since July 2017, in sharper decline than the general acceptance rate. This is a further indicator of the ignorance to the situation and vulnerability on the ground in the respective countries of origin.
- 7) In many cases, especially in the last two years, converts seeking protection have only been granted protection by administrative courts (AC).
- 8) There is no consistent legal practice concerning the fate of converts in Germany. The protection rates of the federal states differ significantly from one another.
- 9) Churches reported about numerous hearings and negotiations which, according to their observations, did not respect due process.
- 10) Many pastors and volunteers were shocked by the high volume of converts who have not been granted asylum and are in a state of uncertainty. The churches are even more concerned about converts that have already been deported to countries with severe Christian persecution. The same is true for those who might have feigned faith in Christ.
- 11) The vast majority of the congregations conduct thorough baptism classes for those interested in the Christian faith. The participation of converts in church life is reliable and very high.
- 12) According to pastors 88 % of the converts in their care are authentic, 86 % display this in their participation in parish life. However, the BAMF only granted protection status to 37.6 % of the test population in the period 2018–2019.
- 13) Even if there are individual "outliers" among the converts (and also communities that baptize hastily), a blanket condemnation of all converts is unacceptable. Those accusing converts of strategic motives undertake a discriminatory misjudgment and neglect the extremely dangerous repercussions on converts.
- 14) The submission of a clerical affidavit and baptism certificates (amongst others), has consistently had a negative effect on the decisions of the BAMF.
- 15) It is disturbing that employees of the BAMF and the AC ignore the findings of experts when making decisions and judgments.

## 2. Introduction

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### Introduction

More than two million refugees and migrants have arrived in Germany since 2014, more than two-thirds of them are Muslims. Of these, thousands had already opened their hearts for the Christian faith in their homeland and were forced to flee for this reason. Others turned to the Christian faith after their arrival in Germany. In their home countries Christians are severely persecuted, leaving Islam (apostasy) is severely punished and is cause for rejection by large portions of society. For this reason, many of them waited until they got to Germany to be baptized. Many of these converts record their change of faith in the asylum process.

Until around mid-2017, conversion was recognized in many cases in the asylum process and, consequently, protection status was granted. Currently, such asylum seekers are no longer granted protection in many cases in Germany, and now await deportation to their countries of origin. Those working with converted refugees report recurring challenges throughout the asylum process.

Due to the danger that faces these converts, it was necessary to determine, by means of an empirical study, how the asylum process can be improved to offer the best protection to converts. The present study is intended to provide insight into the decision-making process as a whole. The protection of converts from persecution and the guarantee of their right to religious freedom must be handled as a priority. To this end, the condition of religious freedom in the respective countries of origin must be taken into account in the decision-making process of the BAMF and the administrative courts.

### Deportation to Countries with Persecution

For more than 60 years, the Christian charity Open Doors has been at the side of persecuted Christians. Open Doors is active today in around 60 countries, including the countries of origin considered in this study. Open Doors is thus well informed through partners and local churches about the often difficult consequences of Christian minorities, especially converts. Persecution stems from religious groups, family as well as from the government and the authorities. To keep a change of faith secret in societies with high social control and a tight family structure is extremely difficult. Making the change of faith public means risking violence, imprisonment, severe persecution and even death.

The human right of religious freedom applies to people of all religious backgrounds. It includes the right to change religion, enabling converts to live their faith in public and privately. This is not possible for refugees from primarily Islamic countries. Their deportation into a situation of persecution contradicts not only the German Constitution but the Declaration of Human Rights.

For this reason, Open Doors Germany, together with partners, churches and associations of different denominations, has carried out a study of Christian congregations assisting converts. This will provide a current overview of the situation of converts seeking protection in Germany. The experiences of converts with the authorities in the asylum process will be examined, and additionally the experiences of churches with converts and with government agencies.

## 3. Goals of the Study

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The study analyzes the situation of converts who seek asylum in Germany. They have turned away from the Islamic faith and the Muslim community to join the Christian faith and community. The investigation includes various combinations and sequences of conversion, baptism, escape and asylum claims. It covers both fugitive converts and converted fugitives; people who converted in their country of origin and then fled, as well as people who converted in Germany. No distinction is made concerning at what point within the asylum process the conversion of the latter took place.

### Significant Reduction in Asylum Granted to Converts in 2017

In the course of 2017, a noticeable change was observed in the decision-making practice of the Federal Office for Migration and Refugees (BAMF) with regard to asylum applications by converts. The proportion of negative BAMF decisions increased sharply. In fewer and fewer cases was asylum granted.

Christians who accompany converts now fear that the converts will be deported to countries where they will face persecution because of their faith. Some have already been deported. The situation of Christians and especially converts in these countries has continuously worsened in recent years.

### Examination concerning the Protective Status of Converts

The converts among the fugitives in Germany are often stuck in an administrative process that lasts for years. The point in the asylum process at which they are currently is to be recorded. On the basis of the figures collected, it is to be analyzed and documented:

- >> What about the seriousness of the change of faith of the converts, which is stated in numerous negative BAMF decisions as not ascertainable?
- >> Are converts prematurely baptized or carefully instructed in faith? Is the seriousness of their faith tested before baptism?
- >> How well are converts integrated into churches? To what extent does this provide information about how they will continue to live their faith in the future?
- >> Since 2017, has there been a serious uptick in the number of refugees converting for strategic reasons?
- >> How many converts were granted asylum versus not?
- >> How is the increase in rejected claims by the BAMF after July 2017 to be understood?
- >> What weight do BAMF decision-makers give to clerical affidavits?
- >> To what extent have the decisions of the BAMF contradicted the clerical affidavits?
- >> To what extent have BAMF decisions been considered illegitimate in legal appeals before administrative courts?
- >> To what extent have the decisions of the courts contradicted the clerical affidavits?
- >> How many converts have already been denied asylum by the BAMF that have not yet been successfully appealed or are otherwise final?

# 4. Methodology

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## Methodology and Representativeness, Scientific Relevance, Approach and Implementation of the Survey

These topics are dealt with in detail in Appendix 3, which includes also: structure and evaluation of the questionnaire as well as evaluation of the data by the partnering organization "Internationale Informationsstelle für Religionsfreiheit e.V." (International Information Centre for Religious Freedom Germany (IIRF-D)).

### Representative Study

179 churches participated in the survey with 6,516 converts from all federal states and several denominations. It covers an estimated 15–30 % of the convert population and thus goes well beyond the normal level of a representative survey. Details of the methodology and representativity of the survey are given in Annex 3.

Gießen, in cooperation with Open Doors, took the lead in creating the questionnaire used in the main study. In addition to creating the extended questionnaire, they supported its further dissemination, processed the data from the responses, and prepared the statistical evaluation and interpretation. The extended questionnaire was also refined in exchange with experts and practitioners.

### Methodology and Performance of the Study

Contacts were made with churches and church-associations of different confessions that were known to be active amongst converts. The churches were contacted either directly by e-mail or via their respective association.

The survey was conducted in two phases. The first survey consisted of basic information with 87 churches responding. However, it became clear that more precise questions were needed to determine the converts' status in the asylum process and also to record the increase in negative decisions since mid-2017. The pilot study was followed by a main study with an extended questionnaire, which was answered by 117 churches by the deadline. 25 churches responded to both questionnaires, which is why a cumulative evaluation was additionally carried out.

After the pilot study, the "International Information Centre for Religious Freedom Germany" (IIRF-D) was asked for academic support in the evaluation of the generated data. Their team under the direction of Dr. Christof Sauer, Professor of Religious Freedom and Research on the Persecution of Christians, Freie Theologische Hochschule

### Dissemination of the Questionnaire

An attempt was made to achieve the greatest possible geographical and confessional diversity and to involve Protestant, Roman Catholic, non-state, Orthodox and other churches, including migrant communities.

### Scientific Method

Even if the survey is carried out in practical interest, the evaluation was carried out with scientific care. A distinction is made between the statistical results of the survey, the experiences and opinions from the participating churches, and the interpretations by the authors.

### Division in Five Parts

- Part 1 A study on the situation of converts seeking protection in Germany
- Part 2 Individual actors and their challenges
- Part 3 Recommendations and demands
- Part 4 Voices from churches and society
- Part 5 Appendices: among others, relevant media articles on the topic/current report on Christians in Iran

# 5. Datapool Overview

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The census of data (pilot survey and main survey) took place between July 16<sup>th</sup> and the 20<sup>th</sup> of September, 2019. The last responses taken into consideration were received on October 1<sup>st</sup>, 2019. The survey focused on converts who are currently participating in church services and activities. Data was collected on administrative process and lawsuits in the period between January 1<sup>st</sup>, 2014 and the submission deadline.

## 5.1.Churches Involved

For the entire survey (pilot and main), 179 of the participating churches provided usable data, 87 of them in the pilot and 117 in the main survey. 25 churches participated in both surveys.

Among the participating churches, almost all are protestant and non-state Evangelical churches, in roughly equal parts. The non-state churches were divided into Free Evangelical (FeG), Evangelical Free (EFG) and Pentecostal/ Charismatic churches.

Despite great efforts, it has not been possible to obtain responses from Catholic (except one) and Orthodox churches or from churches of migrants (only). Nevertheless, in terms of converts, representativeness of the survey is guaranteed.

Completed questionnaires were returned from all federal states, due to the geographical spread of the converts. The majority of participating churches are located in Baden-Wuerttemberg (BW), Bavaria (BY), Hesse (HE), North Rhine-Westphalia (NRW) and Lower Saxony (NS). Approximately two thirds of the converts recorded are currently residents of the federal states of BW, BE (Berlin), BY and HE. For this reason, some of the geographical analysis was based on regions.

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- 1 Churches of the Independent Evangelical Lutheran Church (SELK), although they consider themselves a non-state church, were counted among the protestant state churches on the basis of their understanding of baptism.
  - 2 This concentration is partly due to individual congregations that reported a high number of converts among their churchgoers. Other congregations with large numbers of converts in other federal states either provided data not utilizable or did not participate.

## Spread of Churches and Recorded Converts

Federal State	Pop. (Mio)	Protestant Churches		Non-state Churches		Total		converts/Mio Pop.
		#churches	#converts	#churches	#converts	#churches	#converts	
<b>BE</b>	3.5	4	1151	2	87	6	1238	354
<b>BW</b>	10.9	19	201	18	1048	37	1249	115
<b>BY</b>	12.8	20	214	18	1008	38	1222	95
<b>BB</b>	2.5	3	40			3	40	16
<b>HB</b>	0.67	3	108			3	108	161
<b>HH</b>	1.8	1	9			1	9	5
<b>HE</b>	6.2	9	428	14	405	23	833	134
<b>MV</b>	1.6			3	75	3	75	47
<b>NI</b>	7.9	6	66	9	328	15	394	50
<b>NRW</b>	17.9	3	61	14	441	17	502	28
<b>RP</b>	4	5	39	2	12	7	51	13
<b>SL</b>	1	1	14	1	4	2	18	18
<b>SN</b>	4.1	6	153	1	2	7	155	38
<b>ST</b>	2.2	2	126	3	194	5	320	145
<b>SH</b>	2.9	2	37	5	142	7	179	62
<b>TH</b>	2.2	3	33	1	70	4	103	47
<b>DE</b>	82.17	87	2680	91	3816	178	6496	79

A total of 6,516 converts are churchgoers in 179 churches, an average of 36.4 converts per church. The number of converts is distributed irregularly among the churches. The majority of the churches involved had a small number of converts. A smaller number of congregations, each with a large number of converted churchgoers, accounted for about half of the total number of sample population.

## Distribution of Converts among Churches (overall survey)

Converts/Churches	#churches	converts total	Percentage converts/church
<b>Up to 9</b>	78	328	5.0 %
<b>10–25</b>	42	710	10.9 %
<b>26–50</b>	30	1088	16.7 %
<b>51–100</b>	19	1208	18.5 %
<b>101–150</b>	5	636	9.8 %
<b>151 an above</b>	5	2546	39.1 %
<b>Total</b>	179	6516	100 %

## 5.2. Convert Country of Origin

The 6,516 converts originate from 26 different nationalities, with the vast majority coming from Iran (69 %) and Afghanistan (16 %), much smaller shares from Syria, Nigeria, Iraq, Pakistan, Eritrea, Cameroon, and from 18 other countries.

Country	Total	Iran	Afghan.	Syria	Nigeria	Iraq	Pakistan	Eritrea
<b>Amount</b>	6516	4557	1015	243	235	157	57	66
<b>%</b>	100.0 %	69.0 %	15.6 %	3.7 %	3.6 %	2.4 %	0.9 %	1.0 %

## 5.3. Involvement in Church Life/ Conversion Credibility

The participating pastors are convinced of a genuine change of faith among the majority (88.1 %) of converts seeking protection; only with 11.9 % of them they had doubts. 75 % of the converts are well integrated into local German congregations and 65 % regularly participate in church life (another 21 % occasionally) – despite work commitments on Sundays for many (cf. attending church services by members of the Protestant churches = 5–10 %); 85 % of the converts were baptized Christians; 71 % had completed the baptismal course in the caring congregation (most of the others in another church in Germany).

### Evidence of Sincerity of Conversions

Points of evidence	Pastoral assessment positive	Integration into church	Participating in church services		Baptism	Baptismal course in own church
			regularly	sometimes		
Percentage	88.1 %	75.0 %	65.0 %	21.0 %	85.0 %	71.0 %

### Authorities Recognize the Sincerity of Conversion far less often than Pastors

Pastors and priests consider 88 % of the converts as trustworthy (credible). They report a 65 % and 86 % rate of participation in church life respectively. The BAMF, however, granted protection status to only 37.6 % of the converts in the 2018–19 period.

## 5.4. Convert Refugee Status

In the pilot survey (as well as in the combined evaluation of pilot and main survey), the total asylum rate was assessed. This includes the recognition as a refugee, the granting of asylum, subsidiary protection or at least a protection from deportation (issued by the BAMF or as a result of a judicial appeal before an administrative court (AC)). If one of these options applies, the term "protection" is used. Out of 6,516 converts the status in the asylum process of 5,648 converts is known. The following results have been broken down into five categories:

- >> For 1,809 converts (32.0 %) the process is pending.
- >> For 3,839 the process was completed.
- >> For 2,988 (77.8 %) of these, protection status or protection from deportation was granted.
- >> For 851 no protection status was granted.
- >> Out of the rejected applicants, 242 (4.3 % of all converts) had already been deported to their home countries at the time of the survey, where they faced or were threatened with persecution by relatives and/or authorities; 176 (3.1 %) had been deported to European countries in accordance with the Dublin Agreement.

### Status of the Converts Seeking of Asylum

Status	Pending	Decided/completed			
<b>Amount (out of 5648)</b>	1809	3839			
<b>Percentage</b>	32.0 %	68.0 %			
Status		Protection	No Protection		
<b>Amount (out of 3839)</b>		2988	851		
<b>Percentage</b>		77.8 %	22.2 %		
Status	Pending	Protection	Toleration	Deportation into country of origin	Deportation within Europe (Dublin)
<b>Amount (out of 5648)</b>	1809	2988	433	242	176
<b>% of total</b>	32.0 %	52.9 %	7.7 %	4.3 %	3.1 %

## 5.5. Protection Rate

The protection rate is defined as the number of cases in which the converts are granted protection status directly by the BAMF or the AC. The protection rate also includes protection from deportation (lowest protection status), which – in several cases – was granted despite rejection of the sincerity of the conversion. Although protection from deportation is granted, the verdict states that these converts are not considered sincere Christians.

To what extent are factors such as country of origin, belonging to a church and the federal state (in which the convert is) relevant to the granting of protection? For this purpose two factors have to be combined with one another. However, correlation doesn't necessarily mean dependence or causality.

### Protection Rate by Country of Origin and Federal State

Federal states are grouped if the data pool is not sufficient to allow differentiation.

	<b>Total</b>	<b>Iran</b>	<b>Afghan.</b>	<b>Syria</b>	<b>Nigeria</b>	<b>Iraq</b>	<b>Pakistan</b>	<b>Eritrea</b>
<b>Total</b>	77.8 ± 0.5 %	81.2 ± 0.7 %	86.0 ± 1.0 %	96.0 ± 1.0 %	8.0 ± 2.0 %	72.0 ± 3.0 %	80.0 ± 3.0 %	43.0 ± 4.0 %
<b>BW</b>	53.0 ± 1.5 %	67.0 ± 2.0 %	68.0 ± 5.0 %	92.0 ± 1.0 %	8.0 ± 2.0 %	80.0 ± 7.0 %	62.0 ± 10.0 %	21.0 ± 6.0 %
<b>BY</b>	73.0 ± 1.5 %	74.0 ± 1.5 %	72.0 ± 5.0 %	100.0 ± 4.0 %	*	47.0 ± 8.0 %	*	*
<b>NS, HB, HH, SH</b>	81.4 ± 1.5 %	82.0 ± 1.5 %	74.0 ± 5.0 %	97.0 ± 4.0 %	*	*	93.0 ± 7.0 %	*
<b>NRW, RP, Saarland</b>	85.0 ± 1.5 %	86.0 ± 1.5 %	85.0 ± 5.0 %	100.0 ± 4.0 %	*	73 ± 1.5 %	*	*
<b>HE</b>	93.0 ± 1.5 %	93.0 ± 1.5 %	97.0 ± 5.0 %	100.0 ± 4.0 %	*	100.0 ± 5.0 %	*	*
<b>Eastern federal states, Berlin</b>	85.0 ± 1.5 %	82.0 ± 1.5 %	94.0 ± 5.0 %	100.0 ± 4.0 %	*	64.0 ± 10.0 %	*	*

\*Less than 12 cases

The overall protection rate for converts (recognition by the BAMF and AC) in Baden-Wuerttemberg is far below the average for most nationalities with Hesse being significantly above the average.

## Protection Rate by Federal State and Church

	<b>Total</b>	<b>Protestant churches</b>	<b>Non-state churches</b>	<b>EFG</b>	<b>FeG</b>	<b>Pentecostal-Charismatic</b>
<b>BW</b>	53.0 ± 1.3 %	60.0 ± 3.0 %	51.0 ± 1.5 %	90.0 ± 4.0 %	*	38.0 ± 2.0 %
<b>BY</b>	73.0 ± 1.5 %	68.0 ± 4.0 %	73.0 ± 1.5 %	61.0 ± 3.0 %	78.0 ± 3.0 %	65.0 ± 3.0 %
<b>Other western federal states</b>	87.0 ± 1.0 %	93.0 ± 1.5 %	83.0 ± 1.5 %	76.0 ± 2.0 %	88.0 ± 2.0 %	76.0 ± 3.0 %
<b>Eastern federal states, Berlin</b>	85.0 ± 1.0 %	87.0 ± 1.5 %	79.0 ± 1.5 %	77.0 ± 2.5 %	*	100.0 ± 5.0 %

\* Less than 4 churches

The overall protection rate (recognition by BAMF or AC) for converts ministered to by Protestant state churches was significantly higher than for converts from non-state churches, especially Pentecostal-Charismatic churches.

## Protection Rate by Origin and Church

		<b>Iran</b>	<b>Afghanistan</b>	<b>Syria</b>	<b>Nigeria</b>	<b>Iraq</b>	<b>Pakistan</b>	<b>Eritrea</b>
<b>Total</b>	77.8 ± 0.5 %	81.2 ± 0.7 %	86.0 ± 1.0 %	96.0 ± 1.0 %	8.0 ± 2.0 %	72.0 ± 3.0 %	80.0 ± 3.0 %	43.0 ± 4.0 %
<b>Protestant churches</b>	86.0 ± 1.0 %	85.0 ± 1.0 %	92.0 ± 1.0 %	97.0 ± 1.0 %	*	78.0 ± 4.0 %	*	100.0 ± 5.0 %
<b>Non-state churches</b>	72.0 ± 1.0 %	78.0 ± 1.5 %	80.0 ± 2.0 %	96.0 ± 1.0 %	8.0 ± 2.0 %	71.0 ± 4.0 %	75.0 ± 5.0 %	18.0 ± 5.0 %
<b>Free Lutheran (SELK)</b>	90.0 ± 1.0 %	88.0 ± 1.5 %	93.0 ± 1.0 %	97.0 ± 1.0 %	*	*	*	*
<b>EFG</b>	76.0 ± 1.0 %	77.0 ± 1.0 %	78.0 ± 2.0 %	92.0 ± 1.0 %	*	*	*	*
<b>FeG</b>	84.0 ± 1.0 %	82.0 ± 1.0 %	88.0 ± 2.0 %	100.0 ± 1.0 %	*	*	93.0 ± 4.0 %	*
<b>Pent./Charism.</b>	52.0 ± 1.5 %	67.0 ± 1.5 %	68.0 ± 2.0 %	91.0 ± 1.0 %	8.0 ± 2.0 %	71.0 ± 4.0 %	25.0 ± 8.0 %	12.0 ± 5.0 %

\* Less than 12 cases

Syrian converts had the highest overall protection rate (approval by BAMF or AC), followed by Afghanis, Iranians and Pakistanis and Eritreans, across all denominations. Nigerian converts had very little chance of protection.

## Ratio of Protection Rate in General to Protection Rate of Converts

Related to the BAMF and AC verdicts and with focus on various countries (Iran, Afghanistan, ect.).

Although converts are not rejected more frequently by the BAMF in comparison with those seeking protection in general (according to the BAMF annual reports), their situation of special vulnerability, and thus their need of protection, is not acknowledged in many cases. Authorities bring forward the argument that there is no sincere change of faith, therefore persecution is not to be expected in the event of deportation.

## CONCLUSION

This view bears little resemblance to reality and endangers converts. In fact, even the rumor of a change of faith can have serious consequences.

Seldom do converts receive protection, in 2018–2019 only 37.6 %.

## Comparison of BAMF Statistics and Survey Results

Country	BAMF Protection Rate		AC Protection Rate		Comment
	2015–2019	2018–2019	2015–2018	2018	
Time period	Average	Current	Average	Current	
<b>Iran</b>	41.6 %	22.2 %	24.5 %	23.0 %	
<b>Converts</b>	54.1 ± 1.0 %	39.4 ± 1.5 %	61.9 ± 2.1 %		more than Iranian in general
<b>Afghanistan</b>	47.2 %	37.9 %	37.6 %	39.9 %	
<b>Converts</b>	59.0 ± 2.0 %	42.0 ± 3.0 %	68.0 ± 5.0 %		more than Afghani in general
<b>Syria</b>	94.5 %	82.7 %	39.9 %	28.6 %	
<b>Converts</b>	95.0 ± 2.0 %	67.0 ± 14.0 %	few cases		all Syrians receive protection status
<b>Iraq</b>	60.2 %	33.5 %	9.6 %	10.6 %	
<b>Converts</b>	44.0 ± 7.0 %	21.0 ± 11.0 %	39.0 ± 11.0 %		similar to Iraqi in general
<b>Nigeria</b>	13.6 %	10.5 %	3.9 %		
<b>Converts</b>					
<b>Pakistan</b>	4.4 %	4.8 %	11.5 %	8.5 %	
<b>Converts</b>	76.0 ± 10.0 %	*	*		remarkably above Pakistani in general
<b>Total</b>	49.9 %	35.9 %	16.4 %	17.2 %	
<b>Converts</b>	55.0 ± 0.9 %	37.6 ± 1.3 %	62.5 ± 1.9 %		

The first column (average) shows the entire period of the survey; the second column shows the current data (BAMF 2018–19; for AC verdicts only data for 2018 is available).

The first line (blue figures) is taken from the BAMF annual reports "Bundesamt in Zahlen" (the Federal Office in Figures) 2015, 2016, 2017 and 2018 as well as from the BAMF notification statistics January–August 2019.

The second line (red figures) is labeled "converts" and shows the results of the present study for this group of converts.

The comparison with the BAMF statistics shows that converts (especially from Iran, Afghanistan and Pakistan) were granted protection status more often than other applicants, but with differing protection rates. Nevertheless, many converts have not been granted protection status in Germany, and they would face severe persecution in the event of deportation. Moreover, the BAMF and AC protection rates have fallen drastically in the last two years. This has been confirmed by the BAMF statistics and the available survey results.

Since total figures always lead to levelling and thus hide potential anomalies, it is advisable to consider homogeneous groups. Therefore, the converts are presented separately according to their countries of origin.

## 5.6. Iranian Converts

By far the largest group of converts in Germany in this study originates from Iran (4,557, 70 % of all converts seeking asylum). 79 % of them are well-integrated into their churches – despite the frequent need to relocate for work or other reasons. 81 % of the converts have received some sort of protection; 30 % of the cases were still pending, a burdensome status for those affected. Participating churches reported that 44 Iranian converts (1.0 % of the Iranian converts in the study population) were deported to their country of origin. Upon arrival some of them were arrested, persecuted or went into hiding, as reported by the churches caring for them. 148 more Iranian Converts (3.2 %) were deported under the Dublin Agreement to another European country where they suffered homelessness in part and lack of basic provisions.

### Iranian Converts

Asylum Seekers	Well-integrated into Church	Protection Granted	Case Pending	Deportation into Country of Origin	Deportation "Dublin"
4557	3611	2222	1196	44	148
70 % aller Schutzs.	79.0 %	81.0 %	30.0 %	1.0 %	3.2 %

The highest protection rate was reported in Hesse (93 %, 426 out of 459 closed cases); the lowest rate in Baden-Wuerttemberg (67 %; 225 out of 338 completed proceedings). The largest share of deportations to Iran was reported from the western region (NRW, RP, SL): 7 out of 49 rejected cases; the smallest share from northern Germany (SH, NS, HB, HH): 0 out of 58 rejected cases.

Non-state churches (78 % total protection rate), and especially Pentecostal Charismatic congregations (67 %) reported significantly lower approval rates than Protestant state churches (84 %) and significantly more deportations to Iran (14 out of 101 rejected complaints in Pentecostal-Charismatic congregations versus 35 out of 336 in non-state churches and 9 out of 180 in Protestant churches). This is also reflected in the number of Dublin deportations to other European countries.

