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**Statement by Asma Jahangir
Special Rapporteur on freedom of religion or belief**

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Mr. President, Excellencies, Ladies and Gentlemen,

I have served on this mandate for almost six years and I will be presenting my last thematic report today. It has been a privilege for me to work on this mandate, which is linked with virtually all human rights. The right to freedom of religion or belief has seen some advancement but much more needs to be done. I recognize that religious issues are particularly sensitive. States play a very delicate role in promoting freedom of religion or belief and at the same time protecting people from abuses that are hurled at them in the name of religion or belief. In this regard, it is rewarding to see that States, civil society and individuals have taken up difficult challenges in trying to confront the forces of intolerance. Regrettably, these courageous voices are few and far in between. Instead, there seems to be a trend towards an apologetic approach where religion or belief is used as an instrument of oppression.

The wealth of information received in implementing this incredibly complex mandate assists in identifying some general patterns. The most prominent example is the pattern across the world of discrimination and violence suffered by members of religious minorities. Many are in a vulnerable situation. Some laws openly discriminate against individuals on the basis of religion or belief or the perceived lack of religious fervour. Violent acts or threats against members of religious minorities are also perpetrated by non-State actors, all too often with impunity.

Another general pattern of concern is the targeting of places of worship and other religious buildings or properties. It is indeed regrettable that societies with high levels of income and education have openly expressed their aversion to see religious symbols in public. Therefore, I would like to emphasize that while education is important in raising levels of tolerance it is not always a determining factor.

There is also a concern about the misuse of the State apparatus, leading to religious manipulation, arbitrary arrests, torture and extrajudicial killings, often in the garb of counter-terrorism measures. This misuse is not limited to one region or some countries. Further analysis of and debate on it would be highly desirable in order to dispel some of the myths that link anti-terrorism measures to religious affiliation. This debate may also help to defuse religious polarization that has intensified since 2001.

In my thematic report, I have discussed some examples of discrimination and violence on the grounds or in the name of religion or belief. These phenomena lie at the heart of many conflicts which are based on religious issues. During my missions and interactions with Governments, religious leaders and other individuals, however, I have often found that there is a tendency to deny the religious origin of tensions and aggressions. As a consequence of this denial, the analysis and remedial measures are not efficient and do not tackle the real root causes.

It is a challenge for many States to end all forms of discrimination on religious grounds and to create an informed public opinion that can effectively challenge religious bigotry or prejudices against emerging belief communities. I have noticed with regret that, as far as this mandate is concerned, public denunciation of human rights abuses is often selective; the religion of the victim and of the perpetrator, rather than the act itself, seems to be a determining factor as to who feels obliged to publicly condemn the incident. It is imperative

that all human rights violations are prosecuted and addressed adequately, regardless of the religious affiliation of the perpetrator or the victim.

Mr. President, Excellencies, Ladies and Gentlemen,

Against this background, it is vital to give due attention to early warning signs