### Iranian Converts: Quotas of Approval and Deportations by Churches

Church/Asylum Situation	Approval Quota	Deportation to Country of Origin
<b>Non-state Churches Evangelical</b>	78 %	35 out of 336 rejected complaints
<b>Non-state Church Pentecostal-Charismatic</b>	67 %	14 out of 101 rejected complaints
<b>Protestant Churches</b>	84 %	9 out of 180 rejected complaints

The BAMF decision-makers and AC judges appear to find the Pentecostal-Charismatic style of faith difficult to understand or accept. In this context, churches also report significant deficits in the translation of BAMF hearings and AC proceedings: personal experiences of converts are rejected as not trustworthy, clerical affidavits are not considered, Muslim translators are not able (or do not want) to translate the reports of converts correctly. Protestant churches assume the translations to be correct on average 96 %; non-state churches only 90 % (with some congregations only 65 %).

### Deportations to European Countries under to the Dublin Agreement

Churches in Baden-Wuerttemberg reported 40 Dublin deportations per 100 rejected judicial appeals; NRW 57, Hesse 48 and eastern states 20, Bavaria 20, Lower Saxony and Schleswig-Holstein only 5 Dublin deportations per 100 rejected judicial appeals. Pentecostal-Charismatic communities reported 46 Dublin deportations per 100 rejected judicial appeals.

## 5.7. Afghani Converts

The second largest group of converts comes from Afghanistan. The 179 participating churches minister to 1,015 Afghani converts, 85 % of whom are well-integrated into the local church. The approval rate (of BAMF and AC together) is 86 %, which is higher than for Iranians. Protestant state churches report a significantly higher approval rate (95 %) than non-state churches (80 %) and among them Pentecostal Charismatic churches (68 %).

### Afghani Converts

Protection Seekers	Well-integrated into Church	Asylum granted
1015	867	873
	85 % of all Afghani converts	86 % of BAMF- and AC-verdicts

The highest recognition rates were reported from churches in Hesse (96 %) and the eastern federal states (94 %); the lowest from churches in Baden-Wuerttemberg (68 %), Bavaria (72 %) and Lower Saxony (74 %). Although the number of deportations to the country of origin has so far been very low, in principle the danger for Afghani converts to be deported to their home country is much higher than for converts from Iran, because Afghani converts can be deported to their home country even if they are not able to present a passport.

## 5.8. Iraqi and Syrian Converts

The 179 participating churches take care of 243 converts from Syria, of which 63 % are well-integrated into the churches. Their approval rate is 96 %, with 36 % of them still waiting for their judicial appeal. The approval rate is similarly high in all the federal states surveyed and almost no church has reported deportations (only one church in Baden-Wuerttemberg reported three Dublin deportations).

Of the participating churches, 157 converts from Iraq were taken care of; 63 % of them are well-integrated into the churches. The approval rate is 72 % on average, 78 % for Protestant churches and 71 % for non-state churches. The number of deportations was very low.

## 5.9. Pakistani, Eritrean and other Converts

The churches cared for 235 converts from Nigeria; the recognition rate was only 8 % and most of them were deported to their country of origin.

66 converts from Eritrea were included about one third of which are integrated into the local churches. The approval rate is 43 %, 14 % of the cases are still pending. In Baden-Wuerttemberg, 18 converts were deported to their country of origin, 12 others were deported to another European country under the Dublin Agreement.

The approval rate for the 61 converts from Cameroon equals 71 %.

The churches ministered to 57 converts from Pakistan, 84 % are well-integrated into the churches. The approval rate is 80 %, whereby 40 % of the converts are still waiting for their judicial appeal. Three deportations to the country of origin were reported from Baden-Wuerttemberg.

There were also 113 converts from 18 other countries, with an average approval rate of around 20 %.

## Conclusions from the Data 5.3.–5.9.

The vast majority of the converts surveyed are well or even very well integrated into the churches. This strongly refutes the often-expressed assumption that their change of faith is not genuine and is made for strategical purposes. The sincerity of the change of faith is wrongly doubted, or not recognized. The majority of all converts included in the survey regularly participate in church services and in congregational life, and most being baptized in a German church.

### Current Life of Faith of Converts is Rarely Approved or Considered in Asylum Decisions

How a refugee currently practices their faith, is used by the BAMF as a reliable indication of how the person will continue to live their faith in the future. This is crucial to the question whether and how the convert will live their faith in the event of deportation to their country of origin.

The data from the survey show that most converts are already living their faith actively now and have often done so for years. How does the BAMF currently, with reference to the time since 2017, justify its doubts on the prospect that the applying converts will continue to practice their faith sincerely in the future?

Quote Karras [p. 258]:<sup>3</sup> *"In order to make this individual prediction of behavior (EQD Art. 4: Individual examination of all circumstances), the actual religious behavior and personality of the applicant are examined."* (see also Chapter 14)

### Is there Reason to Doubt that the Principle of Due Process Is Observed?

Regarding the increased number of negative decisions for converts, the BAMF and the Ministry of the Interior have to put up with the questions, whether ...

- a) the principle of impartial case-by-case review is adhered to, and
- b) staff of the BAMF handle the subject of the change of faith with a predominantly critical and hostile attitude, and hearings pursue the goal of casting doubt on the sincerity (authenticity) of the change of faith of converts.

Additionally, the heavy use of pre-formulated text blocks in the rejection notices of the BAMF points to a sort of blanket sentencing of converts. Persons who assist and accompany converts to hearings at the BAMF and/or in the administrative courts, have voiced complaints to a similar effect. The different life situations and life stories of persons seeking protection are not given the degree of attention appropriate for understanding such a life-altering decision such as that of conversion.

3 Karras, Benjamin. *Missbrauch des Flüchtlingsrechts? Subjektive Nachfluchtgründe am Beispiel der religiösen Konversion*. Tübingen: Mohr Siebeck, 2017.

Benjamin Karras, who works as an administrative judge in North Rhine-Westphalia and has received his doctorate in religious conversion as a "reason for refugee flight", assumes that every German administrative court is currently dealing with such cases. For his doctoral thesis, he evaluated hundreds of court decisions in which conversion, i.e. the conversion of faith, was cited as a reason for flight. (Cf. Benjami Karras, "Der Lügendetektor", ZEIT online, <https://www.zeit.de/2019/32/religiositaet-taufe-fluechtlinge-asylverfahren-vorteil> access on 10/23/2019.)

## 6. Notifications of the Federal Office of Migration and Refugees (BAMF)

Extract from the Questionnaire: Questions 3, 4 and 7

BAMF verdicts	Iran	Afghanistan	Iraq	Syria	Pakistan	Others
<b>3) For how many CG has BAMF made a Positive Decision (at least protection from deportation)?</b>	1341	342	20	77	19	29
a) Before July 1 <sup>st</sup> , 2017 <sup>1</sup>	708	215	10	31	0	22
b) After July 1 <sup>st</sup> , 2017	429	97	3	8	0	6
<b>4) For how many CG did BAMF decide negatively (no protection status; no protection from deportation)?</b>	1137	237	25	4	6	47
a) Before July 1 <sup>st</sup> , 2017 <sup>1</sup>	354	96	12	0	0	3
b) After July 1 <sup>st</sup> , 2017	661	136	11	4	6	44
<b>7) How many CG are still waiting for a notification of BAMF?</b>	321	71	9	0	9	15

(CG = church goers; converts who regularly participating in church life)

### Findings from the Data

The overall survey showed that 53 % of converts seeking asylum currently have some protective status, 15 % have been rejected, and 32 % are still waiting for a notice. The overall protection rate for decided cases is 78 %, but only 55 % had been granted protection status through the BAMF (mean value of decided cases 1/2014–8/2019), others received protection after appealing the decision in an administrative court (AC).

In 45 % of the cases decided by the BAMF, rejection notices were issued and no protected status was granted. Almost all of those who were rejected appealed their cases through ACs, which were successful in 63 % of the time.

Although the average protection rate for BAMF decisions of 55.5 % for converts (1/2014–8/2019) is higher than the general protection rate (49.9 %/BAMF statistics average 2015–19), many converts remain without protection status – despite their high vulnerability due to expected persecution. Protection rates have fallen steadily since 2017.

### Significant Decline in Protection Rates after July 1<sup>st</sup>, 2017

<sup>1</sup> In the course of 2017, a noticeable turnaround was observed in the BAMF's decision-making practice and the percentage of negative decisions compared to positive decisions by the BAMF increased sharply. The key date for this survey is July 1st, 2017.

In the main study, a distinction was made between notifications before and after July 1<sup>st</sup>, 2017. Accordingly, 67.9 % of BAMF hearings were positive before July 1<sup>st</sup>, whereas after July 1<sup>st</sup>, it was only 36.3 % (-37.6 %). This drastic drop in the protection rate coincides with the general protection rate according to BAMF statistics, which was 62.5 % in 2016 and fell to 37.5 % for the period from January to August 2019. **However, the protection rate for converts declined even more sharply.** Converts had less chance of recognition in BAMF hearings than refugees in general. Only about half of the total number of those seeking protection were granted protection by the BAMF. This also applied to converts. In many cases they only received protection because they took legal action at an AC.

## CONCLUSION:

According to available data, the assessments of BAMF and the ACs regarding the sincerity of the conversion of faith and the predicted sincerity of the life of faith of converts differ significantly.

## Situation in Countries of Origin Has Been Worsening for Years – Nevertheless More Rejections by the BAMF

The situation of converts regarding persecution they would have to face after deportations into their country of origin was sparsely considered by BAMF, although the situation of Christians in sed countries has worsened steadily over the past few years. Freedom of religion is generally not observed in these places. The right of religious freedom must always be upheld, i.e. Christian converts must not be deported to countries in which they cannot live their faith freely. If they are threatened with violence, oppression, imprisonment and possibly even death because of their faith, they must be granted protection according to Asylum Law §3. Their fear of persecution is legitimate. If Germany wishes to be a champion of religious freedom, the vulnerability of converts needs to be recognized and protection granted.

## Did the BAMF Mistakenly Grant Protection en Masse before July 1<sup>st</sup>, 2017?

An excerpt from a media report dated September 19<sup>th</sup>, 2019 states: *"In the first half of 2019 alone, the Federal Office for Migration and Refugees reviewed 62,000 positive asylum decisions. In more than 97 per cent of the cases, the need for protection was confirmed, only in 0.5 per cent of the cases the BAMF felt compelled to retract the decision on grounds of fraud. [...] Almost all of the positive asylum notifications most recently reviewed were correct."*<sup>2</sup>

## Declining Approval of Change of Religion: Different Refugees or

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<sup>2</sup> Bernd Kastner, "Asyl-Zusagen fast immer korrekt", SZ.de, <https://www.sueddeutsche.de/politik/bamf-fluechtlinge-asyl-betrug-1.4606487> access on 10/23/2019.

## Different Standards?

Were the refuge-seeking persons who had to be assessed by the BAMF after July 1<sup>st</sup>, 2017 a completely different type of people than those who came before that date? Were their motives to flee, their plans for life, or their personal backgrounds so fundamentally different from those who had fled before? Or were they less honest than previous asylum seekers so that their rate of approval dropped by half? Of this there is no evidence. What then is the reason for the declining protection rate?

## BAMF Protection Rates

The BAMF data show that the overall protection rate for asylum seekers in the period 1/2014–8/2019 varied considerably depending on which federal state the case was handled by. The same applies to the protection rate for converts.

### BAMF Protection Rate by Federal State – Converts

	<i>Average Protection rate</i>	<b>Before 07/01/2017</b>	<b>After 07/01/2017</b>
<b>Baden-Wuerttemberg n=683</b>	50.0 ± 2.6 %	63.0 ± 4.4 %	31.0 ± 3.2 %
<b>Bavaria n=526</b>	57.0 ± 2.6 %	61.0 ± 4.5 %	57.0 ± 3.6 %
<b>Bremen, Hamburg, Lower Saxony, Schleswig-Holstein n=528</b>	62.0 ± 2.3* %	62.0 ± 3.7 %	31.0 ± 3.8 %
<b>North Rhine-Westphalia, Rhineland-Palatinate, Saarland n=462</b>	56.0 ± 2.3 %	68.0 ± 3.6 %	46.0 ± 2.9 %
<b>Hessen n=588</b>	50.0 ± 2.4 %	75.0 ± 5.2 %	45.0 ± 3.8 %
<b>Eastern federal states, Berlin n=1553</b>	55.0 ± 1.4 %	70.0 ± 1.6 %	27.0 ± 2.1 %

\*incl. some further data records without time specification

The BAMF recognition rate for converts varied from one federal state to another up to 2017 the protection rate was particularly high in Hesse, followed by North Rhine-Westphalia and the Eastern federal states. After 2017, it decreased in almost all regions. The decline was particularly drastic in Baden-Wuerttemberg and the eastern federal states. Referring to the current figures of the Department of the Interior, the news-portal Tagesschau.de reported on October 19<sup>th</sup>, 2019: "Lower chances for asylum at 22 BAMF locations"<sup>3</sup>.

Due to the limited number of participating churches, an assessment of the asylum process by federal states with regard to converts is possible only to a limited extent. However, certain trends can be identified: The highest average BAMF approval rate of converts in the period 1/2014–8/2019 was reported in Lower Saxony (62 %). Bavaria (57 %), North Rhine-Westphalia (56 %) and the eastern federal states (55 %) were at mid-level; the bottom line was Baden-Wuerttemberg (50 %). A halving of the BAMF approval rate for converts after mid-2017 was observed in several federal states.

3 Michael Stempfle, "Zahlen des Innenministeriums: Schlechtere Asylchancen an 22 BAMF-Standorten", tagesschau.de, <https://www.tagesschau.de/inland/bamf-standorte-anerennungsquote-101.html> access on 10/23/2019.

## BAMF Protection Rate by Country of Origin – all Applicants

	<b>Average Protection rate 2015–19</b>	<b>2015–16 (before July 1<sup>st</sup>, 2017)</b>	<b>2018–19 (after July 1<sup>st</sup>, 2017)</b>	<b>Change in percentage points</b>
<b>Total</b>	49.9 %	58.8 %	35.9 %	-22.9
<b>Iran</b>	41.6 %	50.7 %	22.2 %	-28.5
<b>Afghanistan</b>	47.2 %	55.8 %	37.9 %	-17.2
<b>Syria</b>	94.5 %	97.4 %	82.7 %	-14.7
<b>Nigeria</b>	13.6 %	9.9 %	10.5 %	+0.6
<b>Iraq</b>	60.2 %	73.8 %	33.5 %	-40.3
<b>Pakistan</b>	4.4 %	4.4 %	4.8 %	+0.4
<b>Eritrea</b>	85.5 %	92.2 %	71.0 %	-21.2
<b>Others</b>	15.4 %	17.5 %	12.8 %	-4.7

Numbers from: BAMF 2015, 2016, 2017, 2018, BAMF statistics 1–8.2019

For almost all nationalities, the BAMF recognition rate has fallen drastically since mid-2017.

## BAMF Protection Rate by Church Denomination – Converts (Main Survey)

	<b>Average protection rate</b>	<b>before July 1<sup>st</sup>, 2017</b>	<b>after July 1<sup>st</sup>, 2017</b>	<b>Change in percentage points</b>
<b>Total*</b>	55.5 ± 0.9 %	68.0 ± 1.2 %	37.6 ± 1.3 %	-30
<b>Protestant churches</b>	53.0 ± 1.0 %	71.0 ± 2.0 %	31.0 ± 1.0 %	-40
<b>Non-state churches</b>	57.0 ± 1.0 %	63.0 ± 2.0 %	42.0 ± 2.0 %	-21
<b>Independent Lutheran churches (SELK)</b>	57.0 ± 2.0 %	72.0 ± 2.0 %	26.0 ± 2.0 %	-46
<b>Evangelical Free Churches (EFG)</b>	55.0 ± 2.0 %	63.0 ± 2.0 %	46.0 ± 2.0 %	-17
<b>Free evangelical Churches (FeG)</b>	68.0 ± 2.0 %	75.0 ± 3.0 %	24.0 ± 3.0 %	-51
<b>Pentecostal-Charismatic churches</b>	49.0 ± 2.0 %	59.0 ± 3.0 %	28.0 ± 3.0 %	-31

(\*Total is composed of Protestant churches and non-state churches. This is followed by figures in each case by subgroups.)

All churches have reported a drastic decline of the BAMF approval rate.

**Congregations from Protestant churches** and **non-state churches** report similar experiences at BAMF hearings. For converts from Protestant churches, the average protection rate in the main study for the period 1/2014–8/2019 was 53 %, for non-state churches 57 %.

Since 2017, Protestant churches have experienced an even greater decline in the BAMF

recognition rate (from 71 % to 32 %) than non-state churches (from 63 % to 42 %). Of the non-state churches, FeGs cite the highest average protection rate (68 %) for converts at BAMF hearings, but they have experienced the sharpest drop since 2017 (from 75 % to 24 %).

### Possible Reasons for the Significant Drop in Protection Rates

The drastic drop in the BAMF protection rate for converts to almost half since 2017 nearly coincides with the drop in the general protection rate (BAMF statistics). The drop is not due to the converts themselves, nor to the asylum seekers in general, but much more likely due to a systemic change in the decision-making process.

- a) According to all available reports, the need for protection of converts from Islam against the threat of persecution has not dropped by half but has remained at least as high as before.
- b) Did the mix of origins of those seeking protection change so much after mid-2017 that completely different people had to be assessed by the BAMF compared to before? This is unlikely because many of the asylum applications processed after July 1st, 2017 had been filed long before that date.
- c) The attempt to explain that the proportion of (discovered) alleged conversion fraudsters among those seeking protection had doubled does not appear plausible either.
- d) Has the BAMF's quality control improved so rapidly that its employees were suddenly able to identify alleged "fake-conversions for tactical reasons" with greater certainty? So why, almost in parallel (the protection rate for converts fell by comparison more sharply), did the protection rate drop by half also for all those seeking protection?
- e) Did the BAMF in mid-2017 change large parts of its staff – those who do the interviews and those who issue the notices – because half of the previous staff had made wrong decisions in favor of those seeking protection? There were indeed many incorrect decisions largely to the disadvantage of the asylum applicants, as the rulings of the ACs in this period make clear.

### Courts: One Third of BAMF Decisions Are Incorrect

Many of those affected did receive protection only through legal proceedings: with a success rate of 31 %, one third of all notifications examined by the courts in 2018 were revoked as false or deficient.<sup>4</sup> It can be assumed that no other German authority could afford such an error rate. According to BAMF president Dr. Hans-Eckhard Sommer, however, there is "no authority in Germany that carries out such intensive quality control"<sup>5</sup>.

Might those rejections and quotas issued by the BAMF be indicative of some form of political maneuvering?

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4 Deutscher Bundestag, *BT-Drucksache 19/8701*, (Köln: Bundesanzeiger Verlag, 2019), 62. See also Pro Asyl, "Fakten, Zahlen und Argumente", <https://www.proasyl.de/thema/fakten-zahlen-argumente> access on 10/23/2019.

5 Christian Jakob, "Deutlich weniger Asylanträge", *taz.de*, <https://taz.de/Seehofer-stellt-Migrationsbericht-vor/!5567913/> access on 10/23/2019.

## 7. Verdicts of the Administrative Courts (AC)

Main study	Total	Iran	Afghanistan	Iraq	Syria	Other
<b>ADMINISTRATIVE COURT</b>						
<b>8) How many CG* have filed a complaint against BAMF rejection with the AC and ...</b>	1413	1120	220	27	0	46
a) the verdict is pending?	741	574	119	9	0	39
b) the complaint is (partially) granted? (At least protection from deportation)	415	338	69	7	0	1
c) the complaint was rejected?	257	208	32	11	0	6

\*CG = converts who participate regularly in church life

### Research Results

The participating churches reported that out of 1,498 converts rejected by the BAMF, 1,450 submitted an appeal. We learned about the current status of 1,413. 741 (52 %) AC appeals are still pending – some for several years. The BAMF statistics show that on Dec 31<sup>st</sup>, 2018, 328,584 out of 171,000 decisions were still pending in 2018. Of the 672 AC appeals reported in this study, 415 cases (61.8 %) (at least in part) were successful.

### Administrative Court Verdicts According to Country of Origin (Main Survey)

	<b>Number of verdicts</b>	<b>Protection Rate</b>
<b>Total</b>	672	62.0 ± 2.0 %
<b>Iran</b>	546	62.0 ± 3.0 %
<b>Afghanistan</b>	101	68.0 ± 5.0 %
<b>Syria</b>	0	
<b>Iraq</b>	18	39.0 ± 12.0 %
<b>Pakistan</b>	1	0 %
<b>Other</b>	6	17.0 ± 16.0 %

## Administrative Court Verdicts by Federal State

	Number of Verdicts	Protection Rate
<b>Baden-Wuerttemberg</b>	53	15.0 ± 5.0 %
<b>Bavaria</b>	121	61.0 ± 4.0 %
<b>Bremen, Hamburg, Lower Saxony, Schleswig-Holstein</b>	57	49.0 ± 7.0 %
<b>North Rhine-Westphalia, Rhine-land-Palatinate, Saarland</b>	74	74.0 ± 5.0 %
<b>Hesse</b>	139	89.0 ± 3.0 %
<b>Eastern federal States, Berlin</b>	228	55.0 ± 3.0 %

## No consistent "Examination of the Sincerity of the Conversion" by ACs

There is no consistent legal practice on conversion issues in Germany. The protection rates of the federal states differ considerably from one another. The recognition rate of converts by the AC of Berlin, and on average also by the ACs of Baden-Wuerttemberg is 20 % at the most; but in Hesse, and also in some eastern federal states, it is more than 80 %. A consistent examination of the sincerity of a conversion by administrative courts does not exist. There is a considerable discrepancy even between neighboring ACs, as a pastor of a Protestant church in Berlin reports: *"The discrepancy in decision-making practice is insanely huge. In the courts outside Berlin, the judicial appeals of our church members, as far as I was present, were granted by far more than 90 %. In the AC Berlin the recognition rate is under 20 %, even at 0 % with some judges."*

A church in Schleswig-Holstein reports: *"In the proceedings before the AC of Schleswig and Hamburg, the chance of being recognized is by 2 %. For male, single migrants from Iran who say that they are Christians, there is bias in the courts: 'They lie'. 100 % rejection. Many lawyers are concerned/fearful because this bias reduces confidence in our legal system."* There are similar reports on ACs in Stuttgart, Berlin and Braunschweig.

## Iran

The participating churches reported that 1,120 Iranians had submitted an appeal of their BAMF rejection before an AC. 574 cases (51 %) are still pending; 338 out of 546 cases (61.9 %) were (at least partially) granted. This is well above the AC protection rate of 24 % (for 2015–18) reported in the BAMF statistics, but with a downward trend: protection rate 2016: 28.7 %; 2018: 23.0 %.

## Afghanistan

For Afghani converts, 220 AC lawsuits were reported, 119 (54 %) of which are still pending. 69 out of 101 AC judgements (68 %) granted a protection status, while the BAMF annual reports show a mean value for AC judgements of 37 % for the period between 2015–18.

## Iraq

The number of Iraqi converts is smaller; 27 have filed a complaint at the AC; 9 cases are still pending. In 7 out of 18 judgments (39 %), the complaint was (partially) granted. The BAMF reports show a mean value of 10 % (2015–18) for Iraqi refugees.

## CONCLUSION: Religious conversions are many times not accepted

According to the findings of the report, the majority of converted refugees are granted protection status before the AC, significantly more than refugees in general. However, 32–60 % of the converts do not even receive protection from the AC. The fact that they face the most severe persecution in their country of origin is not sufficiently considered before the ACs. Even if individual refugees did indeed feign their conversion, they would be threatened with severe persecution or even death for apostasy on their return/deportation to their home country.

Concerning converts from Iran, 574 decisions have yet to be made and 208 were dismissed. Concerning converts from Afghanistan, 119 decisions have yet to be made and 32 were dismissed. Accordingly, 240 converts must expect to be deported to a country where apostasy from Islam is severely punished quite possibly even by death. In countries like Afghanistan, the mere suspicion that someone might want to renounce Islam is enough to trigger severe persecution by extremist groups (Taliban, IS). Since the survey did not cover all converts by far, the total number of those affected is considerably higher.

## Several years of Waiting for AC trials

More than 740 AC verdicts of converts recorded in this survey are still pending. Many will have to wait a long time for their trial at the AC. Some are expecting a latency period of up to ten years. This creates an enormous degree of mental distress for those affected, including supporting churches. The latency periods for BAMF decisions have also increased considerably since the official beginning of the review of the positive BAMF decisions.

## Rejected, protection status denied and left alone – solutions urgently needed

One aim of the survey is to prevent the deportation of converts to countries where Christians and other religious minorities are persecuted for their faith on grounds of a significant restriction of religious freedom. Equally important, however, is that solutions must be found promptly for those rejected converts who reside in Germany without any sort of protection status. They suffer from having been barred from working and the constant fear of being deported at any time. In consequence, many of them suffer from severe mental illnesses.

## CONCLUSION

The figures prove clearly: BAMF and ACs, and ultimately the German Government, have the ability to avert foreseeable suffering and most severe persecution in hundreds (thousands) of cases. When examining asylum applications, and thereby including information on the situation of persecuted Christians and in particular converts in those countries, it is imperative to refrain from deportations to these countries due to the extremely hazardous situation.

## 8. Recognition of Attestation from Churches

### Conversion for the sake of asylum tactics? Well-integrated and yet rejected

In hundreds of cases, the BAMF rejects the asylum applications of converts on the grounds that the change of faith had only taken place for reasons of asylum tactics. The present study has investigated this assessment by obtaining data and comments on the integration of converts in church congregations.

By providing the information obtained (main study questions 5 and 6) and classifying the results, all those involved in these asylum processes are to be encouraged in their commitment. This is done with the aim of avoiding misjudgments of converts and an erroneous deportation into potentially threatening situations.

For example, the following questions were asked: How many converts were baptized? Was there a baptism class, and if so in which language? How extensively do converts participate in church life after their conversion? How do pastors and priests assess the seriousness of the change of faith? What were their experiences at BAMF hearings?

What significance do church attestations have with the authorities?

### Results of the main survey

	Total	Iran	Afghanistan	Iraq	Syria	Other
<b>5) For how many persons did your church submit a baptism certificate to BAMF and the result was:</b>	1946	1520	370	10	17	29
a) a negative decision (no protection status <sup>1</sup> )?	966	770	160	4	9	23
b) a positive decision (at least protection from deportation)?	980	750	210	6	8	6
<b>6) For how many people did your church certify the sincerity of conversion<sup>2</sup> to BAMF and it resulted in:</b>	1640	1262	335	9	7	27
a) a negative decision (no protection status <sup>3</sup> )?	757	594	137	6	0	20
b) a positive decision (at least protection from deportation)?	883	668	198	3	7	7

1 Not even protection from deportation.

2 A statement on the convert's active practice of the Christian faith. A written certificate/reference of the pastor or church leadership about the sincerity of the conversion and the forming of the identity by the Christian faith.

3 Not even protection from deportation.

## BAMF Protection Rate on Presentation of Church Certificates by Federal State

	Baptism Certificate		No baptism Certificate		Certificate of faith		No Certificate of faith	
	#	%	#	%	#	%	#	%
<b>Baden-Wuerttemberg</b>	264	49.0 ± 3.0 %	109	52.0 ± 5.0 %	282	61.0 ± 3.0 %	94	17.0 ± 4.0 %
<b>Bavaria</b>	173	44.0 ± 4.0 %	180	69.0 ± 3.0 %	175	43.0 ± 4.0 %	178	71.0 ± 3.0 %
<b>Bremen, Hamburg, Lower Saxony, Schleswig-Holstein</b>	204	50.0 ± 4.0 %	242	72.0 ± 3.0 %	220	53.0 ± 3.0 %	226	71.0 ± 3.0 %
<b>Hesse</b>	283	44.0 ± 3.0 %	143	62.0 ± 4.0 %	279	43.0 ± 3.0 %	147	63.0 ± 3.0 %
<b>North Rhine-Westphalia, Rhineland-Palatinate</b>	125	51.0 ± 4.0 %	344	58.0 ± 3.0 %	51	63.0 ± 7.0 %	418	55.0 ± 7.0 %
<b>Eastern federal states, Berlin</b>	893	54.0 ± 2.0 %	357	67.0 ± 3.0 %	658	59.0 ± 2.0 %	594	51.0 ± 2.0 %

In virtually all regions, the prospects of receiving protection at the BAMF hearing fell by an average of 11.5 percentage points when a baptism certificate was presented; with a reference on personal faith and participation in the local community, it still fell by an average of 4.3 percentage points. This is all the more worrying, given that pastors have often become acquainted with the converts in the context of their daily lives for two years, accompanied by an intensive course on faith and baptism. Not only does their word have no weight with the BAMF, it has even proven to be disadvantageous.

## BAMF Protection Rate on Presentation of Church Certificates by Country of Origin

	Baptism Certificate		No baptism Certificate		Certificate of faith		No Certificate of faith	
	#	%	#	%	#	%	#	%
<b>Total</b>	1945	50.3 ± 1.0 %	1377	61.7 ± 1.0 %	1665	52.9 ± 1.0 %	1657	57.2 ± 1.0 %
<b>Iran</b>	1520	49.0 ± 1.0 %	958	62.0 ± 1.6 %	1282	52.0 ± 1.4 %	1196	56.0 ± 1.4 %
<b>Afghanistan</b>	370	57.0 ± 3.0 %	209	63.0 ± 3.0 %	335	59.0 ± 3.0 %	244	59.0 ± 3.0 %
<b>Syria</b>	17	47.0 ± 12.0 %	64	100.0 ± 8.0 %	7	100.0 ± 15.0 %	74	95.0 ± 8.0 %

Further baptism certificates and references to the actively lived Christian faith were issued; however, the result of the BAMF hearing was not yet known at the time of the survey.

**For all nationalities, church certificates had a negative effect on the BAMF decision!**

## BAMF Protection Rate on Presentation of Church Certificates by Church

	Baptism Certificate		No baptism Certificate		Certificate of faith		No Certificate of faith	
	#	%	#	%	#	%	#	%
<b>Total</b>	1945	50.3 ± 1.0 %	1377	61.7 ± 1.0 %	1665	52.9 ± 1.0 %	1657	57.2 ± 1.0 %
<b>Protestant churches</b>	1256	49.6 ± 1.0 %	481	61.0 ± 2.0 %	1037	52.0 ± 1.4 %	700	54.0 ± 1.5 %
- Free Lutheran church (SELK)	771	57.0 ± 2.0 %	258	59.0 ± 2.0 %	551	59.0 ± 3.0 %	668	50.0 ± 2.0 %
<b>Non-state Churches</b>	689	47.0 ± 12.0 %	896	62.0 ± 2.0 %	628	55.0 ± 2.0 %	957	60.0 ± 2.0 %
- EFG	221	48.0 ± 3.0 %	316	60.0 ± 3.0 %	220	59.0 ± 3.0 %	317	53.0 ± 3.0 %
- FeG	129	67.0 ± 4.0 %	188	70.0 ± 3.0 %	121	56.0 ± 4.5 %	196	77.0 ± 4.0 %
- Pentecostal-Charismatic	275	45.0 ± 3.0 %	244	53.0 ± 3.0 %	215	47.0 ± 4.0 %	300	49.0 ± 3.0 %

The submission of a baptism certificate and/or church certificate of faith had a negative effect on BAMF recognition for converts from all church associations.

### CONCLUSION: Remarkable Mistrust of the Authorities towards Church Certificates

In the present survey, an average of 55 % of converts received protection status at their BAMF hearing. However, when churches issued a baptism certificate and converts presented it at their BAMF hearing, the protection rate was only 50.3 % (979 of 1945 BAMF decisions), compared to 61.7 % if no certificate was presented. This is 11.4 percentage points less. These strong differences were found in all nationalities, in all regions and all participating church associations.

We find a comparable result in the presentation **of a church certificate/reference of serving in the local church and development in the life of faith**. In 881 of 1,665 hearings of converts (52.9 %), this resulted in refugee protection, compared to 57.2 % if no certificate was presented. This is a statistically significant disadvantage which was found in almost all nationalities, regions and participating churches (with the exception of SELK). The difference is up to 30 percentage points.

**Church certificates have therefore at best indicative significance. Why?**  
(see also chapter 14)

Are certificates of baptism or certificates of participation in the life of faith of the congregation and/or sincerity of conversion not taken into account by BAMF decision-makers? Are they even understood as an attempt of fraud? Certificates of baptism and life of faith have been issued to many converts, most of whom are well integrated into churches. Certificates have therefore not only been issued in critical cases. Are they of any bearing?

Pernak observes that in current legal practice, the state regards it as its exclusive task to examine the seriousness (wholeheartedness) of the asylum seeker's conversion. He is *"herein not bound by the parallel assessment of the sincerity of the change of faith by the receiving religious organization [...]"*<sup>4</sup>. Such an obligation of the state cannot be inferred from the religious constitutional law of the Basic Constitutional Law.

The assessment of the religious community and its functionaries is at best of indicative importance within the framework of the purely governmental asylum process.

Crucial for the granting of any refugee protection status, however, is the individual convert's faith practice – for which they are threatened by persecution, and which does not necessarily have to be congruent with the official doctrines of the religious society to which he feels he belongs, according to Pernak's observation.

### OBJECTION I: Conversion Assessed by Staff with no Professional Training

Thus, according to current legal practice, the government alone examines the sincerity of the conversion. If, however, it is done by staff who have no special training and who deal with the subject of conversion only on a purely work- and asylum-related basis, this must be questioned critically in view of the implications and consequences of these decisions. Only in few cases do they have a spiritual understanding of the course, development, motivation and content of a change of faith. Moreover, it is uncertain how deep their theological knowledge and relatedness to the Christian faith is in general. The staff members make decisions about the presumed sincerity of a change of faith and thus about the fate of people – i.e. converts – in a relatively short time: people who are to be deported to possibly life-threatening situations.

This practice reminds one of the so-called conscience tests of conscientious objectors in Germany 40 years ago. At that time, the government realized that conscientious objection to military service was not verifiable.

Today, however, staff of a federal agency claim to be able to assess the seriousness of a change of faith as well the subsequent life of faith? The survey also discloses another failing: in the majority of cases, staff of the BAMF and the AC do not make use of the knowledge and experience of experts (pastors) in their decisions. On the contrary: the experts' assessment even have a negative effect. This leads to:

### OBJECTION II: Lacking Consultation of Experts

How will/can a convert live his faith in the future? For prognoses on other issues, usually scientific methods and the assessments of experts are used. For example, when it comes to the safe custody of detained criminals, the assessments of independent psychologists are obtained.

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<sup>4</sup> Pernak, Benjamin. *Richter als "Religionswächter"? Zur gerichtlichen Überprüfbarkeit eines Glaubenswechsels: Asylverfahren von Konvertiten in Deutschland und Großbritannien im Vergleich*. Berlin: Duncker und Humblot, 2018.

Why is the priest or pastor concerned not involved as an expert in the area of faith? Through certificates issued by the church on the life of faith and on the sincerity of the change of faith, evidence of the current practice of faith of converts is provided. On this basis, the future faith practice can be predicted; nonetheless these clerical affidavits are not, or not sufficiently, taken into account.

### Process for "Examination after 3 Years" to Be Applied in Total

The situation is different for the "review of positive BAMF decisions after 3 years" (which is currently performed). In such cases church certificates are requested and considered. Why only then? Why not from the beginning?

## 9. Authenticity of the Converts' Conversion

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For the vast majority (88.1 %) of converts seeking protection, the ministering pastors were convinced of the seriousness of the person's change of faith. Among the remaining 11.9 %, there may also be converts whose change of faith was serious. 75 % of the converts are well-integrated into local German churches, 65 % participate regularly (a further 21 % sometimes) in church life – although they often work on Sundays. This is compared to a worship service attendance of approx. 5 %–10 % of all registered members of Protestant churches (see also Chapter 13).

# 10. Baptism Classes

16) BAPTISM AND BAPTISM CLASSES	Church Responses
a) How extensive is your baptismal class for converts before baptism (in hours) on average?	21.6 hours
b) Over what time period does it extend (in weeks)?	16.1 weeks
c) Is the baptismal class provided in the native language of the candidate?	40 % in native language 53 % translated into native language 7 % in English or German
d) Is there a baptismal examination?	72 % have carried out a baptismal examination 20 % of churches are content with baptismal confession before the congregation
e) Are people seeking to be baptized rejected if they fail the baptismal examination?	70 % refuse baptism if they fail the baptismal examination (others allow the candidate to repeat the baptismal course)

Many churches demand a baptismal examination before a candidate is permitted to be baptized. In most cases, the examination is conducted orally before the pastor and/or parish council. Some churches are satisfied with a public confession of faith in front of the whole congregation. However, many churches have declared that they refuse baptism to candidates who are not yet sufficiently "mature", i.e. who do not yet live their personal faith in everyday life and do not yet have sufficient understanding of faith. Usually, the churches let the baptism candidates repeat the baptism course until they have grown sufficiently in faith. In the survey there were no indications of a careless practice of baptism.

## Baptisms Performed too Fast?

The judiciary's accusations that churches baptized too fast and carelessly, are disproven by the survey. It proves a high participation of the converts in the church community life – after the baptism.

85 % of converts are baptized Christians; 77 % of them have been baptized in the congregation participating in the survey, 12 % in another congregation in Germany (relocation, change of residence), others in their home country or in a third country (e.g. during flight). 71 % had completed the baptismal class in the ministering congregation (others in another congregation), which

averaged 21.6 hours of instruction over a period of 16.1 weeks (mostly with a previous faith course). 40 % received baptismal classes in their native language; 53 % with translation; only in 7 % of the cases did it take place in German or English.

The congregations therefore put a lot of effort into supporting the change of faith and supporting integration into the congregation. The high proportion of converts who regularly participate in church life clearly shows that it would have been very difficult to fake a change of faith in order to gain asylum-tactical advantages. Moreover, the data from the study show that those advantages practically do not exist: a baptism or a baptism certificate was rather a hindrance to recognition at BAMF.

## No Pull Effect

This observation also invalidates the claim or presumption of a possible "pull effect", which means that with increased recognition of the change of faith, many more asylum seekers would fake a change of faith.

The present survey proves that most converts have made and are making a serious change of faith. No pastor will deny that there are also some "black sheep" among them. But the number is comparatively small.

# 11. Deportation – The Consequences of Return

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One community reported a recent case in which a deported convert was arrested in Tehran immediately upon entry. The extended families of deportees and in many cases also the authorities are informed about the return of converts. An arrest can therefore take place later in order to avoid media attention.

## No Deportations of Christians to Iran (Press Release 17<sup>th</sup> May, 2019)

This is what the refugee council M-V e.V. demands from the federal government of Mecklenburg-Western Pomerania. The immigration offices, the federal office as well as the local authorities are to be instructed to examine this so-called target country-related obstacle with immediate effect. Official certificates of parishes about church memberships or baptism certificates should be sufficient for Christians not to be deported into Muslim countries in which the death penalty is imposed on the profession of the Christian faith.

*"We are dismayed at the example set last Wednesday in Torgelow on a 58-year-old Iranian woman. She had actually 'done everything right', surrendered a passport, integrated herself into Germany,"* said Ulrike Seemann-Katz, Chairwoman of the M-V Refugee Council. *"Apart from the fact that, for the first time in 10 years, refugees have been deported to Iran again, it is incomprehensible why an elderly woman, regardless of her religious affiliation and her status as an asylum seeker, is sent back to Iran alone, while her sons were still allowed to stay here."*

The woman, who is currently conducting a follow-up asylum process, was deported from Torgelow on May 8<sup>th</sup> of 2019, although it was publicly known that she is a Christian. She was immediately arrested in Iran and only released on bail. She is not allowed to leave

Tehran until the trial is over. In Iran, the confession of Christianity is punishable by death.<sup>1</sup>

The Refugee Council of Mecklenburg-Western Pomerania regards this case as evidence that, when a person's conversion has been made known to Iranian authorities, that this person is in grave danger if forced to return where imprisonment, torture or death could await them.<sup>2</sup>

## Feedback from Churches

*"The Afghani convert, who was deported to Afghanistan via chain deportation, contacted us from there just once, and never again. We fear that he is no longer alive. I am no longer in contact with those deported to Iran. Of those deported within Europe in accordance with the Dublin convention, two have returned to Germany, one has received asylum in France. Three received negative verdicts in other countries, and with two of them, I am no longer in contact. One Iranian, who had returned because of his parents, was arrested a few weeks later and has since disappeared without a trace; he is probably no longer alive. We have just heard about an Iranian from our Finnish sister church in Helsinki who was deported from Finland and arrested at the airport in Tehran and has since disappeared without a trace. Three church members, who had returned voluntarily, have fled Iran again because it became too dangerous for them to practice their faith there".* (Protestant Church/H 57)<sup>3</sup>

*"The two deportees had to go into hiding in Afghanistan immediately after their return and had no opportunity to start a normal life. Due to a betrayal by a former roommate (in a refugee camp in Germany) it was clear that they were Christians. They then fled to Iran and have been staying there illegally without any contact to other Christians."* (non-state Church in Bavaria/H79)

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1 Note from Open Doors: This danger exists, but according to our findings only affects converts because of their turning away from Islam.

2 The Refugee Council of Mecklenburg-Western Pomerania, "Keine Abschiebungen von Christinnen und Christen in den Iran", <https://www.fluechtlingsrat-mv.de/keine-abschiebungen-von-christinnen-und-christen-in-den-iran/5523/> access on 10/23/2019.

3 Anonymized name for a church, which sent in a filled in questionnaire.

*"One of our converts received word from the Iranian embassy that he would be arrested immediately upon his return to Iran." (Protestant Church in Bavaria/H 46)*

*"A 'rejected' convert wanted to visit his sick father in Iran in April 2019. Upon prior request, the embassy in Frankfurt approved the entry and he trusted that. On entering the country, he was arrested at the airport in Tehran. He was beaten up several times in prison 'because he had become a Christian'. After 14 days the detention was converted into house arrest. He now lives with his family and has to report to the police daily. His papers were confiscated. When the house arrest will end is unknown. (non-state Church in North Rhine-Westphalia/H 43)*

### The Christian Charity Open Doors Concerning Christians in Iran (see also Appendix 17.5.)

Shiite Islam is the official state religion. All laws must comply with the official interpretation of the Sharia. The Constitution forbids Parliament to pass laws that contradict Islam and declares that its regulations may not be changed, whether they relate to the "Islamic character" of the political system, to the judiciary or to the definition of Shiite Islam of Jafari character (Jafariya is a Shiite school of law). In order to protect the Islamic provisions and to ensure the compatibility of the laws passed by parliament with Islam, a Council of Guardians, consisting of Shiite jurists and clergy, must examine and approve all draft laws. The Guardian Council also examines all candidates for the highest public office, such as the Presidency and Parliament. This explains why even the reformers within the government are conservative and why Christians and other religious minorities are excluded from high offices and other influential positions in the system.

According to the government, and to a lesser extent the general society, ethnic Persians are Muslims by definition. Therefore, Persian Christians are considered apostates. This renders almost all Christian activities illegal, especially when they take place in Farsi: evangelism, biblical teaching, the publishing of Christian books or preaching in Farsi. However, Iranian society is much less radical than its leadership.

Government officials are responsible for the many arrests and convictions of Christians, especially Christians with Muslim background. All Christian groups are closely monitored by the secret services, even the officially recognized traditional Armenian and Assyrian churches. Through this close monitoring and the arrests of those who pass on the gospel, the government exerts pressure to ensure that Christians do not evangelize among Muslims.

At least 67 Christians were arrested in the reporting period of the current Open Doors World Watch List (11/01/2017–10/31/2018). Many Christians, especially those with a Muslim background, were sentenced to long prison terms. Others are still waiting for their trial. Their families are exposed to public humiliation during this time. House churches are regularly raided. After that, usually no further meetings of the group are possible.

### Christians with Muslim Background (Converts)

Former Muslims who have accepted the Christian faith make up the largest group of Christians in Iran. They bear the brunt of persecution, especially by the government and, to a lesser extent, their (extended) families and society. Unlike the traditional churches, the government regards these converts as "accomplices" of Western countries attempting to undermine Islam and the Islamic government of Iran. Baptism is seen as a public sign of conversion to Christianity, and thus as an attack on Islam. It is therefore forbidden. In addition, most children of Christians with Muslim background are automatically registered as Muslims. Especially the leaders of groups of Christians with Muslim background were arrested, brought to justice and sentenced to long prison terms for "crimes against national security". Since 2014, however, members of house churches who are not leaders have increasingly received similar charges. Because of this high pressure, Christians with Muslim background must be very careful. Many of them live their faith isolated, without fellowship with other Christians. There is also a growing community of Iranian Christians worldwide, as many Christians with Muslim background have fled the country over the years and other Iranians abroad have become Christians.

### Christians from Protestant Churches

Another group of Christians are those from Protestant churches. While it is difficult to draw a sharp distinction between them and the communities of Christians with Muslim background, they often have Armenian, Assyrian, Jewish or Zoroastrian background; others are children or grandchildren of Christians with Muslim background. They face the same severe persecution by the government and are discriminated against by society, especially if they are engaged in evangelistic activities or in house churches.

### No Religious Freedom in Iran

There is no possibility for converts to live their faith freely. Due to the lack of religious freedom in the country, it is necessary to refrain from deporting converts to Iran.

(see also Appendix 17.5. on this subject)

## 12. Challenges of each Party

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Many people are involved in converts' asylum proceedings. The focus is on the convert. Therefore, all considerations must begin with this person.

### 12.1. Converts

Many converts talk about their hopes, which were fundamental to their decision to flee to a country that, to their knowledge, had an international reputation for standing up for human rights. By coming to Germany, they expected, they would be able to practice their Christian faith freely without distress and persecution. It was therefore a shock for them to learn that the genuineness of their decision to change their faith was often doubted in the course of the asylum proceedings.

Due to many traumatic experiences during their flight as well as experiences in their home country, e.g. dealing with the authorities, these people are insecure and hope for the security offered by a constitutional state. If some representatives of the rule of law in turn mistrust the converts and their credibility, this increases the convert's insecurity and fear – the fear of making a mistake and, what is more, fear of impending deportation.

This may be the reason why many are unable to present a procedural report on their change of faith at their hearings at the BAMF, as is required by the authorities. Due to the great stress, many are not able to express what has happened in their innermost being through the change of faith.

The questions of the BAMF staff are perceived by many pastors as a test of faith. [ZEIT magazine, 2.8.2019 "Der Lügendetektor" ("The Lie Detector") by Markus Sehl]: From the churches' point of view these tests of faith in court already go too far. *"You can't check your conscience with knowledge queries, and should refrain from doing so to begin with,"* says Professor Anne Käfer, who works at the University of Münster teaching Protestant Theology. She describes conscience as a place within man where he communicates with God. In Käfer's opinion, this is an intimate area that the state and

its courts are not allowed to explore. Moreover, according to Käfer such mistrust undermines the concept of baptism as a public act, so Käfer.

In order to learn more about the change of faith of the converts concerned, suitable questions from BAMF and the administrative court are necessary, which do not primarily refer to the "religious behavior" of the convert. The converts need assistance during the consultation proceedings, enabling them to speak freely and without fear (e.g. of deportation) about the changes brought about by their change of faith. Pastors and ministers can contribute to this by preparing the converts for the hearing. Most importantly, however, hearings at the BAMF or before an administrative court need to take place in an atmosphere of security and trust helping the convert to speak freely.

It goes without saying that correct translations by able interpreters make a significant contribution to this. The convert must be sure that when he expresses in his innermost feelings what he says is clearly understood. Unfortunately, this is not always the case.

Regarding this issue, an evangelical church from Bavaria (P72) reported that the interpreters were generally Muslims, and that *"mistakes sometimes occur because the translator is not familiar with Christian terminology"*.

A Protestant church in Bremen (P26) described it more negatively: *"I personally witnessed how a Muslim, being asked by BAMF staff to translate personal statements of faith by a Christian, was having difficulties with the translation. But I wasn't allowed to help"*. A press report states:

## Despite Numerous Complaints in Years Past, Translations Still Partly Inadequate (press report<sup>1</sup>)

[...] In their statement on attacks against Christians in refugee shelters, the chairman of the German Bishops' Conference (DBK/Catholic Church) and the chairman of the Council of Protestant Churches (EKD) had among other things called for better assessments of the interpreters who often translated poorly at the expense of Christians or converts to Christianity. Partly humorous, partly hair-raising or even dangerous mistranslations are circulating in the media. The BAMF never commented, instead it either played down the issue or remained completely silent. As has recently become known, the BAMF have dismissed 2,100 translators in 2017 and 2018. It is hard to estimate the damage these translators might have done to Christian asylum seekers. It does not matter whether the incorrect translations are due to a lack of knowledge or because the translators' religious background has led them to oppose Christian statements or where intentionally malice.

## 12.2. Churches and Clergy

### Change of Faith – A New Challenge for Pastors and their Churches

For many clergy, facing many people from other cultures and religious backgrounds, expressing a sudden interest in the Christian faith was a new phenomenon. Few of them are likely to have thought about asylum-relevant implications during their first encounters. It is impossible to guess whether questions such as, "Is this person sincerely interested in the Christian faith or does he only pretend so to improve his chance of being granted asylum?" played an important role. This "problem" only came up later.

Clergy, being aware of their calling from God, their responsibility to the state and their church community, have assessed the seriousness of the other person to their best knowledge. In most cases, they eventually offered a baptism course in order to confirm the change of faith.

Several priests and pastors have witnessed attempts to imitate a change of faith. In the process, the ability of parish priests and pastors to distinguish such attempts from genuine conversions has grown. This experience was also new to most of them.

The fact that in individual cases congregations have prematurely baptized – i.e. without thorough examination of the seriousness of the person – is noted with concern and rejection by the pastors and priests who have taken great care in this regard. In all, the competence of the responsible clergy in dealing with baptism and judging the spiritual life of the converts should be taken very seriously.

Individual congregations, which initially baptized prematurely, later reported with disappointment that the expected consequences of the Christian faith leading to a different lifestyle of the baptized person failed to show. This led to a more careful approach in dealing with people who show interest in the Christian faith. At the same time, such observations must not lead to the conclusion that people turning to the Christian faith merely pretend to do so in order to improve their chances to be granted asylum. Every pastor can tell of people who have professed the Christian faith but have only participated in church life for a limited time. In many cases people have returned at a later stage.

### Churches as an Example of Applied Integration

Hundreds of parishes have welcomed people interested in the Christian faith, in many cases accompanying them for years, to this very day. Thousands have turned to the Christian faith. Despite all challenges, churches experience how their turning to the Christian faith has had a distinctly positive effect on the converts' thinking and their world view e.g. regarding the equality of men and women as well as the concept of state and society.

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1 Thomas Schirmmacher, "Es ist ein Skandal!", kath.net, <http://kath.net/news/63850> access on 10/23/2019.

## 12.3. Personnel of the Federal Office of Migration and Refugees (BAMF)

### General Situation of Western Societies Concerning Faith and Religion

- >> Societies are secularized/most people only have fragmentary knowledge of the Christian faith (depending on personal upbringing, education and personal interest)
- >> Faith and religion play a much smaller role in Western societies than in the rest of the world. Federal Interior Minister Thomas de Maizière stated on 09/20/2016 at the Future Congress on Integration and Migration: *"We have underestimated the importance of religion."* In contrast to the widespread assumption in Germany, the importance of religion and faith in the world has not decreased, according to de Maizière.<sup>2</sup>
- >> People living in secularized societies often consider faith as synonymous with world view and are surprised by the fact, that to many people their faith is of central significance and even has identity-giving function.
- >> Secularization also affects BAMF personnel and employees of the administrative courts (AC). In hearings or court proceedings they are to determine the "seriousness of the change of faith" of an applicant or the "identity-forming change brought about by the change of faith". It cannot be assumed that their understanding of biblical faith and thus the implications of a change of faith is high. Converts have even been asked why they consider it "necessary" at all to change their faith.

Since the change of faith plays a crucial role in more than a few asylum procedures, it is very important for all BAMF and VG personnel to have a thorough understanding of a change of faith and to be familiar with

essential aspects concerning a change of faith (see also chapter 13. Understanding the Change of Faith):

- What a change of faith consists of – essential elements
- Motives for conversion
- Ways to the change one's faith
- Effects and forms of the change of faith

### Competence of BAMF Personnel in Matters of Faith

After monitoring hearings of converts at the BAMF, numerous comments from involved churches sound like this: *"Much depends on the subjective assessment of the decision-maker, the same facts are assessed very differently"*. As a case in point, reference is made to the recent case of an Iranian for whom everything was *"perfectly prepared"* on paper. This convert is considered a very credible person by the church. His wife has already been *"accepted"*. However, he was rejected (Evangelical Church Saarland/P62).

It is also criticized that the conduct and documentation of the hearing was selective and methodically deficient. *"For the negative decision our church member was faced with, not even his baptism was taken into account in order to determine his religious affiliation (the notification states 'Muslim' as religious affiliation). According to the report of my parishioner, no questions about his conversion were asked in the course of the hearing. Neither does the transcript of the interview contain any indication towards this topic. The clerk only received the baptism certificate. This, too, was not recorded in the minutes."* (Evangelical Church in Hesse/H25)

An attitude of fundamental mistrust towards converts was repeatedly exhibited; this not only applied to BAMF and ZAB employees but also to judges: *"1. copies of documents submitted are considered forged; 2. their faith is judged as 'not identity-forming'; 3. their baptism is usually considered as 'strategically motivated'."* (Evangelical Church in Bavaria/P67)

2 The Federal Government, "Integrationsdebatte: De Maizière gegen 'Hysterisierung der Sprache'", [bundesregierung.de, https://www.bundesregierung.de/Content/DE/Artikel/2016/09/2016-09-20-de-maiziere-integrationskongress.html](https://www.bundesregierung.de/Content/DE/Artikel/2016/09/2016-09-20-de-maiziere-integrationskongress.html) of 10/06/2016. See also Arbeitsgruppe Weltanschauungen in Deutschland, "Christlicher Glaube in Deutschland, 2019", [fowid.de, https://fowid.de/meldung/christlicher-glaube-deutschland-2019](https://fowid.de/meldung/christlicher-glaube-deutschland-2019) access on 10/23/2019.

The decision-making personnel is often young and therefore inexperienced in their professional life as well as in general life issues. BAMF staff also often lack experience in matters of faith. Decision-makers with temporary contracts, for example, were replaced after two years, resulting in an ongoing loss of experiential knowledge.

### More Transparency in the Decision-making Process Necessary

A basic problem for any regular citizen dealing with asylum procedures is the limited transparency with regard to key documents concerning asylum procedures. For example, the BAMF has issued a specific asylum instructions with a section on "Persecution in connection with the characteristic of religion". This document however, is classified.<sup>3</sup> A legal action by PRO ASYL pursuing the publication of this directive has so far been without result.<sup>4</sup> Likewise, the situation reports/country of origin guidelines issued by the Federal Foreign Office are not publicly available.<sup>5</sup> There are certainly procedural and diplomatic reasons for both. However, it is neither possible to check whether the directives comply with the legal requirements of the Freedom of Information Act or the asylum procedure, nor whether the implementation of the procedures complies with the directives. Yet, both would be desirable given the major differences in decisions and the noticeable changes since mid-2017.

That is why we demand that essential policy documents be made public. In the Netherlands, for example, the "Working Instructions" (most recently WI2018/10) for the "Immigratie en Naturalisatie Dienst" have long been public. They were repeatedly improved due to parliamentary intervention in 2018. Through their publicity, they are also subject to critical review by competent NGOs regarding their appropriateness and implementation.

This has led to procedural improvements on several occasions.<sup>6</sup> The disclosure of the document has not had any known negative consequences.

The BAMF should also disclose the criteria for the preparation of country reports.

### Appoint Special Representatives for Converts

Designated representatives at the BAMF are specially trained decision-makers who are used for consultation procedures in particularly sensitive groups. Such groups include unaccompanied minors, victims of torture, traumatized persons and victims of gender-specific persecution or trafficking. In addition to their own tasks in process handling, these special representatives are available to their superiors and colleagues for consultation. Such special representatives should also be appointed for converts.

### The BAMF Country Reports as a Basis for Deciding whether Converts Can Practice their Faith in their Country of Origin or to what Extent Christians there Are Exposed to Persecution (see also Chapter 14)

In addition to classified "handouts" and "instructions", the public BAMF country information serves to describe the vulnerability and to determine how to deal with the risk<sup>7</sup>. This makes it an essential basis for assessing whether converts can practice their faith in their country of origin or to what extent Christians are exposed to persecution there. As they are the only country-specific documents available to the public, the explanations focus on them. The criteria for the preparation of country reports should be disclosed by the BAMF.

According to the BAMF, the country reports are constantly updated. The country reports include information

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3 BAMF, "Entscheiderbrief Informations-Schnelldienst 5/2015", bamf.de, 2, [https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/.../Entscheiderbrief/2015/entscheiderbrief-05-2015.pdf?\\_\\_blob=publicationFile](https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/.../Entscheiderbrief/2015/entscheiderbrief-05-2015.pdf?__blob=publicationFile) access on 10/23/2019. Karras, loc. cit., 279; also oral information at the discussion of the course on migration law by Prof. Dr. A. Farahat with BAMF representatives at the ANKER-Zentrum Bamberg on July 16<sup>th</sup>, 2019

4 Karras, loc. cit., 280.

5 Karras, loc. cit., 220.

6 See Marnix Vischer, *Credibility of Conversion: Assessment by the Dutch Immigration Service*, (Harderwijk: Stichting Gave, 2019). See <https://juridisch.gave.nl/wp-content/uploads/2019/02/Credibility-of-Conversion-Assessment-by-the-Dutch-Immigration-Service-version-1.0.pdf> access on 10/23/2019.

7 German Bundestag, BT-Drucksache 19/8169, (Cologne: Bundesanzeiger Verlag, 2019), 7, answer to question 16.

from the Federal Foreign Office or the German Embassy in the respective country. Further information can be obtained from NGOs active in the country, who complain, however, that the information they provide is often not (sufficiently) included in the BAMF country reports.

The country reports also contain large gaps, especially in view of the situation of converts and the ecumenical diversity of churches, community forums and theologies.

In case the situation for converts is presented inappropriately, situations like this could easily develop: A BAMF employee makes the decision based on the inappropriate report which says that it is a reasonable option for a convert to practice his new faith as a Christian also in his Muslim country of origin – even if Christians are heavily persecuted there.

The country reports of the BAMF (also used as reference by administrative courts) require a very high level of quality control in asylum matters due to their consequences. As a result, employees at all levels should meticulously update their information on individual countries. Comments on the completed survey questionnaires indicate that this is not always the case.

## 12.4. Personnel of the Administrative Courts

Germany is a constitutional state with an independent judiciary. The administrative courts are backlogged with asylum appeals of BAMF decisions marred by improper judgment and poor quality.

It is welcomed, that a considerable proportion of the appeals (65 %) against BAMF decisions are successful. Nevertheless, there remains a large proportion of judgments (35 %) that cause irritation among churches caring for converts and give rise to questions about structural problems. The task of a usable fact-finding is often limited to the administrative courts because numerous older BAMF protocols have proven unusable. Therefore, the administrative court hearings are often

the first substantial hearing in many of the negotiated cases. Consequently, the churches report many similar problem areas concerning the administrative courts as with the BAMF.

- >> Many courts/judges attach little importance to submitted church certificates. Their interest is almost exclusively focused on the applicant. The outcome of the hearing is therefore highly dependent on the type of person, i.e. introverted or extroverted, and on the applicant's level of education and thus his or her ability to express himself or herself.
- >> Also with the administrative court, advocates or witnesses (who would like to testify to the spiritual development of the convert), experts (such as priests) or lawyers are seldom involved or even rejected. *"Baptism certificate, accompanying letter from the pastor or individuals who have accompanied the applicant spiritually, are often hardly heard and sometimes don't even get a chance to speak at all."* (Non-state Church Baden-Wuerttemberg/P46)
- >> Numerous churches from different federal states have expressed themselves very critically to the court hearings at the AC: *"We have accompanied some [converts] in court or read the verdicts. It was often clear from the questions that the judge has nothing to do with faith and therefore often does not find faith conclusive as a reason for asylum. ('What has led you to look for contacts in a church, out of all places?')"* A Protestant church in Bavaria reports on contradictory arguments of the same court against each other: *"The faith test in XY is designed in such a way that many German church members would have failed. If the baptized person knows everything, the judge often certifies that he has 'learned by heart, but not made any sincere connection'. If he doesn't know the answer, he's not a Christian. Only those who were academically inclined and able to express themselves well theologically passed the judgment."* (Evangelical Church Bavaria/H12)

## Only Believe in "Closet"?

A reduction of faith practice to the "Forum Internum" leads to a denial of the need for protection: *"During court hearings it became clear that judges partly accept the beliefs of converts, but at the same time they believe that these Christians could live their beliefs in their country of origin in a strictly private manner. That is why it has been difficult for all those who have come to faith in Germany to find recognition for about a year now."* (Non-state Church in Baden-Wuerttemberg/P12)

## Sweeping Condemnations and the Lack of Due Process

Some churches have been accused of baptizing to prevent impending deportations. Andreas Heusch, President of the Düsseldorf administrative court, thinks this way, for example. Please read the following press release:

### Discussion about Asylum Procedures of Converts (press report of 04/01/2019)

Judge: Many refugees lie when they convert to Christianity

A Düsseldorf judge has given a bad testimony to the churches in dealing with refugees who convert from Islam to Christianity. The churches issued inflationary baptism certificates for *"asylum-tactical reasons"*, he criticized. (Düsseldorf)

The President of the Düsseldorf administrative court, Andreas Heusch, has accused the churches in Germany of clearly spanning the arc in their commitment to asylum seekers. According to a report in the weekly newspaper "Welt am Sonntag", Heusch stated that converts are often baptized in order to avoid impending deportations. The asylum claims of converted Christians are particularly time-consuming. Here it had to be clarified in four to six-hour negotiations whether the claimants had actually turned away from Islam and turned to Christianity in a way that *"shaped their identity"*.

According to the newspaper's report, 8,660 asylum cases are currently pending at the Düsseldorf Administrative Court alone. Nearly every tenth claimant comes from Iran; about 70 percent of them linked their claim to a conversion from Islam to Christianity. The success rate with these converts is currently between 15 and 20 percent. Courts therefore accuse the churches of inflationary issuing baptism certificates to refugees for *"asylum-tactical reasons"*. *"In nine out of ten cases, they are lied to"*, the Düsseldorf judge Andreas Müller told the "Welt am Sonntag".

The refugee commissioner of the Lippische Landeskirche, Superintendent Dieter Bökemeier, criticized the attitude of the courts. He conceded they had *"a certain level of discretion"* in the examination of the change of religion of asylum seekers – *"however, this must not become a faith examination"*. Bökemeier described accusations from the judiciary as unjustified, the churches baptized too quickly and carelessly. He himself had baptized numerous refugees. Every person baptized had previously attended a three-month faith course. *"I experience these people as serious and very religious,"* says Bökemeier. (stz)<sup>8</sup>

## CONCLUSION

The low protection rate in Düsseldorf is no proof that most converts are liars. To the contrary, it is proof that converts in Düsseldorf have much worse chances than in other administrative courts. A bias of some administrative courts has reported from multiple sources.

## Lack of Knowledge about the Situation in Iran – no Spiritual Awakenings Known

Neither the BAMF nor the administrative courts have up-to-date, detailed and comprehensive knowledge about the spiritual awakening that has been going on for years in Iran. Hundreds of thousands of Muslims there have turned their backs on Islam and turned to the Christian faith in recent years. This phenomenon is also known to the regime in the country, which is why

8 Katholisch.de, "Richter: Viele Flüchtlinge lügen bei Übertritt zum Christentum", <https://www.katholisch.de/aktuelles/aktuelle-artikel/richter-viele-fluechtlinge-lugen-bei-uebertritt-zum-christentum> access on 10/23/2019.

the media repeatedly warn against Christians and especially against house churches. The authenticity of the conversions is not doubted, therefore the sharp verbal attacks – and numerous arrests – on the part of the regime.

The people there do not turn to the Christian faith in order to leave the country and seek asylum in another country, but because – according to their own words – they have found the true faith. This same spiritual awakening is also happening among Persians who live in other countries. Judges in Germany as well as employees of the BAMF are astonished as to why especially so many Iranians report a change of faith. It is a phenomenon that is currently taking place throughout the world.

### Many Asylum Procedures Can Be Avoided – How do two Conflicting Verdicts Emerge?

In view of the 8,660 asylum procedures currently pending in Düsseldorf alone, it can be said that if the BAMF were to recognize the change of faith of converted Christians and grant asylum protection accordingly, thousands of asylum proceedings could be concluded throughout Germany.

The overall survey shows that converts received negative decisions from the BAMF in 45 % of the cases decided, not even a deportation ban was granted. Nearly all those rejected complained to the administrative court, which upheld the complaint (at least partially) in 63 % of the cases.

One authority does not recognize the change of faith and does not grant protection status, the other authority grants protection status. The independence of the courts is evident and praiseworthy.

The fact that thousands of wrong decisions have been made must give rise to concern – and of course protest!

### Change of View and Recommended Approach

Employees of the administrative court and the BAMF ought to reconsider their views when assessing a change of faith and of converts themselves. The personal point of view must not be in the foreground. Spiritual processes must be assessed by people competent in spiritual matters.

## 12.5. Politicians and Administrations of Federal Government and Federal States

A single political decision can lead to a deportation ban – a decree not to deport certain persons or even all persons from a specific country of origin.

A political agenda must not undermine the human right of religious freedom. In other words, the political will to remove as many asylum-seekers as possible from the country must not lead to these asylum-seekers and refugees being deprived of their human right of religious freedom. Deportation in countries where Christians are persecuted is synonymous to this deprecation.

### Recognize "Apostates" and Converts as a Vulnerable Group

Unlike women, children and LGTB persons, apostates and converts are not classified as particularly vulnerable groups. There is no separate procedure, no special representatives or assignment to specially trained auditors/decision-makers. The recognition of a special need for protection of apostates and converts due to persecution based on religious identity, or the abandonment of an assigned identity, has the potential to solve many of the problems mentioned in this survey, if followed by structural actions of the BAMF.

# 13. Understanding the Change of Faith

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The assessment of the seriousness of the change of faith is of importance, but it is also the most controversial point regarding the granting of a protection status by authorities (BAMF/Administrative Court).

This issue needs to be analyzed in detail, which goes beyond the scope of this report. The following passages by Dr. Reinhold Strähler<sup>1</sup> are a preview of an announced helpful handout for understanding a change of faith in connection with asylum proceedings.

*This is primarily an approach to obtain an understanding and classification of changes of faith.*

*From the point of view of religious psychology, the conversion of a Muslim to the Christian faith is about a change of religion, also called "horizontal conversion", in which a completely new point of view is acquired. Regarding the previous beliefs, the person comes to new knowledge and changes his or her attitude towards the previous as well as the new religion.*

*Although conversion processes are very different, and the situation of each conversion is unique, certain phases can usually be identified:*

- *the time before there is any interest in the Christian faith,*
- *the period in which an awareness of the Christian faith begins,*
- *the time of intensive examination of these new thoughts,*
- *the period in which a decision is taken,*
- *and the time of integration into the new faith community.*

*In the course of the conversion process, the person experiences changes that initially take place on two levels:*

- >> *On a cognitive level which comes with knowledge and insights.*
- >> *On an affective level that comes with attitudes and feelings.*

*Changes in the cognitive realm include believing in Islam, knowing about the Christian faith, knowing about Christ, and accepting the Christian faith. The changes in the affective realm are above all about the attitude towards Islam, the attitude towards Jesus Christ and the Gospel as well as the attitude towards Christians.*

*The motives for a conversion are manifold. They can be cognitive (e.g. search for truth, dissatisfaction with the religion in which one grew up) as well as affective or social (e.g. "falling in love" with the other religion, appeal of the Christian community). Ultimately, however, every conversion process is about both cognitive and affective aspects, even if the two elements may be weighted differently. In order to be able to speak of a conversion from a Christian point of view, it must be possible to ascertain changes in both dimensions. However, neither the depth of intellectual understanding nor the strength of emotionality is decisive. A person with a lower intellectual capacity will understand at least some of the basic truths of the Christian faith, otherwise he or she would not say that they believe in Jesus Christ. And in a person who is intellectually inclined and intensively studies the Christian faith, the emotional attitude to the new faith and to Jesus Christ will also change, otherwise they would not want to follow Jesus Christ.*

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1 Dr. Reinhold Strähler, Head of the Evangeliumsgemeinschaft Mittlerer Osten e.V. (EMO, Wiesbaden).

## The Element of Spiritual Revelation

From a Christian-theological point of view, the decisive – and common – element of any conversion is the revelation of Jesus Christ, i.e. the person recognizes who Jesus Christ is. Jesus is not understood as a historical person or a religious leader or teacher, but "recognized" as the Son of God and thus as God Himself. The resurrection of Jesus Christ is recognized as the truth – see the origin of the first church as described in the Acts of the Apostles (Bible). At the time, it was people of Jewish faith who "recognized" that the proclamation of the apostles was true. They became Christians and were baptized to confirm their newly found faith. The knowledge of most of these baptized people about the Christian faith was most likely rather limited. But without a doubt their change of faith was real!

The dimension in which revelations occur is sacred or spiritual, i.e. outside the cognitive and emotional realms. The moment a person acknowledges Jesus Christ as God, his entire view of life, of faith, of all areas of life changes. This does not happen immediately in all areas of life. The acquisition of knowledge and with it change happens step by step and lasts for a lifetime.

The presentation of the convert of his understanding of Jesus Christ is decisive. This understanding must and can be queried. The explanations about this – and about the experienced revelation – are highly personal and individual. Nor can it be determined on the basis of a questionnaire. They are influenced to varying degrees by cognitive and emotional elements.

# 14. Jurisprudence and Human Rights<sup>1</sup>

## 14.1. Is the State Allowed to Examine the Seriousness of Conversion at all?

The bishop of the Lutheran "North Church" H. J. Abromeit criticizes: *"Faith tests for converts are an attack on the Constitution."*<sup>2</sup> By saying this, he raises the question: Is the state entitled to assess the seriousness of one's conversion?

The simple answer is: In principle no, because article 140 of the Constitution (GG) in conjunction with the Weimar Constitution (WRV) article 137 paragraph 3 page 1 regulates this. Therefore, every religious society regulates and administers *"its affairs independently within the limits of the law applicable to all"*.

Based on the principle of the unity of the legal order<sup>3</sup>, the state cannot and must not re-examine what the responsible church has already examined at the time of the baptismal admission: The seriousness of the conversion. Consequently, neither a knowledge test nor a seriousness test by the state is permissible. This leaves the authorities with the option to (only) make a twofold prognosis, namely about

- 1) the expected behavior of the applicant if he were to return to his home country, and
- 2) the persecution to be expected because of the refugee's behavior.<sup>4</sup>

For example, applicants do not bear the burden of proof for their faith. They do, however, have a duty to cooperate and to present their case in accordance with article 4 of the EU Qualification Directive (EQD), because their respective religious beliefs can only be determined from their presentation. In order to draw up an individual behavioral prognosis (EQD article 4: Individual examination of all circumstances), however, only the actual religious conduct<sup>5</sup> and the personality of the applicant are examined.

The question as to whether the presentation of a baptism certificate is sufficient must be answered with "yes" if (what is to be checked) mere membership in a Christian church is already a reason for persecution. In view of countries such as Afghanistan, Iran and others, the threat of persecution is given.

## 14.2. The Role of Clerical Affidavits

One of the most astonishing results of this survey for lay people is the little importance attached to church references. For people familiar with the existing law, this is less surprising.

Judges are granted relative discretion in the way they reach a verdict. The principle of the free assessment of evidence § 108 (1) section 1 VwGO permeates the entire German legal system. It is, however, not clearly defined and is limited only by the prohibition of arbitrary action, article 3 section (1) GG.

1 The template for this section was prepared by Rev. retired Matthias Adt, in the Master's Degree in Religious Freedom Law at the University of Erlangen-Nuremberg.

2 Evangelical Lutheran Church in Northern Germany, "Bischof Abromeit kritisiert: 'Glaubentests für Konvertiten sind ein Angriff auf das Grundgesetz'", nordkirche.de, <https://www.nordkirche.de/nachrichten/nachrichten-detail/nachricht/...-bischof-abromeit-kritisiert-glaubentests-fuer-konvertiten-sind-ein-angriff-auf-das-grundgesetz/> access on 10/23/2019.

3 Victor Pfaff explains why this also applies to church law with regard to baptism in a lecture at the University of Halle on 10/23/2018 (Victor Pfaff, "Das BVerwG im Umgang mit Taufe und Glaube in asylrechtlichen Konversionsfällen", Youtube-channel of the Forschungsstelle Migrationsrecht, <https://www.youtube.com/watch?v> access on 10/23/2019.)

4 Udo Neumann, *Überprüfung von Konversion im behördlichen Asylverfahren – Asylrecht: Die Bedeutung von Taufe und Konversion im Asylverfahren*, EPD Dokumentation, Volume 47, (Frankfurt: EPD, 2008), 15–19.

5 Karras, loc. cit., 258.

Benjamin Pernak sums up the prevailing legal view as follows: *"Examining the seriousness of an asylum seeker's conversion in the context of the asylum and refugee proceedings is the sole responsibility of the state. In this, it is not bound by the parallel assessment of the seriousness of the change of faith by the involved religious body; such a confinement of the state cannot be deduced from the religious constitutional law of the national constitution. The assessment of the religious community and its functionaries is at best of indicative importance within the framework of the asylum procedure which is a state matter. The decisive criterion for the granting of refugee protection, however, is only the faith practice of the individual convert, threatened by persecution, which does not necessarily have to be in line with the official doctrines of the religious body he associates with."*<sup>6</sup>

### What Role Can Clerical Affidavits Play?

The administrative judge Benjamin Karras argues in his doctoral thesis on the right of asylum: *"However, clerical affidavits are not completely unworthy of respect because of this. Their weight depends on the extent to which they provide detailed and differentiated information about the asylum seeker's participation in activities of the parish, whether they reveal personal/long-term knowledge of these activities on the part of the exhibitor and which religious community/church they were issued by."*<sup>7</sup>

In view of the low role that church references often play in current asylum negotiations with converts, Karras argues: *"It is recommended that the courts overcome their deep-rooted aversion to witnesses or experts."*<sup>8</sup>

What benefit can be expected? In other areas of law, the use of expert knowledge is common practice. If, for example, security detention of imprisoned offenders is considered, independent psychologist opinions are involved.

In the "personal prognosis" (see above) ecclesial references are indispensable, because the examination of the present religious behavior is required. This, in turn, cannot be verified without the testimony of the responsible parish.

By the way, no case is known where the BAMF or administrative courts have requested church certificates on their own initiative. The situation is different with the juridical review in case of revocation after 3 years. In these cases, the authorities request clerical affidavits much more often.

## 14.3. Necessary Paradigm Shift in the Decision-Making Practice and Jurisprudence

The analysis of the latest jurisprudence and scientific literature clearly points to the necessity of a paradigm shift. The discussion about seriousness of acquired faith, as well as its imprinting influence on identity regarding pre-flight push factors, suggests that refugee status is an award for persecution suffered. The discussion about seriousness and identity imprinting in the case of subsequent flight reasons (§ 28 section 1a AsylG; EQD article 5) suggests that refugee status is an award for seriousness. Both must be rejected.<sup>9</sup>

### Refugee Law Must Ensure Protection against the Threat of Future Persecution.

The decisive factor is not primarily the examination of the seriousness of the conversion (if at all), but the twofold prognosis with regard to:

6 Pernak, loc. cit., 134.

7 Uwe Berlitz et al., "Glaubhaftigkeitsprüfung bei Asylklagen aufgrund religiöser Konversion oder Homosexualität", ZAR 10 (2016): 281–316.

8 Karras, loc. cit., 262.

9 Benjamin Karras has dedicated an entire dissertation to this subject.

- 1) the expected behavior of the applicant if he were to return to his home country, and
- 2) the persecution to be expected because of the refugee's behavior.<sup>10</sup>

The examination does not focus on the seriousness of the conversion or the knowledge about the religion, but on the question: "How will he/she behave?" The most reliable criterion for future conduct is the current one, i.e. the applicant is most likely to behave as he currently does in the host country. He should be able to practice his faith in private and in public in the future as he does at present. This, however, can be determined relatively easily;<sup>11</sup> and sensibly with the help of references from the church involved.

Regarding the second prognosis, assessing the expected measure of persecution, largely depends on the persecutor's perspective!

For him, the seriousness of the convert does not matter. Even non-serious and "merely formal", even (to name the extreme case) a "purely strategic" conversion can entail threats and persecution. According to Karras *"the refugee law proceedings ... are not criminal proceedings in which 'objective truth' is to be established. Rather, it is a question of protection from imminent persecution, and it is not a German court that determines the occurrence of persecution, but foreign state institutions or private individuals. Their 'triggers' of persecution must be identified and applied to the facts of the case."*<sup>12</sup>

Whether a state also persecutes those who have converted "merely formally" must be examined specifically. In some states the decisive criterion for persecution is *leaving* Islam (apostasy) and not the pursued destination.

This necessary paradigm shift, away from the examination of the applicant's seriousness and identity imprinting, towards the prognosis of the expected persecutory action, has not yet been implemented in practice, according to almost all the feedback of the study.

Karras therefore rightly demands that the situation reports should include the reaction of the states of origin to a merely formal conversion or the criteria which the state or the religious authorities apply to determine the matter of apostasy.<sup>13</sup> This would have a direct influence on BAMF decisions.

## 14.4. Full Implementation of EU Qualification Directive 2011/95/EU

Before the passing of the EU Qualifications Directive 2011, in many cases only the "Forum Internum", the inner attitude of the converts was protected. Often an "avoidance-behavior" was advised. According to EQD Art. 10b, however, "religious activities or expressions of opinion and behavior" are also expressly protected.

The human right to freedom of religion includes the right to conversion and (even) advertising for one's own religion.<sup>14</sup> The EU EQD breaks down the human right to freedom of religion to the level of European and thus German legislation. The implementation, however, still has to be worked out in church, civil society and jurisprudence. Thus, non-violent advertising for one's own religion is often still regarded as an "addition" and not as an essential characteristic of the Christian faith.

EQD Art. 9 describes acts of persecution, clarifies in many cases the boundary between discrimination and persecution and shows where discrimination can already be regarded as persecution.

EQD Art. 9 also shows that violation of religious freedom can only be understood as an intersectional event. Where freedom of religion is violated, many fundamental and human rights are also violated. This can only be appreciated in the overall view.

10 Cf. Neumann, loc. cit., 15-19.

11 Karras, loc. cit., 288 See also: AC Hannover 2015, Religiöse Praxis hat Vorrang gegenüber mündlichen Bekenntnissen und korrekten Antworten (cited after Karras, loc. cit., 258).

12 Ibid., 287.

13 Ibid., 223.

14 Heiner Bielefeldt, *Freedom of religion or belief: Thematic reports of the UN Special Rapporteur 2010–2016*, 2<sup>nd</sup> edition (Bonn: Verlag für Kultur und Wissenschaft, 2017), 128. See also General Comment 22 to Art. 18 ICCPR

Membership of a particular social group is also worthy of protection (EQD Art. 10 d).<sup>15</sup> Since this applies to people with a common sexual imprint according to the law, it must apply at least as much or even more so to religious minorities. In this sense for example Christian converts in Iran must be seen as a persecuted social group. The facts are set out in the report of the UN Special Rapporteur on Iran quoted below.

The factor of group membership can be decisive for the evaluation of the probability of persecution: It is then not necessary to prove whether individual persecution is imminent, but only whether the person in question belongs to this persecuted group. It is even irrelevant whether the person in question counts himself/herself as part of the group. The crucial question is whether the persecutor considers him/her that way.

Therefore the demand to regard Christian converts, for example from Iran, as members of a persecuted group seems appropriate.

In addition, all previous decisions would have to be reviewed against all the above criteria.

## 14.5. The Situation of Converts in Iran

On the situation of converts and their assemblies the UN Special Rapporteur on Iran writes:  
Christian converts:

57. An estimated 300,000 to 350,000 Muslim converts to Christianity live in the Islamic Republic of Iran. Although Christianity is a recognized religion under the Constitution, the Iranian authorities do not recognize converts to Christianity and consider them apostates. As a result, Christian converts are not granted access to officially recognized Christian churches, and this forces them to gather clandestinely in informal "house churches". Many Christian converts do not make their faith public for fear of persecution. Once identified, Christian converts risk arrests, detention and repeated interrogations about their faith.

58. Iranian intelligence services have reportedly continued to closely monitor churches and harass congregations, in some cases with regular checks of identity documents of attendees, to ensure that only members of recognized Armenian or Assyrian Christian minorities attend. There have also been dozens of reports of arbitrary arrests and detention of Christian converts.<sup>16</sup>

The BAMF country report Iran 9/2019, on the other hand, does not deal at all with the issue of religious freedom as a separate issue, but only in a criminal context. The death penalty was therefore imposed 258 times in 2018; 18 times for "Mohareb" (fight/enmity against God). The death penalty is based on the slandering or desecrating of sacred institutions of Islam

15 On this topic in detail: Anna Müller, *Die „Zugehörigkeit zu einer bestimmten sozialen Gruppe“ als zentrales Verfolgungsmotiv des Flüchtlingsbegriffs im Lichte des rechtsnormativen Mehrebenensystems*, (Frankfurt: Peter Lang, 2014), 21.

16 Javaid Rehman, "Situation of Human Rights in the Islamic Republic of Iran: A 74/188", un.org, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement> access on 10/23/2019..

or holy persons (e.g. through misconduct), homosexuality, adultery as well as sexual intercourse of a non-Muslim with a Muslim. Apostasy from Islam can also be punished with the death penalty. To the Foreign Office's knowledge, however, no executions have been carried out for this reason in the last 20 years. However, the death penalty continued to be imposed on vaguely worded charges, such as "Insult of the Prophet", "Enmity to God," or "Promotion of Depravity on Earth".

A standard text module for BAMF decisions states that *"according to Islamic law there is no recognized possibility for a Muslim person to renounce the Islamic faith and to convert to Christianity"*.<sup>17</sup>

The situation reports of the Federal Foreign Office, which the BAMF and administrative courts use as points of reference, are (unfortunately) not publicly accessible<sup>18</sup> and, of course, are also guided by the interest not to compromise the country in question.

### Acknowledge even "merely formal" Conversions

The Constitutional Court has issued a decision (Decree of 12/19/1994 Ref. 2 BvR 1426/91) on the asylum relevance of the merely formal conversion of 1994, which has received little attention. The Constitutional Court assumed that the formal conversion in Iran was already sufficient for triggering persecution measures and asked whether demanding to keep the new religion secret or return to Islam was a reasonable option. This, however, was *"fundamentally doubtful"*<sup>19</sup>, according to Karras. Unfortunately, this decision is simply ignored in the legal system.<sup>20</sup>

The above-mentioned facts on the situation in Iran are further deepened and strengthened by the analysis of the Open Doors Research Department (Annex 17.5.), in particular regarding how the above-mentioned criminal offences in Iran are interpreted and applied to converts.

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17 Victor Pfaff, *Konversion und Taufe am Beispiel Iran: Fachtag zur Bedeutung von Taufe und Konversion im Asylverfahren*, (Kirchenamt der EKD, 2012), 6–13. Karras, loc.cit., 216.

18 Karras, loc.cit., 220

19 Ibid., 226.

20 Ibid., 227.

# 15. Recommendations and Demands

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- At the political level, a nationwide ban on the deportation of converts is to be adopted,** provided the following conditions are met: The converts come from Islamic countries in which conversion would mean a danger to life and limb, and the responsible pastor of a recognized and properly registered religious body has issued a meaningful certificate affirming the seriousness of their conversion and the imprinting of identity by the Christian faith. In such cases, the BAMF shall be instructed to establish a prohibition of deportation in accordance with Section 60 (5) or (7) of the Absence Act.
  - Certificates of church congregations are to be consistently and uniformly recognized by the administration and courts as indications of a religious conviction and religious imprint that are significant in terms of asylum law.** The BAMF is currently reviewing in recall proceedings the positive decisions already issued by converted Christians. Church congregations are required to provide a corresponding certificate. This certificate constitutes the basis for the termination of the revocation procedure. Such a recognition of the certificates should in future be extended procedurally to all converts who are certified by the parish as having undergone a serious conversion.
  - The EU Qualification Directive 2011/95/EU must be implemented fully and intentionally.** The asylum applications of rejected converts are to be re-examined retroactively according to this standard. The EU Qualification Directive 2011/95/EU is to be implemented when reviewing new asylum applications.
  - The BAMF country reports should deal more clearly with the pressure caused by persecution due to conversion as well as thoroughly consider the available sources and keep them up to date.** The information provided by Christian
- and secular non-governmental organisations active in the respective country should be taken into account carefully. They should also state clearly the consequences converts are threatened by solely due to the fact that they are recognized as such. Since Open Doors intensely examines the situation of converts in its annual country reports in connection with the World Watch List, this information is helpful in assessing the danger for converts in the event of impending deportation.
- Freedom of religion must be fully respected, granted and protected, including public and community worship and religious advertising.** An essential feature of the human right to religious freedom is the possibility to live and promote faith not only privately but also publicly and collectively. This is why asylum seekers should be granted access to the religious community they belong to. Conversely, members of the religious community should also be given access to asylum seekers, even in areas with restricted access. What applies to refugees and migrants in Germany is equally true under international law in their countries of origin. If this is not possible there, it can be assumed that freedom of religion is not guaranteed there. Decisions on asylum applications must go beyond the protection of the "Forum Interium", the internal attitude of the convert. To recommend "avoidance behavior" with regard to public religious activity is inadmissible, because according to EQD 2011/95/EU Art. 10b "religious activities or expressions of opinion and behavior" are also expressly protected.
  - The Dublin procedure is to be reviewed at a political level:** A Dublin deportation must not lead to deportation to countries of origin, where Christians or apostates, and especially Christian converts are persecuted.

# 16. Contributions Concerning Converted Refugees in Germany

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## 16.1. Religious Freedom – Germany, as a Country of Religious Freedom, Must Not Deport Converts to Countries Where Christians Are Persecuted

Volker Kauder, member of the German parliament (MdB – CDU/CSU parliamentary group), responsible for values, religious freedom, persecuted Christians

Christians worldwide are discriminated against, harassed and persecuted because of their faith. It is the mission of Open Doors to document the worldwide persecution of Christians, to bring it to the public and thus make a decisive contribution to the protection of religious freedom. At the same time, the work of Open Doors helps to send a signal to persecuted Christians in numerous countries, saying: We have not forgotten you.

But the work for religious freedom and persecuted and oppressed Christians must also be done locally, in Germany. At present, Christian converts, mostly from Iran, but also from Afghanistan and other countries, are repeatedly deported after their conversion. The very right to change one's faith, however, is – as Heiner Bielefeldt put it – the "acid test" of religious freedom. Only where people have the freedom to discard or change their faith is it really guaranteed that their respective confession is an expression of a free decision. The right to "convert" is to be understood in a double sense; active and passive. Both advertising and "converting" others as well as "being converted" – in the sense of a free decision to change one's faith – are included. This right is enshrined both in the Universal Declaration of Human Rights and – in a slightly different wording – in Article 18 of the Civil Pact, which is binding under international law. Unfortunately, even states that have ratified the Civil Pact and are thus bound by it often deeply disregard this right – Iran (9<sup>th</sup> on the World Watch List) is a prominent example of this.

The UN rapporteur on the human rights situation in Iran documented in his last report (July 2019), that Christian converts in Iran are subject to arbitrary arrests, torture and even sexual abuse by state security organs. The US government's annual report (June 2019) notes that Christian converts in Iran are particularly vulnerable to serious persecution. The final report on the worldwide situation of Christians, prepared on behalf of the United Kingdom Foreign Ministry and published this year, even concludes that in some places, the persecution of Christians amounts to outright genocide. The document also reports that in Iran, the state itself acts as a persecutor, and that the extent of "hate speech" against Christians in Iranian media has increased. The Federal Office

for Migration and Refugees (BAMF) also describes the situation in its country report (March 2019). It states that there were *"time and again arbitrary arrests of converts"* and *"raids in house churches"*. Furthermore, the BAMF explains that *"prosecution and initiation of judicial criminal proceedings for conversion"* and *"accusation for apostasy may result in severe sanctions"*.

In Germany, politically persecuted persons are granted the right of asylum (Article 16a GG). A person is considered to be politically persecuted if, for example, he has to fear serious human rights violations in his country of origin as a consequence of a "basic religious decision". In principle, only state persecution is considered (unless forms of non-state persecution are attributable to the state). This is particularly relevant regarding Iran: It is state organs that harass Christians and other religious minorities. For those who flee Iran because they have already converted to Christianity, as well as those Iranians who choose Christianity here in Germany, an asylum-relevant threat can be assumed in their country of origin.

In view of the far-reaching consequences of a conversion, a so-called "pull effect" cannot be assumed. At present, there is simply no evidence of this. We must not place Iranians who have converted to Christianity under general suspicion. Iranian converts can be found in non-state churches, Catholic and Protestant congregations. It is primarily the task of these churches to examine the sincerity of the change of faith.

Where people are abused and persecuted because of their religious convictions, the dignity of the human being in general is attacked: On the one hand, because freedom of religion is one of the most elementary human rights – on the other hand, because where the right to religious freedom is violated, other human rights are also often being trampled on.

To protect the inviolable dignity of man is an obligation of all state power. We do well to bear this in mind at all times, also in view of the often-existential decisions regarding asylum applications of Christian converts.

## 16.2. The State as Judge of Faith. How Do State Institutions Assess the Sincerity of a Conversion?

Dr. Gottfried Martens – Pastor of the Ev. Luth. Trinity Parish, Berlin

When refugees apply for protection status in Germany, they must explain why returning to their home country would put them at risk of life and limb. One reason for this can be the conversion of former Muslims to the Christian faith if they come from a country where such a conversion is sanctioned with harsh punishments. Of course, the allegation of such a conversion must be examined by the German authorities. It is undisputed that this is the task of the Federal Office for Migration and Refugees (BAMF). It is also undisputed that this examination is primarily concerned with the question of how the person concerned would practice their faith when returning to their home country.

What is disputed, however, is the way in which state institutions (BAMF, administrative courts) reach a judgement on the sincerity of the conversion of persons seeking protection. Several problems come together here:

The converted protection seekers repeatedly encounter notable bias regarding their asylum applications, which the BAMF also formulates quite openly. As a case in point, the BAMF's decrees for converted Christians from Iran repeatedly state that in Germany, Iranian citizens are on enemy territory and have an agenda to outwit the enemy here in Germany with deceptive acts. The BAMF thus openly conducts the examination of the asylum claims of converted Christians for malice intent.

Above all, however, the large number of Iranian and Afghani asylum seekers – those who cite a conversion to the Christian faith as a reason for protection – leads to a fundamentally critical attitude of the state authorities towards Christian converts. A priori, this is understandable. However, it is problematic that the phenomenon of the Christian revival in Iran, which is meanwhile openly discussed by leading representatives of the Iranian state, is ignored by state institutions in Germany. Instead, the large number of converts seeking asylum is repeatedly used as an argument for questioning the sincerity of a conversion from the outset. If at all, the sincerity of a conversion is only considered if the person concerned can present a very unusual story, which clearly deviates from the "normal" conversion stories. As much as this is humanly understandable, it is nevertheless problematic in view of Christian converts who have experienced a conversion that has unfolded very slowly and un-spectacularly and who have no unusual experiences to report on. Such asylum seekers are in very many cases rejected as not trustworthy. It is precisely these people who are often the most faithful members of the congregation.

Another problem is that the representatives of state institutions take it for granted that they know what a serious Christian faith practice looks like. However, in most cases this scale is very different from what the converts themselves and the churches to which they belong understand by Christian faith and serious Christian faith practice. This leads to asylum procedures in which, the state's understanding of faith is comes into conflict with the religious doctrine of the churches.

To give two examples: In our Lutheran Church, unlike in liberal Protestantism, the sacraments play a central role in faith and piety. But when our church members say that they cannot live without receiving the body and blood of Christ through the sacrament, they get a tired shrug from their interviewers, who are unable to comprehend such sacramental piety and accordingly dismiss such statements as unimportant. Liberal Protestantism repeatedly proves to be the measure of all things in judgement.

Another example: Time and again, in court hearings church members are asked what they view critically in the Christian faith. Against the background of Western European intellectual history with the enlightenment as the decisive milestone, such a question is understandable. But of course, the converts from Iran and Afghanistan do not have this background in any way. This question is completely alien to them – and thus their understanding of Christian faith serves to their detriment in the court hearings.

However, the main problem in the decision-making of state institutions regarding the sincerity of the conversion of protection seekers is a different one. In many cases, it is assumed that questioning them within the framework of a hearing is better suited for evaluating how converts would live their faith in their home country if deported, than the assessment of the pastors based on their experience regarding the converts' practice of faith. The consequence of this, is that the recognition of the sincerity of a conversion largely depends on the ability of those concerned to speak and present themselves in an examination situation. However, this does not do justice to many very faithful, but simple-minded Christians who practice their faith with devotion, but are plainly unable to present themselves well.

Submitted clerical affidavits are often not mentioned by the BAMF as evidence, let alone considered. And yet I experience again and again that judges do not even allow me a statement in court let alone give it serious weight in their decision-making.

Where the eloquence of those seeking protection becomes the decisive factor for the recognition of a conversion – regardless of sometimes spotty translators –, the decisions are at best questionable. When judges in the various administrative courts of our country diametrically contradict each other in their decisions, the asylum process turns into a lottery.

## 16.3. Reconciled Diversity – the Divergence of Cultures in the Church

Dr. Reinhardt Schink – Secretary General & Uwe Heimowski –  
Political Representative of the German Evangelical Alliance

### Christian Faith and Values as a Basis for Understanding and Mutual Acceptance

Let us not deceive ourselves: Pluralism cannot be made to work at the touch of a button – not in church and not in society. It is difficult enough to organize good worship services that appeal to old and young people alike. How much greater are the challenges we face attempting to integrate migrants from different cultures?

And this is by no means a new phenomenon. A long time ago, the apostle Paul wrote in his letter to the Ephesians: *"Make every effort to keep the unity of the Spirit through the bond of peace."* (Eph. 4:3, NIV). Ephesus, the port city in modern-day Turkey, was a commercial metropolis with an ethnically and religiously diverse society. The congregation was a mirror of this fact. Some brought along their Jewish traditions, others had converted from "pagan" religions to Christianity. The differences between the cultures could hardly have been greater. To preserve unity between these groups was a mammoth task. Integration is not a one-way street, it demands a contribution from everyone in the community and society. That is why the apostle to the nations formulates his clear appeal: *"Make every effort!"* A reconciled co-existence of cultures does not come without a serious effort. It doesn't in society nor will it in the church. Living reconciled diversity is both exhausting and joyful.

The focus group Migration & Integration of the German Evangelical Alliance (DEA) in cooperation with the Orient Service and VisioM 2014 published "ein Praxisheft für Christen" ("A practical booklet for Christians") together with "Flüchtlinge willkommen heißen" ("How to Welcome Refugees"), now in its 9<sup>th</sup> edition. In addition to a biblical input and general information on the asylum procedure, this brochure focuses on the mindset, special living conditions and cultural backgrounds of refugees. *"Integration is to be an enrichment to a host country through a healthy and positive, gratifying contribution, without being merged into the culture"* (Brother Hussam). Integration requires that the people in the host country open their hearts and doors. But integration also requires the will of migrants to engage with the culture of the host country without denying their own history and imprint. This is a big task – especially for traumatized people. Only those who learn the language and understand the main features of social interaction stand a chance of truly integrating themselves. In his book titled *"Wo bin ich? Willkommen in Deutschland"* ("Where am I? – Welcome to Germany"), Brother Hussam describes what the stages of this path can look like. Hussam fled Lebanon 25 years ago. The theologian and church planter knows what he is talking about. His words are aimed directly at migrants and describe the lengthy process of integration. They are honest and without "trivializations", as he calls them, yet they are full of hope. He explains the values and norms of German society, gives

a brief historical outline and presents the differences to the culture of shame and guilt, or between collective and individual. Finally, he describes his "personal path to integration". The key point: Hussam has found the Christian faith. Only through this experience and the inner strength that he received through the encounter with the living God was it possible for him to truly integrate himself, as he writes.

Heidi Joshua has published similar stories of converts in her book *"Mein neues Leben. Christus begegnet Muslimen"* (*"My New Life. Christ meets Muslims"*). As different as the nine life stories may be, they have one thing in common: People experience that the Christian faith within them releases a power for change.

It is the tragedy of our Western society to reduce the Christian faith to a few religious facts considered as correct and ethical requirements. But the Christian faith also clarifies the question of power. Through the power of resurrection, it not only defines the obligations but also clarifies the ability of a renewed behavior that is not determined by selfishness. That is why the Christian faith and the church also have significance for society.

Christians have experienced that the Holy Spirit makes amazing changes possible. The appeal of the Apostle Paul quoted above presupposes precisely this: the experience that the Holy Spirit gives unity and reconciles diversity beyond human will and accomplishment. God's Spirit can change individuals and entire churches. In the Bible we read of "fruit" that the Spirit of God makes grow in a life: *"love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control"*. Whoever develops such a character can integrate themselves and wishes to do so.

Impressive life stories of converts illustrate how, through this source of strength and personal relationships in their church, they were able to pursue the long and often arduous path of integration. The extent to which church communities work to integrate is underappreciated by government bodies. What a waste of resources it would be not to systematically use this valuable service, which has proven its value in everyday social life, as well as the know-how acquired over many years.<sup>1</sup>

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<sup>1</sup> Josua, Heidi. *Mein neues Leben: Christus begegnet Muslimen*. Leipzig: EVA, 2019.  
 Hussam, Bruder. *Wo bin ich? Willkommen in Deutschland*. Self-published, 2018.  
 German Evangelical Alliance. *Flüchtlinge willkommen heißen*. 8<sup>th</sup> edition. Bad Blankenburg, Giessen: 2016.  
 (see <https://www.amin-deutschland.de/fileadmin/Arbeitskreise/AMIN/AMIN-Material/Fluechtlingsheft> access on 10/23/2019.)

## 16.4. A Pastor's Letter to the Administrative Courts

Dear Judges,

Having already been summoned as a witness at several court hearings of our Iranian brothers and sisters, I can't help but give feedback on the hearings I experienced.

First of all, I have great concern and the impression that the political climate in Germany influences, or can influence, the verdict. In the first trials, to which I was summoned as a witness, almost all verdicts were positive for our Iranian brothers and sisters. This has changed greatly in recent months. Almost all appeals are dismissed. For me, the question is whether the politically charged situation in Germany should have an influence on asylum decisions.

Secondly, I have the impression that the political situation in Iran is perceived very diversely. In Bavaria, no Iranians converted to Christianity are to be deported to Iran anymore. Mr. Kauder of the CDU has also spoken out very strongly in favor of this. In my opinion, what Iran likes to present about itself is something quite different from what is actually happening. We recently received a letter from the Federal Ministry for Economic Cooperation and Development, specifically from Markus Grübel.

In it he writes: *"As commissioner for worldwide religious freedom, I observe with great concern, the difficult situation of many Christians in Iran. Especially the situation of converts in Iran is problematic..."* Muslims in Iran are forbidden to visit a church and the secret Christian house churches are targeted by the secret police. Those who are arrested receive no public trial. But that does not mean conversion is not severely punished in secret. In any case, the feedback I have received from our Iranian "house-church visitors" leads me to judge the situation of the converts as more critical. I am not an expert; I only deal with many Iranians in my congregation. And I'm also in touch with colleagues who think the same. Thirdly, I have recently felt a growing demand of what "genuine conversion" means. Some difficult theological questions are asked, which even ordinary Christians in Germany could hardly answer. If, for example, the conversion of an Iranian is doubted because he is unable to sufficiently comment on the "Sermon on the Mount," then I consider this to be a mistake. Moreover, the term "Sermon on the Mount" is already a theological, not a biblical one. Theology plays an important role in Christianity. It is the doctrine and thought about the essence of the Christian faith.

The conversion to Christianity has, in my opinion, much simpler motives. In it, people learn that they are not helpless, but appreciated as people; and, that the individual amounts to more than his actions or words. People in the Bible are simply healed by Jesus, without already having believed in him or earning it through any kind of action. They then first start to believe (true faith is often grounded in the help of God). People are forgiven where others reject them as "tax collectors and sinners." They discover "I am still lovable" for themselves and begin to take an interest in Jesus.

I have long wondered why of all people the Iranians would convert. Why does this happen so rarely among Arabs? They could also "convert" if it is true that the conversions are merely strategic. This certainly has something to do with a critical attitude against the Iranian Shiite regime. This regime of violence leaves its mark. But it also has to do with the fact that many Iranians feel a spiritual emptiness. The old religion no longer bears fruit. Many perceive it as a burden, pressure, coercion, decreed by the state. They want to free themselves from its grasp. But the abandonment of the former results in a spiritual void. So, they look to fill this gap often turning to Christianity. That the Christian God is a personal and loving god speaks to them. They experience the "forgiveness" in Christianity as liberation. That is why they search in the Internet, house churches and are open to approach by Iranian Christians. Since they are not allowed to go into the public churches, they continue their search underground in these "house churches." They seek help in Christian faith in personal emergencies, support in instability, acceptance or purpose.

Some of our new Iranian church members had to flee because they had joined house churches and these house churches were discovered by the secret police. A professor had to flee because he was looking for Christian content on the Internet and a colleague discovered his search.

And what about those who did not flee for religious reasons, but because they came into conflict with the state for other reasons? They have lost their homes, their possessions, their culture, their religious homeland by fleeing or leaving Iran. And in a foreign country they look for a deeper hold, for something that Shiite Islam could not give them.

Why do many join Christianity? Perhaps first because Christianity is the central "religion" here in Europe. But I still see the reasons rooted in deeper dimensions: the Christian faith gives many of them exactly what they long for. Many say they were always just "sinners" in their old religion. The observance of the prayer times, the rules: It was impossible to do justice to these demands. And here in Christianity they find acceptance, freedom in faith.

And this is practically demonstrated to them in the churches. They are welcomed in churches, although some of them are not yet Christians. They experience appreciation, interest and openness by Christians, which reflects the openness of Jesus Christ himself. They have often told me that many find Christ in the behavior of Christians. I am convinced that Christians themselves are the most important book of God.

Most converts do not convert to the Christian faith on account of doctrinal persuasions. Theological stringency is certainly important, but it is secondary. The first is to have a genuine life, a being accepted, having an open house, a bandaging of wounds. Words that strike the heart, life that convinces: That is the key.

Love wins people and theological truths only secondarily. The discovery: Here I am accepted, here people have real interest in me, here I am helped, for example by going to the authorities, by helping practically, by helping financially and sharing the faith.

Of course, when you are won over to a cause, you ask what that cause is all about. Theology is important, but it is secondary. And as a church we also try to do justice to the secondary. We make the church services linguistically comprehensible, by translating them into Farsi via a technical system. We offer baptismal courses and Bible courses. Our Iranian brothers and sisters usually can only be baptized after half a year after they have been instructed in the basics of the Christian faith. They want practical faith, not a collection of doctrines. It goes without saying that the capacities are different. I have already experienced many times that educated people and academics have it much easier to obtain a positive court decision. I personally don't think that's right. Jesus' question is not: "Did you understand that?" Jesus' question is: "Do you believe? Do you trust me?" It is part of our mission as churches to awaken and strengthen this trust in Christ.

The danger to myself is certainly that I'm biased. I am taken in by these Iranians. We pray together, celebrate together, eat together, celebrate church services. People come to me and bring their most intimate questions. They cry in front of me and I cry with them. Of course, that captures me. But I still think that by sharing my life with them I understand many things better. I still remember a court hearing. The young man was asked if he really believed in Jesus. And this man said: *"I don't know if I really believe correctly,"* I understood the man. He wanted to say, *"I don't know if I can really accomplish the will of Jesus to love the enemies. I don't know if I am ready yet. I would like to. But I so often fail."*

One more thing: Most of the Iranians whom we have baptized in our church and who have been granted asylum continue to attend church services and live their Christian faith. Maybe they don't all read the Bible daily, maybe they don't know anything about the "theodicy problem" and can't believe all the sentences of the Apostles Creed. Perhaps they have many doubts and do not understand what this means: "risen from the dead" (this is probably the most important dogma of the Church). But they are seeking, opening themselves to the Spirit of Christ, longing for love, esteem and direction, for a foothold even in grief and fear.

I often warn Iranians in baptismal conversations: *"You know that it can be dangerous for you to be baptized and convert to Christianity. If you have to go back to Iran ..."* Yet they do get baptized and often they say in a sense: We must follow our heart.

Forgive me my thoughts after some testimonies in court. {Signature of the pastor}



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## 17.1. Questionnaire Pilot Survey

Compilation of the situation of fugitive Christians and converts in Germany (2014–2019 or please indicate another period)

Name of Church:				Denomination (cath./prot./orth./non-state church/?):			
Federal State:				Place:			
Number of fugitive Christians / converts in the total period	Of which integrated into church life	Asylum Granted	Asylum Claim Pending	Asylum denied	>> of which deported to country of origin	>> of which Dublin-deportation	For all categories: was the translation at BAMF / administrative court correct? Report in %
Total number:							
<b>Total (please indicate in columns on the right at least the total amount of each)</b>							
<b>By land of origin</b>							
Iran							
Afghanistan							
Iraq							
Syria							
Pakistan							
Eritrea							
?							
?							
?							
<b>Details on the sincerity of the change of faith in %.</b>				<b>Information on participation in the baptismal class in %</b>			
credible:	not credible:			participated:	Not participated:		
<b>Details on participation in church life in %</b>							
Does not participate:	Occasionally:	Regularly:	Was introduced to another church:				
<b>Comments (e.g. observations that are important in the context of the survey on the situation of converts)</b>							
<b>Information about the contact person in the church for possible further inquiries</b>							
Name of case worker:				Telephone:		Mobile:	
E-Mail:				E-Mail 2:			

## 17.2. Questionnaire Main Survey

Assessment of the situation of converts seeking protection in Germany

Questionnaire Nr.  
Filled in by Open Doors

Information about your church and contact person (will be anonymized and not passed on to third parties)	
Name of (church-)congregation	
City	
Zip Code	
Federal State	
Denomination	
Name of contact person	
Telephone	
Mobile	
Mail	

Please answer the following questions (please note the information at the end of the questionnaire)	Iran	Afghanistan	Iraq	Syria	Pakistan	? <sup>1</sup>
<b>(Church) Congregation</b>						
<b>1) How many of your attendees<sup>2</sup> come from a strongly Islamic country and have applied for protection (asylum, etc.) in Germany because of conversion<sup>3</sup> to Christian faith?<sup>4</sup></b>						
<b>2) How many of these attendees were baptized?</b>						
a) In your church						
b) In another church in Germany						
c) In country of origin						
d) In a third country						
<b>BAMF DECISION</b>						
<b>3) For how many attendees has BAMF granted protection (at least deportation ban)?</b>						
a) Before July 1 <sup>st</sup> , 2017 <sup>5</sup>						
b) After July 1 <sup>st</sup> , 2017						
<b>4) For how many attendees has BAMF given a positive decision (no protection status; also no deportation ban)?</b>						
a) Before July 1 <sup>st</sup> , 2017						
b) After July 1 <sup>st</sup> , 2017						
<b>5) For how many persons did your congregation submit a baptismal certificate to BAMF and ...</b>						
a) received a negative decision (no protection status at all <sup>6</sup> )?						
b) a positive decision (at least a deportation ban)?						
<b>6) For how many people did your church certify the sincerity of the conversion at BAMF<sup>7</sup> and the following happened:</b>						
a) a negative decision (no protection status at all <sup>8</sup> ).						
b) a positive decision (at least a deportation ban).						
<b>7) How any attendees are still waiting for a decision of BAMF?</b>						
<b>ADMINISTRATIVE COURT</b>						
<b>8) How many attendees have filed a complaint against BAMF rejection with the Administrative court (administrative court) and ...</b>						
a) the decision is pending?						

b) the complaint was (partially) granted? <sup>9</sup>						
c) the complaint was dismissed?						
9) In how many cases did your church certify the sincerity of the conversion <sup>10</sup> and the complaint was dismissed by the administrative court?						
10) Which administrative courts were responsible for the decisions?						
11) Do you have different experiences with different administrative courts? > which ones?						
12) With how many converts that were rejected by BAMF and have not (yet) succeeded in complaining to administrative court, are you convinced of the sincerity of the conversion? <sup>11</sup>						
<b>DEPORTATION OR VOLUNTARY RETURN</b>						
13) How many converts <sup>12</sup> have been deported since 2014?						
a) Directly into country of origin						
c) Via chain deportation (Dublin procedure) to their country of origin						
c) To another European country (Dublin procedure) <sup>13</sup>						
14) What do you know about the situation of deported persons? - please briefly explain						
15) Are you aware of cases of former attendees who voluntarily returned to their country of origin and were persecuted there for their faith? Please explain.						
<b>16) BAPTISM AND BAPTISMAL CLASS</b>						
a) How extensive is your baptismal class for converts before the baptism (in hours) on average?						
c) Over which period does it extend (in weeks)?						
c) Does the baptismal class take place in the mother tongue of the candidate?						
d) Is there a baptismal test?						
e) Are baptismal candidates who fail the baptismal test turned away?						
OBSERVATIONS (which you consider of importance related to the survey about the situation of converts – please mention the number of the question the comment refers to):						

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### **INFORMATION**

Your data will be anonymized, no personal or church data will be published and/or passed on to third parties. The International Information Centre for Religious Freedom Germany (Internationale Informationsstelle für Religionsfreiheit in Deutschland IIRF-D) is responsible for evaluating the data and analyzing the comments on the content.

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<sup>1</sup> If necessary, overwrite this field with a different country name (e.g. Eritrea, Nigeria, Mali, etc.). You can also overwrite unused country names.

<sup>2</sup> This is a survey of the current situation in August/September 2019, which includes all current church visitors. By church service visitors we mean persons who are committed to the congregation, both baptized persons and candidates for baptism, as well as their children. **For married couples and families, please count each person individually, including children.** To avoid double counting are not included: People who were previously in their church or were baptized, but now no longer participate in church life, were transferred to another church, or have moved. (Please forward the questionnaire to this church if necessary.)

<sup>3</sup> By converts here all people are understood who carry out a change of loyalty, away from the Islamic community to the followers of Jesus, to the Christian faith and to the connection to a Christian community. This happens regardless of the various self-designations.

<sup>4</sup> The study includes various combinations and sequences of conversion, baptism, escape and protection petitions. That is, both fugitive converts and converted fugitives; people who have converted in their country of origin and then fled, as well as people who have only fled or converted in Germany, regardless of the temporal relation of the conversion to different phases of aliens' legal proceedings.

<sup>5</sup> In the course of 2017, a noticeable change in the BAMF's decision-making practice was observed and the percentage of negative decisions compared to positive decisions by the BAMF increased sharply. The key date for this survey is 1 July 2017.

<sup>6</sup> No deportation ban either.

<sup>7</sup> A confirmation that the person is actively practicing their Christian faith. What is meant is a meaningful attestation issued by the responsible pastor of the (church) congregation that the conversion is sincere and that the Christian faith has shaped the person's identity.

<sup>8</sup> No deportation ban either.

<sup>9</sup> At least a deportation ban.

<sup>10</sup> The term "certified" here refers to oral or written testimony in court. In contrast to question 5, this is a case before the Administrative court and not before the BAMF.

<sup>11</sup> This question differs from questions 5 and 8. Now it is extensively about all those who have complained to the administrative court, whose sincerity regarding their conversion you are convinced of in contrast to the BAMF and the administrative court, or for whom a administrative court judgement is still pending. To name a few examples: Now also those are included, for which no written certificate of the church could be issued, because a rejection notice of the BAMF preceded it. Also included are persons whose proceedings before the Administrative court are still pending and for whom no sufficient church testimony could be made as to the sincerity of the conversion at the time the application for asylum was filed, which now seems possible.

<sup>12</sup> Question 13–15 is about former church visitors in the sense of question 1, and the explanations there.

<sup>13</sup> Including those who have been precluded from deportation under a Dublin deportation order by voluntary return to that country.

## 17.3. Methodology and Representativeness of the Survey

The study is based on two surveys that follow each other closely in terms of time.

### 1. Pilot study

The questionnaire (Appendix 1) was e-mailed to about 400 churches in July 2019; by August 1<sup>st</sup>, 80 responses were received by e-mail or handwritten fax or regular mail; by September 20<sup>th</sup>, 2019 a further seven responses were added. The responses came from 31 Protestant state churches, which serve 599 converts, and 53 Protestant non-state churches, which include 2,394 converts. The response rate was about 20 %.

### 2. Main study – Extended Questionnaire

The results of the first survey made it clear that more precise questions had to be asked on various points. The questionnaire was modified in consultation with the "International Information Centre for Religious Freedom Germany" (IIRF-D) and other persons (Annex 2). From August 9<sup>th</sup>, 2019 it was sent together with a cover letter by e-mail to approx. 1,100 churches in all federal states of Germany. Replies were requested by September 10<sup>th</sup>. By September 20<sup>th</sup>, 117 congregations (with 4,340 converts) had responded, including 55 Protestant church congregations (2,059 converts) and 62 Protestant non-state churches (2,281 converts). The response rate was approx. 10 %. The summer holidays and the tight time window limited the response rate. In addition, several churches look after refugees, but not converts, or their conversion took place after the flight, so that this does not play a decisive role in the BAMF hearing, regarding the reasons for the flight. Such communities often did not respond. Similarly, most of the churches that participated in the pilot study did not respond to the request for participation in the main study.

In addition, the Evangelical State Church (EKD) and the Catholic Bishops' Conference (DBK) decided against participating in the survey because, "they did not expect to gain any information from the present survey." They referred in each case to their previous efforts on the topic and the commissioners with it and to their discussions with the BAMF on top level.

Despite increased efforts, purely foreign-language churches unfortunately did not provide statistically usable data or did not respond; some expressed safety concerns (endangerment of church members) or lacked statistical data. In addition, many congregations of other origins serve above all the Christian minority from their countries of origin, whose (Christian) culture often differs significantly from that of converts.

### 3. Combined Evaluation of both Data Sets

Since some of the questions in both questionnaires overlapped, the survey took place shortly after one another and only 25 churches took part in both surveys, it seemed reasonable to evaluate both data sets together, limited to the items of the pilot study. (For the 25 churches which participated in both surveys, the answers in the pilot study were given priority).

In the pilot study (apart from questions of integration into the church), the only question asked was whether converted asylum seekers had received (a) refugee protection, (b) the procedure is still pending or (c) no refugee protection has been granted. This resulted in the following synchronization of the two surveys:

Pilot Study	Extended Survey
Refugee protection granted	Acknowledged by BAMF + Acknowledged by administrative court
Pending cases	Pending cases at BAMF + pending cases at administrative court
Refugee protection denied	Denied at administrative court*

\* It was not counted if a rejection by the BAMF was accepted or if no appeal had yet been filed before a administrative court, so that the figure represents a bottom limit. (1) Some rejected persons accept their rejection or travel on to a third country; (2) The BAMF's recognition rate also gives the mean figure for the years 2016–19; since 2017, however, the recognition rate has become significantly lower.

The combined evaluation is thus based on 179 churches that have served 6,516 converts seeking protection. The responses come from all 16 federal states, whereby the south (BW, BY, HE) is somewhat more strongly represented). 86 responses come from Protestant churches (2,675 converts) and 92 from Protestant non-state churches (3,821 converts). This corresponds approximately to the ratio of Protestant churchgoers (900,000 in Protestant churches, 800,000 in Protestant non-state churches)<sup>1</sup>. Converts usually come from relationship-oriented cultures and are more spoken to by intensive personal relationships between church members in non-state churches.

#### Data Acquisition and Evaluation

In both surveys a Word document was used to enter the answers. Some questionnaires were completed by hand and then submitted by regular mail, fax or PDF. The answers were checked for consistency; if necessary, additional questions were asked to the person to be completed via the contact details provided (e-mail or telephone). Subsequently, the data was semi-automatically copied and pasted into an Excel spreadsheet (one data set per participating congregation, broken down by the nationalities of the converts); sub-groups of congregations were selected (by congregation and geographical region) and the mean values, standard deviations, statistical errors of the mean value, etc. were calculated and the results compared. For a typical size of a subgroup of 400 converts, the statistical error was  $\pm 2.4\%$  of the reading.

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<sup>1</sup> Idea, "Wir haben den missionarischen Eifer verloren", <https://www.idea.de/spektrum/detail/wir-haben-den-missionarischen-eifer-verloren-110521.html> access on 10/23/2019.

### To what extent is this survey representative?

All communities can now be reached by e-mail, so the survey method was representative. It also allowed time for reflection and careful research of the facts. The telephone number and e-mail address provided enabled questions to be asked and terms to be clarified, which was also used by some congregations. Both surveys, however, were self-selective, i.e., a community that had been contacted decided for itself whether it wanted to take part in the survey or not. The answers must therefore be checked for a possible sample bias (systematic error).

The survey, however, only asked facts (number of converts who regularly attend the service, from which country they come, how many were baptized, how many were acknowledged by the BAMF, how often appeals were filed at the administrative court, etc.) and no opinions or attitudes. In addition, we received proportional feedback from all federal states and from all important (Protestant) congregational associations, and the results agree within 10 % (except for Pentecostal-charismatic congregations for reasons discussed in the results). With a scope of about 6,500 converts, the study covers 15–30 % of the population, so that it can be regarded as quasi-representative and thus valid. Ultimately, however, this survey is about the experiences of a large group of converts and not primarily about the most reliable statements possible about all converts. Their fate should be the focus of attention and critical aspects of the asylum procedure should be identified.

### The extent of the study should be estimated by the following considerations:

The combined evaluation of pilot and extended surveys covers 179 congregations serving 6,516 converts, including 4,557 Iranians, of whom 2,222 have received protection status in Germany. Iranians were by far the largest group of converts and also the most converts among their refugees.

- a) In the period 1/2016–8/2019 according to BAMF statistics 61,282 Iranians applied for asylum in Germany, and 44–53 % declared their religious affiliation as "Christian" in their asylum application (the number of Armenian and Assyrian Christians in Iran is very small, so that in this case it can be assumed that it is mainly converts). With presumably 30,000 Iranian Christians, the survey would thus have covered  $4,557/30,000 = 15\%$  of the population of the new Iranian converts in Germany.
- b) In the period 1/2016–8/2019, 25,700 Iranians (according to the BAMF) received protection status in Germany; the average protection rate was 39.7 % (including subsidiary protection and ban on deportation). If BAMF recognition had been granted irrespective of religious affiliation, a total of 12,850 Iranian Christians should be included.

In the extended survey, 1,341 positive BAMF responses from Iranian converts were reported. In the combined survey, this made 2,010 persons, which corresponds to a sample size of 16 %.

- c) According to the federal government's response to the inquiry the political party "Die Linke" made on February 19<sup>th</sup>, 2019, 26,202 Iranians had filed an appeal with the administrative court in the period 2016–2018; 9,996 decisions were made, 2,436 were granted protection status (including a ban on deportation), 2,678 were rejected, and there were 4,884 other procedural suspensions. If we assume that half of them were Christians and compare this with the data in the present survey, the following picture emerges: In the extended survey, 1,119 administrative court appeals from Iranian converts were reported (in the combined survey, this would be approximately 1,680 administrative court appeals, which corresponds to  $1,680/13,100 = 17\%$  of the population).
- d) In the extended survey, the participating churches reported that 354 administrative court appeals were successful, 208 were dismissed and 549 administrative court appeals by Iranians are still pending. 354 positive decisions (or 530 in the combined survey) represent 22 % of all positive decisions for Iranians, regardless of their reason for asylum. Obviously, the appeal of Iranian converts was granted more often than that of other Iranians.

For other countries of origin, the share of converts is significantly smaller so that the BAMF statistics cannot be correlated so easily with the number of converts reported here. However, the percentage is consistent.

We therefore assume that the survey has covered about 16 % of the converts that have come to Germany in the last 4 years.

## 17.4. Media Reports on the Subject

He is threatened with the death penalty, but for Germany he is not Christian enough<sup>2</sup>

July 1<sup>st</sup>, 2019 / Gregor Haschnik / FR

Because he allegedly failed to comply with his duty to cooperate, the authorities in Hanau banned an Iranian Engineer from work.

Peyman Harati had made it. He had arrived in Germany, also vocationally. He was one of the poster refugees with whom politicians like to be photographed. The 47-year-old, who fled Iran four years ago, was happy that the family business Schmitt + Sohn Elevators gave him a chance, he says. And proud that he could provide for himself and his 18-year-old son Siavash.

"Here borders are crossed"<sup>3</sup>

Bavarian Church criticises "examination of faith" of baptized refugees

August 14<sup>th</sup>, 2018 / Wolfgang Lammel / epd

Because they have converted from Islam to Christianity, many refugees fear for their lives when they return to their former homeland. In a German asylum procedure, the acceptance of a refugee on faith reason sometimes turns into a Lottery.

[...] In the wake of the increased numbers of refugees, the conversion of Islamic asylum seekers to Christianity is no longer an undisputed reason for asylum. The danger of persecution for religious reasons is generally admitted. However, the assessment does not concern the personal decision to accept another religion, nor does it primarily concern possible membership of a Christian community or whether the baptism was carried out just in Germany. The focus is on the delicate prognosis as to how serious the consequences are to be expected for the person concerned when he or she returns.

In practice, these "assessments" are a point of division; especially, since more and more predominantly Iranian asylum seekers are affected, who were baptized and are involved in their churches. In some hearings at the Federal Office for Migration and Refugees (BAMF) and in administrative court hearings "*the border to the theologically and legally very doubtful – from our point of view illegitimate – examination of the faith is obviously crossed,*" complains the Upper Franconian regional bishop Dorothea Greiner.

2 Gregor Haschnik, "Zuwanderung: Ihm droht die Todesstrafe, doch für Deutschland ist er nicht christlich genug", fr.de, <https://www.fr.de/rhein-main/main-kinzig-kreis/hanau-ort66348/nicht-christlich-genug-deutschland-12747597.html> access on 10/23/2019.

3 Wolfgang Lammel, "'Hier werden Grenzen überschritten': Bayerische Kirche kritisiert 'Glaubensprüfungen' bei getauften Flüchtlingen", evangelisch.de, <https://www.evangelisch.de/inhalte/151721/14-08-2018/> ... bayerische-kirche-kritisiert-glaubenspruefungen-bei-getauften-fluechtlingen access on 10/23/2019.

The theologian does not carelessly raise such objections. With a few exceptions, former Muslims would not carry out a conversion in order to prevent a deportation: *"They have chosen Christianity out of conviction as religion of freedom and love,"* Greiner is certain. She knows more than just one case of questionable and partly contradictory *"faith assessment practice,"* to which she demands an end.

### **Expertise of Theologians is Needed**

In a BAMF decision, for example, the baptism of an applicant was played down to a *"purely formal conversion of faith"* – because he had not been a strictly religious Muslim before, the change to a Christian was *"all the more incomprehensible."* This decision had been cashed by the administrative court, while in another case another had followed the argumentation which attested the applicant a *"lack of personal commitment to religion:"* The auditor had been disturbed by the fact that the interviewee had criticized Islam and described Christianity positively.

Greiner warned that the competence of auditors and judges in religious questions should therefore be questioned: BAMF and courts should rely more on the expertise of theologians. The Berlin church lawyer Katharina Berner has an explanation for these irritations: *"The society is meanwhile barely practiced anymore in dealing with 'perceptibly lived religion',"* she stated.

### **BAMF Expects Converts to Commit to Faith**

Interviews in the hearing on conversion should not amount to a *"faith examination,"* emphasizes BAMF spokeswoman Natalie Bußenius. The convert must be able to describe in detail *"what motives he had for the conversion and what significance the new religion has for him personally."* The change of faith after a careful baptismal supervision was not doubted. But the BAMF auditor must judge whether this change of faith genuinely happened *"for reasons of asylum tactics or genuine conviction."*

On the way to this verdict there is another stumbling block: the language barrier. Most asylum seekers from Iran are hardly able to express themselves in German to all questions in their often grueling dealings with authorities. Translators who know their native language Farsi are therefore indispensable – but most of them are Muslims and have *"practically no Christian vocabulary."* BAMF department head Ursula Gräfin Praschma admitted, *"The Lord's Supper turns into dinner, and they know nothing about the Trinity."* Thus, some things can be lost in translation on the way to the auditor's ears.

### Refugee council criticizes deportation of Iranian Christian woman<sup>4</sup>

May 17<sup>th</sup>, 2019 / epd

The refugee council of the German federal state of Mecklenburg-Western Pomerania has criticized the deportation of an Iranian Christian woman and called on the state government not to send any Christians back to Iran. *"In the event of deportation, Christians are threatened with imprisonment, torture and possibly death,"* the refugee council announced in the state capital of Schwerin on Friday.

The immigration authorities should be instructed to examine this so-called target state-related obstacle with immediate effect. Official certificates of congregations on church memberships or baptism certificates should suffice as grounds for a general stop on the deportation of Christians to Muslim countries in which the death penalty is imposed for professing the Christian faith. The Refugee Council was stunned by the example made of a 58-year-old Iranian woman in Torgelow (state district of Vorpommern-Greifswald) on May 8<sup>th</sup>, said refugee council chairman Ulrike Seemann-Katz. The woman had actually *"done everything right,"* submitted a passport and integrated herself into Germany society.

Apart from the fact that for the first time in ten years, someone had been deported to Iran again, the fact that this older woman was sent back on her own, while her sons were permitted to stay in the country, was incomprehensible. The Christian woman, who is currently undergoing asylum proceedings, was deported from Torgelow on May 8<sup>th</sup>. According to the state's refugee council, she was immediately arrested in Iran and only released on bail. She is not allowed to leave Tehran before her trial. In Iran, the confession to Christianity is punishable by death. The refugee council sees in this case the proof that Christians in grave danger if they must return to Iran.

### State Church: Status of converted Iranian to be clarified<sup>5</sup>

February 26<sup>th</sup>, 2019 / epd

The Protestant state church of Bavaria is confident that asylum seekers who have converted to Christianity and are active in churches will not be deported from Bavaria to Iran for the time being. Until a clarification is reached, *"no 'fait accompli' should be created for this group of persons,"* the regional bishop of Bayreuth, Dorothea Greiner, told the Protestant Press Service (epd) on Tuesday.

This was the result of an *"exceedingly constructive"* discussion which the state bishop Heinrich Bedford-Strohm, the Munich senior church councilor Michael Martin responsible for refugee work and regional bishop Greiner had with the Bavarian Minister of the Interior, Joachim Herrmann (Christian Social Union) as well as two further representatives of the ministry. A spokesman for the Ministry of the Interior stated that confidentiality had been agreed on regarding the details of the meeting.

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4 Evangelischer Pressedienst, "Flüchtlingsrat kritisiert Abschiebung von iranischer Christin", evangelisch.de, <https://www.evangelisch.de/.../inhalte/156334/17-05-2019/fluechtlingsrat-kritisiert-abschiebung-von-iranischer-christin?kamp=b-012> access on 10/23/2019.

5 Evangelischer Pressedienst, "Landeskirche: Status konvertierter Iraner soll geklärt werden", evangelisch.de, <https://www.evangelisch.de/.../inhalte/155244/26-02-2019/landeskirche-status-konvertierter-iraner-soll-geklaert-werden?kamp=b-012> access on 10/23/2019.

On his Facebook page, state bishop Bedford-Strohm commented as follows: *"Again and again, we learn of cases of impending deportations of Iranian asylum seekers who have converted to Christianity."* Often, those people are committed church members and very well-integrated. On the result of the discussion, the bishop noted: *"I am very grateful that the time has come to calmly clarify the underlying questions, without the affected persons having to live in constant fear."* Bedford-Strohm is also chairman of the Council of the Evangelical state churches in Germany (EKD).

In recent weeks, a stir had been caused by several cases regarding converted Iranian asylum seekers who were to be deported, despite the fact that the state church had emphatically drawn attention to the imminent threat to them in their home country. Regional Bishop Greiner admitted to the state church news service (epd) that although some asylum seekers did indeed turn to Christianity for *"tactical reasons,"* those persons did not follow that path all the way to baptism. The current debate, however, concerned only those who remained faithful to their church congregation.

**Call for halt to deportation of Iranian Christians  
Volker Kauder (CDU faction) reiterates earlier demand – Chairman of the  
Council of Evangelical State Churches in Germany:  
nationwide solution required<sup>6</sup>**

*July 30<sup>th</sup>, 2019 / epd*

(Berlin) The former CDU/CSU union faction leader Volker Kauder (Christian Democratic Union) has reiterated his demand for a ban on deportations of Iranian Christians. He emphasized that apostasy was punishable by Islamic Sharia law and that people who converted from Islam to Christianity were threatened with the death penalty. They could not be sent back to a country that did not safeguard the right to religious freedom.

### **Baptism certificate sufficient for qualification as a Christian**

Kauder said that, in talks with the German Ministry of the Interior, he had achieved as a first step that a baptism certificate would be sufficient to qualify as a Christian and that it would not be critically examined during talks at the Federal Office for Migration and Refugees (BAMF). After the summer break, he will continue his talks with Interior Minister Horst Seehofer (Christian Social Union) about a general non-deportation agreement. The Ministry of the Interior confirmed that it has been in contact with the CDU politician on this topic since the beginning of the year. Kauder had already pointed to the situation of persecuted Christians several times in the past.

The International Society for Human Rights in Germany (IGFM) also sees a need for action for the protection of Christian converts. The organization accuses the BAMF of *"haphazardly"* rejecting almost all asylum applications by Iranian converts. According to the IGFM, the situation has worsened since the refugee crisis of 2015.

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<sup>6</sup> Evangelischer Pressedienst, "Abschiebestopp für iranische Christen gefordert", ekd.de, <https://www.ekd.de/abschiebestopp-fuer-iranische-christen-gefordert-46131.htm> access on 10/23/2019.

The Evangelical State Church of Germany (EKD) repeatedly receives reports of people who have converted to Christianity and whose conversion is not acknowledged by the authorities in the asylum procedure, as a spokeswoman told the state church press service (epd). In close exchange with the BAMF, the EKD presented such cases and advocated fair and individual asylum procedures.

Seehofer had recently spoken out against a general ban on deportations of Muslims to Iran who had converted to Christianity. He justified this with the fact that, in general, asylum decisions were made individually and based on current knowledge.

### Converts from other countries also affected

In the past, there had been continuous debates about how to deal with converts. In April, Heinrich Bedford-Strohm, chairman of the Council of the Evangelical State Churches of Germany and Bavarian state bishop, had agreed on a deportation moratorium with Bavarian Interior Minister Joachim Hermann (CSU), which was to be valid until a nationwide standardized solution is found. Bedford-Strohm made it clear that converts from other countries are also affected, for example Afghani refugees. In principle, the situation in Iran is grave for converted Christians, the EKD spokeswoman said. This especially concerns people who return from abroad as converts because they have to expect sanctions right up to the death penalty.

According to the Ministry of the Interior, the number of converted Christians who have returned or been deported to Iran is not recorded separately. According to a spokesman, 497 people voluntarily returned to Iran last year, up from 86 by March 20<sup>th</sup> of this year. 22 people were deported to Iran in 2018, and 17 this year until the end of May.

### BAMF has no knowledge about persecution of Christians in Iran<sup>7</sup>

September 6<sup>th</sup>, 2019 / idea

Wetzlar (idea) – The Federal Office for Migration and Refugees (BAMF) has no evidence that Christians are being systematically persecuted in Iran under Islamic rule. This was said by the agency's president, Hans-Eckhard Sommer (Nuremberg), at a lecture on September 5<sup>th</sup> in Wetzlar in the federal state of Hesse. "*Many Christians live in Iran*," he said to an audience of about 100 visitors of the event of the association "*Pro Polizei Wetzlar*." Sommer continued that it was, however, a well-known fact that trafficking organizations trained refugees from that country to pretend that they had converted from Islam to Christianity: "*That is part of their all-inclusive package*." Therefore, it is never easy for the BAMF staff to decide on refugees from Iran: "*These hearings, intended to determine the individual reasons for the flight, last up to seven hours*." The officials do not take religious exams, but they make prognoses in order to determine "*how these people live their faith*." This also applies in the case of a return to Iran. Also, submitted baptism certificates were not considered. The legislator required to decide solely on the basis of,

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7 Idea, "Das BAMF hat keine Erkenntnisse über Christenverfolgung im Iran", idea.de, <https://www.idea.de/menschenrechte/detail/...-das-bamf-hat-keine-erkenntnisse-ueber-christenverfolgung-im-iran-110350.html> access on 10/23/2019.

*"whether or not someone is politically persecuted." "Faith and religion are irrelevant"*  
Sommer added. If Christian aid organizations had other findings about the situation of Christians in Iran, he would welcome it if they sent appropriate documents to his office, he told Idea, a non-state evangelical news agency.

### **Cooperation with 50 mosque communities in the integration process**

Moreover, he reported that the Federal Office has been cooperating with 50 mosque communities in Germany to promote the integration of Muslim refugees into German society. Talking with Idea, Sommer rejected the proposal of the former chairman of the CDU/CSU parliamentary group in the Bundestag, Volker Kauder, to recognize converted migrants as refugees and not to deport them. If Kauder was serious about this, Sommer added, he would have to fight for the necessary majority in Parliament.

### **No knowledge of the "Mahsa" case**

Sommer also said that he had no knowledge of the concrete case of the Iranian convert with the alias "Mahsa" from Herborn in central Hesse. According to her own statements, the woman had already converted to Christianity in Iran and then fled to Germany in 2015. Her applications for asylum had been rejected by all official offices. She is now threatened with deportation back to her home country and, according to her supporters, also with death. Christians from central Hesse have been campaigning for the 38-year-old woman to be granted the right to permanent residence. Among other activities, they have initiated a prayer march and an online petition.

### **Number of initial applications declines**

According to Sommer, he expects significantly fewer initial applications from asylum seekers this year: 150,000 compared to 180,000 last year. According to him, 37.2 percent of all applications are approved. The highest recognition rate (84.4 percent) was for civil-war refugees from Syria. 246,000 rejected asylum seekers are obliged to leave the country. This year (as of July), 15,000 had been deported and 6,800 had returned voluntarily. The organizer of the lecture, the association "Pro Polizei Wetzlar," has about 900 members. The chairman is Hans-Jürgen Irmer (Wetzlar), CDU member of the Bundestag. He criticized that two thirds of all refugees in Germany applied for asylum without valid passports, but 99 percent had a mobile phone with them.

### **Human rights defenders: Do not deport converts!**

Most recently, the International Society for Human Rights in Germany (IGFM/Frankfurt am Main) had appealed to Federal Interior Minister Horst Seehofer (CSU) not to deport Muslims who had converted to Christianity, nor any Baha'i, to Iran. The human rights situation in the Islamic Republic of Iran has worsened in recent months, IGFM board spokesman Martin Lessenthin said on July 30<sup>th</sup> at a joint press conference with the German Evangelical Alliance in Berlin. The Islamic Revolutionary Guards, the secret service and the police took even harsher action against dissenters. The Islamic Republic's leadership had an eye not only on human rights activists, but also women's rights activists, trade unionists, environmental and democracy activists, but above all, religious minorities.

### **A deaconess reports: Many Iranians are afraid of deportation**

When asked for a statement by the independent evangelical news agency Idea, the deaconess and preacher of the regional church "Haus Gotteshilfe," Sister Rosemarie Götz (Berlin-Neukölln), criticized Sommer's attitude towards Christians in Iran. By her own account, she has to date cared for about 500 refugees, many of them from Iran. All the Iranians known to her are, "*afraid of having to return home*," she said. Again and again, they had heard from Christians in Iran that persons deported were arrested directly upon entry. Even refugees who have settled in a congregation, played an active part there and answered the BAMF officials' questions correctly, were frequently not recognized as refugees. In the "Haus Gotteshilfe," about 200 refugees are cared for every week by means of integration and leisure activities. According to the deaconess, up to 80 refugees – including many Iranians – regularly attend the church service.

### **Deportation to Iran – BAMF rejects applications of converts "haphazardly"<sup>8</sup>**

*July 31<sup>st</sup>, 2019 / epd / migazin*

Refugees from Iran who convert to Christianity often face persecution in their home country. Nevertheless, the BAMF rejects asylum applications. 22 people deported.

In short, the situation in Iran is very dangerous for converted Christians, said the spokeswoman of the Evangelical State Church of Germany (EKD). This especially concerns people who return from abroad as converts because they must expect punishments right up to the death penalty.

According to the Ministry of the Interior, the number of converted Christians who have returned to Iran or have been deported is not recorded separately. According to a spokesman, 497 people voluntarily returned to Iran last year and 86 by March 20<sup>th</sup> of this year. 22 people were deported to Iran in 2018 and 17 by the end of May of this year (*epd/mig*).

### **8,500 appeals – Germany rejects many asylum seekers from Iran<sup>9</sup>**

*March 13<sup>th</sup>, 2019 / epd / migazin*

Out of 11,400 asylum applications by Iranians, only 2,600 were approved in 2018. More than 8,500 Iranians appealed to administrative courts against the BAMF decision. The far left-wing party Die Linke demands changes to the BAMF procedures.

The parliamentary group of Die Linke in the Bundestag criticizes the asylum decisions of the Federal Office concerning natives of Iran. The high number of verdicts in German courts against negative BAMF decisions is a strong indication that "*many things are going wrong in the examination practice of the BAMF concerning Iranian asylum seekers*," said Ulla Jelpke, an interior expert of the party Die Linke. She called for rapid changes within the BAMF.

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8 Evangelischer Pressedienst und Mig. "Abschiebung in den Iran: Bamf lehnt Anträge von Konvertiten 'reflexhaft' ab", *migazin.de*, <http://www.migazin.de/2019/07/31/bamf-lehnt-antraege-von-konvertiten-reflexhaft-ab/> access on 10/23/2019.

9 Evangelischer Pressedienst und Mig. "8.500 Klagen: Deutschland lehnt viele Asylsuchende aus dem Iran ab", *migazin.de*, <http://www.migazin.de/2019/03/13/deutschland-lehnt-viele-asylsuchende-aus-dem-iran-ab/> access on 10/23/2019.

*"The dangers that deported Iranians face when they return to Iran are systematically played down by the German government,"* Jelpke explained. According to human rights organizations, opposition members, Christians and homosexuals in particular, are being persecuted by the regime in Tehran. In a "letter to decision-makers" of February, the BAMF itself also spoke of an *"increasing migration pressure"* 40 years after the Islamic Revolution. Torture and limited religious freedom are still part of the political and legal system in Iran, the publication stated. (epd/mig)

*"A scandal that is taking place silently in our very midst"*<sup>10</sup>  
January 31<sup>st</sup>, 2018 / WELT

The Protestant-Lutheran Church warns against the deportation of converted Christians. In many countries they would have to fear for their lives. The state decides about faith without having the right.

The bishop of the non-state Independent Protestant Lutheran Church (SELK), Hans-Jörg Voigt, has expressed sharp criticism of the current deportation practice in Germany. *"For some time now, the Federal Office for Migration and Refugees (BAMF) has been working at full speed to issue thousands of rejection and deportation notices to converted Christian refugees who fear for life and limb and are granted no protection in this country,"* Voigt criticized in an interview with the information service "SELK News."

*"Christians in predominantly Islamic countries like Iran and Afghanistan have to fear for their lives every day,"* the bishop continued. The fact that the Federal Republic of Germany increasingly refuses to grant refugee status to former Muslims converted to Christianity is a constitutional violation and *"a scandal that is taking place silently in our very midst."*

In the case of converted refugees who claim their Christian faith as a reason for asylum, their faith is *"evaluated in a completely arbitrary fashion,"* the bishop emphasized. But the state does not have the right to make decisions about the personal faith of Christians and certainly not about the content of their faith. *"Why have I not yet heard an outcry of horror in this country over the fact that a government evaluates people's faith and, with a stroke of the pen, expects them to deny their faith in their home country?"*

In the Trinity Church of the SELK in the Berlin-Steglitz, the recognition rate for Christian refugees has dropped from 100 percent to currently below ten percent in the course of two years; this despite nothing has changed in the work of the pastor and the congregation. *"This shows that a political agenda is being implemented by the BAMF, for which the current federal government is responsible,"* said the bishop. *"A latently xenophobic mood in this country repeatedly drives the political, official and judicial decision-making in Germany."*

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<sup>10</sup> Welt.de, "Abschiebung von Christen: 'Ein Skandal, der sich in aller Stille mitten unter uns abspielt'", <https://www.welt.de/politik/...deutschland/article173044655/Konvertierte-christliche-Fluechtlinge-Kirche-kritisiert-Abschiebepaxis.html> access on 10/23/2019.

## Converted Christian threatened with Deportation to Pakistan<sup>11</sup>

December 10<sup>th</sup>, 2017 / pz-news

Pforzheim, Germany. A Christian convert from Pakistan who has been living in the city of Pforzheim for some years, is to be deported. In spite of his faith, the Federal Office for Migration and Refugees (BAMF) will not grant him asylum. In his home country, however, the young man's life is in danger because of his religion.

It is Christmas Eve when a young Pakistani in Pforzheim learns that his asylum claim has been rejected. The deportation is set for the 27<sup>th</sup> of December; right after Christmas. As a converted Christian, this will be his last Christmas in safety. The anti-blasphemy law which is effective in Pakistan threatens the life of all those who do not belong to Islam, the official religion in Pakistan.

No sooner had the deportation notification reached the man's lawyer, did the latter submit an emergency appeal for juridical review. *"This is a matter of life and death. As a baptized Christian, he is threatened by the anti-blasphemy law, no matter how deep his faith may be"*, stated Markus Schütz, pastoral counselor in Pforzheim and minister to the Pakistani convert.

The focus of the hearing of the young man's application conducted by a BAMF official last week had been the *"individual credibility"* of the man's reasons for conversion, explains Reverend Georg Lichtenberger, who had made this story subject of his sermons on Christmas Eve and Christmas Day. By rejecting the application, the BAMF had not only questioned the sincerity of the man's faith, but also the church's discernment. *"No priest is allowed to just go ahead and baptize an adult"*, says Lichtenberger. Apart from interviews with the convert, the consent of the local bishop is also required. *"Because of the special situation of refugees, those requests are not treated lightly,"* asserts the priest at the Church of St. Elisabeth.

In response to an inquiry as to why a Christian should be deported to Pakistan, the BAMF stated that they recognized and considered an applicant's conversion *"if presented believably."* Generally the acceptance of faith is reason enough to grant protection if this faith would present a significant threat to the believer.

Whether his faith is sincere or not, the danger for the young man is existential; underlined by the fates of those who have been attacked or even killed for their interest in the Christian faith.

On Wednesday, it seemed as if all attempts of both the man's counsellor and his advocate to prevent his deportation had been in vain. According to Schütz, the young man had been taken into custody and transferred to Frankfurt International Airport. A phone call to the Federal Police confirmed his fear: the young man's name was on the list. At 10:35 am, the plane was to depart for Pakistan. However, it took off without the Pakistani Christian on board.

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<sup>11</sup> Jeanne Lutz, "Konvertiertem Christ droht Abschiebung nach Pakistan", pz.de, [https://www.pz-news.de/pforzheim\\_artikel,-Konvertiertem-Christ-droht-Abschiebung-nach-Pakistan-\\_arid,1204768.html](https://www.pz-news.de/pforzheim_artikel,-Konvertiertem-Christ-droht-Abschiebung-nach-Pakistan-_arid,1204768.html) access on 10/23/2019.

## Where the Church ought to Stand as the Advocate of the Persecuted<sup>12</sup>

February 8<sup>th</sup>, 2019 / DW / *katholisch.de* (excerpt)

They are to be deported to Iran, where, as converted Christians, they are very likely to suffer persecution. "Are the churches not obliged to come in on the side of those people whose religion is threatened to be relativized?" asks Christoph Strack.

Ever since I heard this, a thought expressed by Volker Kauder, [member of the German Bundestag], has left an impression upon me. "*We are,*" said Kauder, "*the country of religious freedom.*" According to Kauder, German politicians like to admonish about religious freedom in countries like Pakistan, Egypt and elsewhere. "*If we deport [converts], our reputation of religious freedom is in danger.*"

Germany takes pride of its respect for religion and advocates the same on a global scale. But the evaluation of converts and Yazidis by German judges serves another narrative. Some late judgments appear foreign in the eyes of experts. Yes, the Judiciary is independent. Yes, that is a virtue which needs to be respected. But churches must pay attention when the confession of faith is in danger of being relativized.

Christoph Strack, the author of this text, is head of the column "religion" for the broadcasting company "Deutsche Welle."

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<sup>12</sup> Christoph Strack, "Wo Kirche als Anwältin der Verfolgten deutlicher werden muss", *katholisch.de*, <https://www.katholisch.de/aktuelles/standpunkt/wo-kirche-als-anwaeltin-der-verfolgten-deutlicher-werden-muss> access on 10/23/2019.

### Baptism in the Nidda River<sup>13</sup>

November 7<sup>th</sup>, 2019 / ekd

Baptism by immersion has a long tradition in the Church of Christ in Bad Vilbel [Hesse] – in 2019, refugees from Iran were among those baptized

After their baptism in the Nidda river, those baptized and the baptizers were clearly delighted. Eight refugees were baptized this year together with six confirmands who had not been baptized as infants.

On the Sunday after Pentecost, people dressed in white t-shirts and black trousers stood waist-deep in the cool waters of the Nidda in Bad Vilbel embracing each other and laughing happily. They were just baptized: six hitherto unbaptized youths of about fourteen years of age and eight adults who have come to Germany from Iran to seek refuge in the Church of Christ [...]

*"It is touching to hear the testimonies of some of these people who came to us to find the way to faith in Christ",* commented one of the church leaders.

The religious backgrounds of the refugees from Iran are diverse. Some of them had already come into contact with the Christian faith at home, others only after their arrival in Germany. *"The experience of having the 'wrong' faith in Iran, or of wishing to convert to the Christian faith as a Muslim, is the reason why many of them fled from their home country,"* reports Pastor Klaus Neumeier. It was through the volunteer work in this local church since 2015, that these refugees came in touch with the churches. In some of them, that experience kindled their interest in baptism.

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13 Claudia Boss-Teichmann, "Flusstaufe in der Nidda: Ganzkörpertaufen haben in der Bad Vilbeler Christuskirchengemeinde Tradition – 2019 waren auch Geflüchtete aus dem Iran dabei", ekd.de, <https://www.ekd.de/flusstaufe-in-der-nidda-von-konfirmanden-und-gefluechteten-47949.htm#pid=2> access on 10/23/2019.

17.5. Iran: The reality for Christians – Considerations for immigration officials, government agencies and advocates of Iranian Christians  
(Open Doors International, August 2019)

## **IRAN: The reality for Christians**

*Considerations for immigration  
officials, government agencies and  
advocates of Iranian Christians*

August 2019

Open Doors International – World Watch  
Research



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# Iran: The reality for Christians

*Considerations for immigration officials, government agencies and advocates of Iranian Christians*

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## 1. Christianity is seen as a growing threat

The Iranian government considers Christianity a condemnable Western influence and a constant threat to the Islamic identity of the Republic. This is especially the case because Christian numbers are growing and allegedly even children of political and spiritual leaders are leaving Islam for Christianity. Since there are no Persian-speaking church services accessible for converts and Christian materials are prohibited, most converts gather in informal house-church meetings or receive information on Christian faith via media, such as satellite TV and websites. The number of Iranian Christians with a Muslim background continues to increase, although exact numbers are unknown. Open Doors uses an estimated number of 800,000 Christians in World Watch List 2019 documentation.<sup>1</sup> Ethnic Assyrian and Armenian Christians account for approximately 250,000 of that number, while the remainder consists of Christian converts from Islam with the overall majority of them belonging to the Protestant house-church movement. However, the total number of Christian converts remains unclear, due to the secret nature of conversions, the ongoing migration of converts to other countries and the fact that many converts remain isolated and are not connected to a house-church or other Christians.

## 2. Legal framework

The Constitution of the Islamic Republic of Iran states that Islam (Twelver Ja'fari school of Islamic jurisprudence) is the nation's official religion.<sup>2</sup> Accordingly, all Iranian laws must be derived from and consistent with Islamic law.<sup>3</sup>

### 2.1 Ethnic minority Christians

Under the Constitution, Christianity is one of the three legally recognized ethnic religious minorities in Iran. Through this recognition, ethnic minority Christians maintain the right, at least in principle, to exercise their faith.<sup>4</sup> Article 13 of the Constitution states: "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, *within the limits of the law*, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education." As interpreted by the Iranian government, these rights pertain only to ethnic minority Christians (not to Iranian converts to Christianity) who act within the limits of the law, including non-codified principles of Islamic law.

However, even ethnic minority Christians suffer from a large amount of legalized and social discrimination. They are not allowed to hold services in Persian (Farsi) or print religious materials in Persian. In addition, they face employment restrictions (being Muslim is a requirement for many jobs, in particular in government positions and the authorities have been known to force Muslim employers to dismiss Christian employees); marriage restrictions (for instance, the Civil Code prohibits a non-Muslim man from marrying a Muslim woman);<sup>5</sup> unequal treatment by the

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<sup>1</sup> WWL 2019 Iran country dossier, available at: <http://opendoorsanalytical.org/wp-content/uploads/2019/01/Iran-WWR-COUNTRY-DOSSIER-January-2019-update.pdf> (password: freedom), last accessed 22 August 2019.

<sup>2</sup> Qanuni Assassi Jumhurii Islamai Iran [The Constitution of the Islamic Republic of Iran] 1980, art. 12.

<sup>3</sup> *Id.* art. 4.

<sup>4</sup> *Id.* art. 13 (emphasis added).

<sup>5</sup> THE CIVIL CODE OF THE ISLAMIC REPUBLIC OF IRAN, art. 1059.

courts; not being allowed to adopt children; the Islamic hijab is compulsory for all women in Iran, including Christians; and the inability to inherit property from a Muslim (which encourages people to convert to Islam). Moreover, the Iranian Civil Code provides that when a non-Muslim dies, if there is any Muslim among his beneficiaries, even though only a distant relative, this legatee inherits all the property.<sup>6</sup> Christians are also not allowed to hold public offices such as being a judge, qualify for the presidency or be elected to local councils (except for the three designated seats in the Majlis, the Iranian parliament).

The government forces churches to reject any Muslim trying to be baptized into the Christian faith and requires a church to register its members. Similarly, the government closes any church that does not comply. For this reason, converts are forced to meet in informal house churches or to practice their faith in isolation.

## 2.2 Freedom of thought, conscience and religion

Concerning freedom of thought, conscience and religion, Article 23 of the Constitution provides that the “investigation of individuals’ beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.”<sup>7</sup> Article 26 of the Constitution grants the recognized ethnic religious minorities the freedom to form associations, such as churches. The Constitution also dictates respect for the human rights of non-Muslims, but qualifies this protection by stipulating that “this principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.”<sup>8</sup> Notably, prosecutors often bring charges against Christians, asserting that their Christian activities amount to crimes such as “propaganda against the Regime” and “acting against national security.”<sup>9</sup> The Iranian government has increasingly prosecuted Christians under the charge of “enmity against God”, a crime punishable by death.<sup>10</sup> The reality is, although Iran acknowledges constitutional protection, it fails to uphold this for its Christian community.

The Iranian government brings national security charges against Christian converts under the rationale that apostates are not Christians as recognized by the Iranian Constitution and threaten the security of the Islamic state. This ensures that the case is handled under the opaque shroud of the Revolutionary Courts; these are courts that notoriously lack transparency and due process. In 2014, the UN Rapporteur on the situation of human rights in Iran interviewed 133 people who faced trial in Iran. Forty-five percent of those interviewed said they were not permitted to present information in their defense; in 43 percent of cases, trials lasted only minutes, and 70 percent of interviewees noted that coerced information or confessions had been reportedly used by the judge or at least part of the evidence presented by the prosecution was made up.<sup>11</sup>

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<sup>6</sup> *Id.* art. 881 bis.

<sup>7</sup> Qanuni Assassi Jumhuri Islamai Iran [The Constitution of the Islamic Republic of Iran] 1980, art. 23.

<sup>8</sup> *Id.* art.14.

<sup>9</sup> See generally U.N. Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, U.N. Doc. A/HRC/22/56 (28 Feb. 2013) [hereinafter SR 2013 Report].

<sup>10</sup> See, e.g., Converts to Christianity Still Risk Capital Charges, News.VA, <http://www.news.va/en/news/asiairan-converts-to-christianity-still-risk-capit> (last accessed 10 Sept. 2014).

<sup>11</sup> See U.N. Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, U.N. Doc. A/HRC/25/61 (18 Mar. 2014), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/120/75/PDF/G1412075.pdf?OpenElement>.

Revolutionary Courts process crimes ranging from the violation of national security, terrorism and smuggling, to the ambiguously conceived offense of “waging war against God and sowing the seeds of corruption on earth.”<sup>12</sup> Islamic religious judges preside over the revolutionary courts,<sup>13</sup> which also operate outside the jurisdiction of public civil or criminal courts. In the Revolutionary Court system, those charged with national security-based crimes are denied an attorney of their choice<sup>14</sup> and human rights defenders are often punished through arrests and imprisonments for representing religious minorities. According to one Iranian attorney who is familiar with Revolutionary Courts, “in the course of trials, judges used threatening language” against the defense, “openly refused to apply the law and seldom took any notice of the defense lawyers’ repeated objections to the court’s breaches of the law.”<sup>15</sup>

Iran’s Supreme Leader Ayatollah Khamenei and other government officials have vilified Christianity and expressed that “[n]othing shall be accepted from others outside of those three [recognized] groups but Islam or death.”<sup>16</sup> Morteza Tamaddon, the former head of the Tehran Provincial Public Security Council and former governor-general of Tehran, expressed during his tenure that evangelical Christians are a “deviant” sect of Christianity and accused them of using Christianity as a “cover” for their true intent to undermine Islam.<sup>17</sup> Many other religious and political leaders continue to speak out against Christianity as well. Through this concerted propaganda of hate towards Christianity, many Christians, especially converts to Christianity, are denied legal protection that would otherwise be granted to them under Article 13.

### 2.3 Capital punishment for apostasy

Decisions handed down in the Iranian judiciary reflect the belief that all apostates deserve to die. Although apostasy is not codified in the Iranian Penal Code, Article 167 of the Constitution instructs judicial authorities to make their judgments based on “authoritative Islamic sources and authentic fatwa”, rather than dismissing a case for lack of a codified crime or sentence.<sup>18</sup> Additionally, Article 220 of the Penal Code instructs a judge to rely on Article 167 of the Constitution and *fatwas* to convict converts from Islam of “apostasy”, a charge punishable by death according to prevailing *fatwas*.<sup>19</sup> A judge can also order the death penalty under more ambiguous charges, such as “attempts against the security of the state,”<sup>20</sup> “crimes against God”

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<sup>12</sup> See the Islamic Penal Code of The Islamic Republic of Iran (2013), Articles 297 and 303.

<sup>13</sup> According to the 1982 Law on the Qualifications for the Appointment of Judges, see *Official Gazette*, “Law on the Qualifications for the Appointment of Judges”, only a male candidate who has faith and is deemed just and in possession of “a practical commitment to Islamic principles and loyalty to the system of the Islamic Republic” may be considered as a judge or a prosecutor.

<sup>14</sup> U.N. Special Rapporteur on Human Rights to Iran, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, U.N. Doc. A/HRC/40/67 (30 Jan. 2019), Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/021/61/PDF/G1902161.pdf?OpenElement>.

<sup>15</sup> Reza Banakar & Keyvan Ziaee (2018) The Life of the Law in the Islamic Republic of Iran, *Iranian Studies*, 51:5, 717-746, DOI: 10.1080/00210862.2018.1467266. Available at: <https://www.tandfonline.com/doi/full/10.1080/00210862.2018.1467266> (last accessed 20-05-2019)

<sup>16</sup> INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (2009), available at [http://www.fidh.org/IMG/pdf/Rapport\\_Iran\\_final.pdf](http://www.fidh.org/IMG/pdf/Rapport_Iran_final.pdf).

<sup>17</sup> International Campaign for Human Rights in Iran, *The Cost of Faith 25* (2013) [hereinafter *The Cost of Faith*], available at [http://www.iranhumanrights.org/2013/01/cost\\_of\\_faith](http://www.iranhumanrights.org/2013/01/cost_of_faith); see also U.S. Comm’n on Int’l Religious Freedom, *Annual Report 2011*, at 86 (2011) [hereinafter *USCIRF Report 2011*], available at <http://www.uscirf.gov/images/ar2011/iran2011.pdf>.

<sup>18</sup> THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN art.167; see also *infra* section IV detailing Iran’s Revolutionary Court’s reliance on Article 167 and prevailing *fatwas* to sentence Christian convert Youcef Nadarkhani to death for apostasy.

<sup>19</sup> Ayatollah Ruhollah Khomeini, *Tahrir Al-Wasilih*, 494-95 (Vol. 2). Apostates are to be given three days to return to Islam. If they do not recant their faith they are to be executed on the fourth day.

<sup>20</sup> See also Proposed Penal Code, art. 284.

including insulting the prophet Mohammad,<sup>21</sup> and “outrage against high-ranking officials”.<sup>22</sup> Due to international pressure after the hanging of Rev. Hossein Soodmand in 1990, Iran has not formally executed a Christian for apostasy since then. Nevertheless, at least four convert pastors, namely Haik Hovsepian-Mehr, Mehdi Dibaj, Tateos Michaelian and Mohammed Bagher Yusefi, died under suspicious circumstances between 1994 and 1996.<sup>23</sup> In 2010, Youcef Nadarkhani was sentenced to death for apostasy, which was prevented by another international outcry. After his release, however, he and his family continued to be harassed until the authorities re-arrested him on new charges in July 2018. Notably, Iranian prosecutors have since been hesitant to formally bring apostasy charges against converts. Instead, the prosecutors have relied heavily on charges related to national security and used the threat of an apostasy charge during interrogations. However, there are reported cases of atheists who have been sentenced to death and the legal practice is still in place.<sup>24</sup>

## 2.4 Obligations under the ICCPR and other treaties

Besides its domestic laws that purport to protect religious minorities, Iran voted in favor of the Universal Declaration of Human Rights and ratified (without reservations) the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.<sup>25</sup> Within each of these international commitments, Iran has obliged itself to protect *every individual's* right to religious freedom, expression, peaceful assembly, to be free from arbitrary detention, to be free from discrimination on the basis of religion, and to have a fair trial in the presence of an impartial tribunal. But in practice, Iran has shown utter disrespect for these obligations when it comes to its treatment of Christian converts in Iran.

## 3. Government persecution practices

It is evident that the Iranian government monitors or is trying to monitor *all* Christian activity, including those who actively attempt to exercise their faith only in private. While many of the arrested Christians are active within a religious community, every Christian remains a target for state sponsored religious freedom violations. The Iranian government interprets ‘being active’ broadly to include organizing or participating in a religious gathering, often called a house church, even if it only consists of four or five people; and anyone who takes on any role or responsibility, e.g. in assisting with religious teaching for women or children.

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<sup>21</sup> Proposed Penal Code, art. 236.

<sup>22</sup> BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR U.S. DEP'T OF STATE, *2011 Human Rights Report: Iran* sec. 1.a. (2012) [hereinafter U.S. DEP'T OF STATE 2011], available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

<sup>23</sup> Mark Bradley, *Iran and Christianity Historical Identity and Present Relevance* (2008), pp. 169 -177.

<sup>24</sup> See for example: <https://www.iranhumanrights.org/2017/03/sina-dehghan-case-review/> (last accessed 20-05-2019). Highlighting Iran's hardline stance against Christians and other minorities is the recent appointment (March 2019) of Ebrahim Raeesi as head of the judiciary, meaning that he is likely to succeed Supreme Leader ayatollah Khamenei. Raeesi is especially known for his prominent role as a judge in hanging thousands of dissidents in 1988. See for example: <https://en.radiofarda.com/a/new-head-of-iran-s-judiciary-is-a-controversial-figure-who-enjoys-some-popularity/29809510.html> (last accessed 28 May 2019).

<sup>25</sup> See Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (10 Dec. 1948); International Covenant on Civil and Political Rights (ICCPR), adopted Dec. 16 1966, G.A. Res. 2200A (XXI), U.N. Doc A/6316 (1966), 999 U.N.T.S. 171 (entered into force March 23, 1976, ratified by Iran in 1975); International Covenant on Economic, Social and Cultural Rights, 993 U.N.T.S. 3, U.N. Doc. A/6316 (16 Dec. 1966) (entered into force 1976); Cairo Declaration on Human Rights in Islam: World Conference on Human Rights, 5 Aug. 1990, U.N. GAOR, 44th Sess., Agenda Item 5, U.N. Doc. A/CONF.157/PC/62/Add.18 (1993).

Again, almost all the charges against Christians in Iran are classified as political and related to national security. Under the charges, everything from ‘the right of peaceful assembly for religious purposes’ to ‘promotion of the Christian faith and leaving Islam’ is considered to undermine the Islamic nature of Iran and thus viewed as actions against national security.<sup>26</sup>

### 3.1 Factors leading to discovery

There are a number of ways how the Iranian authorities might discover or seek to discover those practicing Christianity and those who have left Islam. There are also parallel intelligence agencies with their own protocols and methods, some with little oversight such as the Basij voluntary militia and the Cyber Council.<sup>27</sup> Reasons for discovery can include, but are not limited to, the following:

- The Iranian government has one of the world’s best monitoring systems, having purchased Chinese technology to monitor its citizenry, including their movements, purchases, tele-communications and online activity.<sup>28</sup> There is evidence that Iran monitors and targets religious minority individuals they consider to be a threat during their time outside the country.<sup>29</sup> Thus, even a Christian’s public and private (such as emails) online presence while located outside of Iran could lead to the Iranian government’s identification of their faith.
- Any kind of gathering might attract the attention of the authorities, as the Iranian government is suspicious of any dissent. Being in “the wrong place at the wrong time”, including being with or near an individual already being monitored by the government (for example, when going to a house church meeting) can lead to questioning and detention.
- Open acts of proselytism bring a huge risk of arrest but talking to the wrong person can also lead to questioning and detention. Therefore, holding religious education classes and inviting new converts or interested people bears risks as well.
- Being in possession of Christian materials in Persian might rise the suspicion of proselytizing.
- The Iranian government actively threatens Christians to reveal/betray names of other Christians, to allegedly keep their own families safe.
- The government is very suspicious of citizens having contact with the outside world. Having contact with a foreign Christian via the Internet or messaging apps (even those with encryption services) might lead to questioning and detention.
- Family members or friends who oppose the Christian faith might report a convert to the authorities. Although the level of familial and social pressure on the convert to renounce the new faith differs from family to family and from (rural) village to

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<sup>26</sup> See for example this article on the case of Naser Navard Goltapeh: <https://articleeighteen.com/news/166/> (last accessed 23 May 2019).

<sup>27</sup> <https://www.justice.gov/eoir/page/file/975076/download>.

<sup>28</sup> See <https://www.justice.gov/eoir/page/file/975076/download>; and <https://carnegieendowment.org/2018/01/04/iran-s-internal-targets-pub-75142>.

<sup>29</sup> *Iran’s Cyber Threat*, Carnegie Endowment for International Peace. Available at: <https://carnegieendowment.org/2018/01/04/iran-s-internal-targets-pub-75142>.

(urban) city, Iran's Islamic society remains, at least partly, conservative and fundamentalist. Christians are sometimes considered to be "impure" and years of government instigated smear campaigns have created a negative image of Christians in Iranian society. It is also considered a matter of shame and dishonor for the whole family and Muslim community, if someone turns away from Islam.

The risk of interrogation and detention lessens if a Christian remains isolated and does not participate in any Christian activity with others. However, being forced to practice one's faith in such manner is a clear violation of one's Freedom of Religion and Belief.<sup>30</sup>

### 3.2 Forced out of the country

The Iranian government puts pressure on Christians who are arrested for their house church or evangelistic activities to leave the country and forfeit their bail. With disproportionately high sums of money, the bail system is used as a tool to put financial pressure on Christians.<sup>31</sup> Threatened by security officials and intimidated by the lengthy jail sentences given to convicted fellow believers, many accused Christians do raise the amount required to secure their release. They ultimately flee the country, leaving their oppressors with title deeds and any remaining assets. From the regime's point of view, active Christians are less dangerous when they are outside the country.

Those who stay may be forced to sign a commitment not to have contact with Christians in Iran and will be put under pressure to return to Islam. Many arrested or charged Christians are threatened not to speak about or report their arrest, or they will face additional persecution. Others who were detained and interrogated often remain silent having been threatened that the government will bring charges if they do not. Still others, who see members of their Christian network face detention or arrest, choose to flee the country out of fear they may be next in line. This, combined with the secrecy of the revolutionary courts and the pressure not to discuss the arrest, explains in part why the number of known judicial cases remains low.

Nevertheless, the Iranian government views those who leave Iran and engage in ministries supporting those inside Iran as a threat to their policy of containment. For years the regime has been trying to contain the growth of Christianity by investing in countrywide smear campaigns. Christians who have fled the country often report that the Iranian government targets and threatens their families in Iran to force the Christian abroad to cut any connection with house church members and active Christians inside.

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<sup>30</sup> Which in most European countries is protected under article 9 of the European Convention on Human Rights (ECHR) and clearly states that this right includes the freedom to (publicly) manifest one's religion in community with others.

<sup>31</sup> See for example the case of the sisters Shima (27) and Shokoufeh (30) Zanganeh, who were granted conditional release on a bail of approximately \$50,000 each in December 2018. (source: <https://www.worldwatchmonitor.org/coe/iran-crackdown-on-christians-continues-with-reports-of-beatings/>, last accessed 28 May 2019).

## 4. Considerations when interviewing converts

### 4.1 Credibility of the claimant and of religious conversion

In cases where religious conversion from Islam to Christianity forms the basis of the asylum claim, the interview should explore when and where the claimant's personal experience of Christianity began and the steps taken on the way to full acceptance of the new faith. However, personal experiences and paths taken should not be reduced to a mere collection of data describing the journey from Iran to the country of destination, or to a description of exact dates when the person was first introduced to the new faith. Rather, personal experience is indicated by emotions and thoughts. A personal experience is perceived individually and on a very personal level.

Why an individual chooses to convert from one religion or another varies from person to person. Thus, it is important for the interviewer to keep an open mind to a claimant's explanation of their motives for conversion. For some individuals, conversion comes through intense study and personal reflection – it can look like an intellectual exercise. For others, it may come through having a dream or vision, for which Iranian culture places a high significance.<sup>32</sup> Such experiences can be difficult to convey. For others, they have decided to convert after making a connection with other Christians either via Internet or satellite TV stations.<sup>33</sup> In Iran, many Christian converts are not connected to any church and often lack significant religious knowledge or training. Therefore, the assessment of credibility of the claimant should not depend solely upon an accurate list of places, names and dates, neither should it be a test of religious knowledge.

Furthermore, while it is reasonable to expect some comprehension of the basics of the faith, given the restrictions on religious freedom in Iran, an interviewer must not find a claimant's lack of basic understanding of the Christian faith or its religious doctrine *prima facie* evidence of a lack of credibility. The claimant's understanding should be contextualized to what may reasonably be expected in the light of the claimant's circumstances. Moreover, an interviewer should consider the degree of trauma experienced by many claimants and the affect it may have on a claimant's ability to provide nuanced details or facts.

### 4.2 Limited knowledge

Given that i) in 1991 the Iranian government banned all Bibles and Christian materials printed in the Persian language; ii) it has closed virtually all Persian-speaking Christian churches and services, including closing most Protestant church buildings; and iii) it monitors and forbids ethnic minority churches to allow church attendance by non-ethnic minority Iranians – there are considerable difficulties in gaining Christian theological training and knowledge. In other words, the repeated violations against and crackdowns on Christians can make it difficult for converts to have the religious knowledge considered necessary to answer the credibility questions for an asylum or refugee application. These circumstantial considerations should be accounted for

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<sup>32</sup> See e.g., Mazandarani, A.; Aguilar-Vafaie, M., "Iranians' beliefs about dreams: Developing and validating the My Beliefs about Dreams Questionnaire", *American Psychological Association* 2018, Vol. 28 No. 3, pp. 225-234.

during any interview.

### 4.3 Cultural influence

Culturally, there are many reasons for an applicant to be fearful about speaking openly about their conversion, even during an asylum/refugee application process. Faith is considered a private matter and the monitoring practices of the Iranian government has sown seeds of distrust in any government process. The risks of exposing one's true faith comes with high risks. The interviewer should take reasonable measures to ensure that the interpreter is capable of translating the concepts and terminology of religious groups in the country of origin. Furthermore, all questions should be asked and presented in a way that encourages the claimant to elaborate on their personal experience.

### 4.4 Genuine decision

Interviewers have a difficult task when it comes to determining the genuineness of a claimant's faith. One source that should retain an authoritative voice as to the genuineness of a claimant's faith is the institution of the church. Often, the church in the asylum country has spent considerable time with a claimant having received the claimant into a church as a new member. A church's evidence of the claimant's genuineness of faith should be given considerable weight and considered as an authoritative resource in the applicant's claim.

The evidence provided by the church may take many forms, including an affidavit of the claimant's involvement in the church, confessions of faith, or in a baptismal certificate. Given the restraints on religious freedom in Iran, it is not uncommon for Iranian claimants to have waited to be baptized into the Christian faith in the country of asylum.

When interviewed, the claimant should be asked to describe their personal experience and beliefs, including their experience with the church in the country of asylum.

### 4.5 Assessing the risks

All the issues presented in this document should feed into a discussion of the risks which a claimant's personal experience and practice of faith expose them to in their home country. Therefore, their assessment should always include a consideration of the treatment of Christians in Iran as described above. Under both international and European human rights law, the right to freedom of thought, opinion and expression extends to the freedom not to hold and not to express opinions. Refugee law does not require a person to express false support for an oppressive regime or require an agnostic to pretend to be a religious believer to avoid persecution. Similarly, as the Court of Justice of the European Union has held, living incognito upon return is not tantamount to freedom of religion and violates the European Directives on Asylum.<sup>34</sup>

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<sup>34</sup> *Bundesrepublik Deutschland v. Y (C-71/11) and Z (C-99/11)*, 5 September 2012.

## 5. Conclusion

Christians – including converts – are one of the most persecuted religious minorities in Iran. The Iranian government has systematic mechanisms in place to identify or try to identify all members in their society who do not adhere to the majority faith, Shiite Islam. They closely monitor Christians, especially those who have contacts with Christians outside Iran, converted from Islam to Christianity or those who provide assistance to and training for those wishing to convert, or simply provide Persian-language Christian materials. These mechanisms have made it increasingly likely for the government to identify a Christian in Iran, even if practicing in secret. If identified by the Iranian government, Christian converts often, at minimum, suffer substantial harm or interference with life by way of deprivation of liberty, denial of education and employment opportunities, assaults and continual harassment; or in the worst case, the individual could face severe mistreatment and even death. Despite allegations by the Iranian government that its laws respect and recognize the Christian community, the Christian community in Iran faces systemic and systematic state persecution and discrimination. Returning a genuine Christian to Iran – whether a convert to Christianity or an ethnic-minority Christian - would subject the convert to ill-treatment, deprivation of fundamental human rights including clear violations of one's Freedom of Religion and Belief, and potentially expose the individual to life-threatening danger.

## 17.6. Results of Related Studies in Europe

### 1. Sweden: Asylum Status of Converts in Pentecostal Churches (2019)<sup>1</sup>

In 2015, the number of asylum seekers in Sweden hit a peak. A particularly high percentage came from Afghanistan, among them, a remarkably high number of converts. A multi-disciplinary team of scientists examined the treatment of asylum cases for which conversion is a relevant factor by the Swedish authority for migration. The data originated from 76 Pentecostal churches in 64 towns and cities with 619 Afghani members who applied for asylum between 2015 and 2018.

The asylum requests of 68 % of those converts were rejected because their faith was not considered to be sincere. In cases, in which the change of faith became a relevant factor only later in the asylum process, the percentage of rejections rose to 81 %. The converts' commitment to church life affected the decisions of the authorities to a very small degree, or not at all.

Based on documents from 61 cases, the converts' reports were compared to the statements of reasoning on the decisions of the migration authority in a qualitative content analysis. Whether the asylum claim was denied or approved was not determined by the contents, but rather by the rhetorical ability of the converts to reflect on their faith. So ultimately, it was not the sincerity of their faith that was assessed, but their intellectual capacity.

The study led to the conclusion that the asylum process with respect to converts did not correspond to prevailing law, the Swedish migration authority lacked the competence necessary to decide appropriately in those cases, and that the decisions examined by the research team were reached in an arbitrary and unlawful manner:

- The agency's understanding of religion and conversion was poor and lacked scientific foundation.
- The agency's decisions appeared arbitrary, as the same cases were judged in a considerably diverse manner by comparable applications (churches, agency branches, political parties which the deciders were affiliated to). The reasons for those differences were not clear, in some cases even objectionable.
- The agency's practices were based on no reliable method which led to inconsistent reasoning for decisions.
- The agency did not sufficiently comply with international law and human rights standards, which led to a lack in legal certainty.

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<sup>1</sup> Maria Gustin Bergström et al., *Konvertitredningen – Rapport om Migrationsverkets hantering av konvertiters asylprocess*, (2019), 59. See <https://www.pingst.se/integration/konvertitredningen/> access on 10/23/2019.

## 2. The Netherlands: Decision Practice in Cases of Conversion (2018)

The non-government organization *Stichting Gave* evaluated the current decision guidelines<sup>2</sup> of the Dutch migration agency for asylum cases with respect to conversion as well as the decision practice in 2018<sup>3</sup>. To this end, the 75 cases were analysed in which the foundation was involved in an advisory capacity. Among those, 45 cases (60 %) proved deficient. Of those, 17 representative cases are presented.

Although the guidelines have been refined to an extent that is noteworthy, further improvements are clearly necessary. In the individual cases under examination, the guidelines published in July 2018 had not led to a noticeable general improvement of the practical proceedings because of lacking implementation. In addition to improvements in some points, new inappropriate arguments had been added on the grounds of which conversions were rejected as implausible.

- All too frequently, interviewers lacked the necessary competence to examine how significant the new faith was for the asylum seeker.
- Apart from the need for instruction<sup>4</sup>, this may be due to the fact that officials were not advised to rely on objective sources of information, nor on expert advice.
- Moreover, witness testimony was not appreciated as it should have been.
- There was a severe lack of understanding of Christianity and Islam as well as the differences between the two.
- Frequently, converts were expected to have profound theological knowledge of their Christian faith.
- With respect to minors (roughly under 16 years of age), officials assumed that they were not autonomous and well-informed enough, and therefore not capable of deciding on a change of faith.

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2 Stichting Gave, "WI 2018/10 bekeerlingen", gave.nl, <https://juridisch.gave.nl/bibliotheek/wi-2018-10-bekeerlingen> access on 10/23/2019.

3 Marnix Vischer, *Credibility of Conversion: Assessment by the Dutch Immigration Service*, (Harderwijk: Stichting Gave, 2019), 32. See: <https://juridisch.gave.nl/wp-content/uploads/2019/02/Credibility-of-Conversion-Assessment-by-the-Dutch-Immigration-Service-version-1.0.pdf> access on 10/23/2019.

4 Stichting Gave offers agency officials a comprehensive handbook for the assessment of conversions: Vischer, Marnix. *Bekering tot Christus*. Version 4.3. Harderwijk: Stichting Gave, 2017. See <https://juridisch.gave.nl/wp-content/uploads/2017/09/Bekering-tot-Christus-versie-4.3.pdf> access on 10/23/2019.

### 3. Denmark: Report on the Evaluation of the Credibility of Converts in the Danish Asylum System (2017)

The report<sup>5</sup> on the cooperation of the ecumenical council of the state church on matters of asylum evaluates 108 asylum cases of converts between 2013 and 2015 (two-thirds Iranians, one-third Afghans). The approval rate amounts to 65 %, the denial rate to 34 %. The decisions were made by a five-member committee.

In around 25 % of all cases that were evaluated as plausible, statements by pastors/churches were explicitly mentioned. In 75 % of those cases, for which comments were submitted, asylum was granted, whereas 25 % of those cases were denied.

Otherwise the report focuses on the contents of the "faith test" itself.

### 4. Great Britain: Training, Parliamentary Report and Independent Validation

#### *a) Home Office asks clergy for advice regarding training (2019)<sup>6</sup>*

The British Home Office has asked the church for advice regarding the development of a training program for employees that deal with asylum cases in which conversion and persecution are an issue. Since April 2019, case workers, already experienced at dealing with such cases, have been delegated to train hundreds of other case workers.

It took one year to prepare the training program, after a bipartisan group of parliamentarians for religious freedom issued a critical report on the decision practices in cases involving religious freedom. They demanded better training for officials whose task it was to conduct hearings and make decisions.

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5 Peter Bangs, *Rapport om troværdighedsvurderingen af konvertitter i det danske asylsystem er udgivet af Folkekirkens Asylsamarbejde under Folkekirkens mellemkirkelige Råd*, (Frederiksberg: Interchurch, 2017), 16.

See: [http://www.interchurch.dk/\\_Resources/Persistent/2/5/8/1/2581ff6db4510fe4c6bd4c8555ce21448197262f/...](http://www.interchurch.dk/_Resources/Persistent/2/5/8/1/2581ff6db4510fe4c6bd4c8555ce21448197262f/...)  
... Rapport%20om%20Trov%C3%A6rdighedsvurderingen%20af%20Konvertitter.pdf access on 10/23/2019.

6 Rebecca Paveley, "Home Office asks clergy for asylum help", Church Times, <https://www.churchtimes.co.uk/articles/2019/17-may/...>  
... news/uk/home-office-asks-clergy-for-asylum-help#.XN-L5GmCrBU.twitter access on 10/23/2019.

*b) APG-FORB Report on Asylum Claims for Reasons of Religious Freedom (2016)*<sup>7</sup>

The report of the group of parliamentarians for freedom of religion and world view gathered the experiences and recommendations of various NGOs. The group detected a discrepancy between the guidelines and actual practice. The report is not constricted to persecution for the reason of conversion alone, but all its recommendations are relevant to it.

The report included the following recommendations for the Home Secretary:

- to include figures in the statistics on asylum processes that demonstrated in how many cases persecution was an issue along with the relevant approval and recognition rates. In this way, the real scope of asylum claims of this kind as well as the degree of empathy with which those cases were handled, could be measured.
- to ensure that guidelines and legal decisions were applied by officials who decide on the claims;
- that all cases involving persecution should be reviewed by a higher-level specialist in order to grant consistency and proper proceedings;
- to include faith communities and specialised NGOs in the proceedings.

*c) Independent Review of the Support of Persecuted Christians Issued by the British Foreign Office (2019)*<sup>8</sup>

What is most remarkable about this report is the fact that, for the very first time, a minister of the state asks a church to hold a mirror up to the government when it comes to helping persecuted Christians.

The comprehensive report of the Bishop of Truro (county of Cornwall), who had been commissioned with this task, includes numerous references to cases of persecution on grounds of conversion including references to asylum seekers.

The report admits that few instances of assaults on Christians were recorded for Afghanistan, because the assaults were initiated by the general population. Such a lack of reporting, however, tended to lead to the misconception that violence against Christians did not occur in Afghanistan and that it was secure to deport Christian converts to that country<sup>9</sup>.

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7 Ziya Meral u.a., *Fleeing Persecution: Asylum Claims in the UK on Religious Freedom Grounds*, (All-Party Parliamentary Group on Freedom of Religion or Belief and the Asylum Advocacy Group, 2016), 36. See: <https://appgfreedomofreligionorbelief.org/media/.../Fleeing-Persecution-Asylum-Claims-in-the-UK-on-Religious-Freedom-Grounds.pdf> access on 10/23/2019.

8 Philip Mounstephen, *Bishop of Truro's Independent Review for the Foreign Secretary of FCO Support for persecuted Christians: Final Report and Recommendations*, (2019), 176. See: <https://christianpersecutionreview.org.uk/storage/2019/07/final-report-and-recommendations.pdf> access on 10/23/2019.

9 Ibid., p. 41.

# About Open Doors

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## Serving Persecuted Christians

Open Doors has supported persecuted Christians for more than 60 years, by now in around 60 countries. Each year, the interdenominational charity publishes its World Watch List, a ranking of countries where it is most dangerous to follow Christ. According to the World Watch List currently more than 200 million Christians are exposed to a high degree of persecution. *"Open Doors exists for one reason: because there are Christians suffering persecution"*, says the charity's founder, Dutchman Anne van der Bijl, also known as "Brother Andrew".

Programs by Open Doors involve socio-economic-development projects, the training of Christian leaders, legal assistance for prisoners, emergency relief, trauma care, provision of bibles and Christian literature, as well as support for the families of murdered Christians. Through publications, live presentations and an extensive public relations presence, Open Doors informs churches as well as media and politicians about the situation of persecuted Christians asking for prayer and their support.

Open Doors Germany is a registered non-profit whose work is financed by donations. The organization carries the financial seal of the German Evangelical Alliance.

## Help in about 60 Countries – Counteracting Violence and Hatred

Strengthening the "underground church" is the main task of Open Doors, which is supported in this endeavour by Christians and churches from all over the world. Approximately 570,000 Christians are trained around the world each year – among them many leaders. For example, they are taught how to behave in a de-escalating manner in violent situations. Because of the high occurrence of violence, more people have recently been trained as counsellors for traumatized persons. At the same time, Open Doors offers help for traumatized girls and women who have become victims of rape as well as for the surviving family members of murdered Christians. According to the latest activity report, more than two million bibles and copies of Christian literature have been distributed and approximately 375,000 persons have received support through socio-economic-development projects. All efforts aim at strengthening the church in the midst of persecution. *"Our worldwide commitment for persecuted Christians will succeed when all Christians understand themselves as part of the one Body of Christ and stand up for each other,"* says Markus Rode, managing director of Open Doors Germany.

# Contributors to this Survey

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## By Helping to Distribute and Fill in the Survey Form:

- Churches of various denominations in Germany and their pastors, priests and voluntary workers
- The German Evangelical Alliance
- The Union of Evangelical Non-State Churches
- Frank Seidler – Head of the European Mission Society (Penkun, Germany/registered society)

## By Helping to Gather the Data and to Write the Report:

- Professor Christof Sauer – Internationale Informationsstelle für Religionsfreiheit Deutschland (IIRF-D) and Professor for Religious Freedom and Research on the Prosecution of Christians, Theological University of Gießen
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## Impressum

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### **Publication date**

October 2019

1. Issue 2019

### **Image Source**

Cover: Symbolic Picture © 2015 Open Doors

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# Open Doors

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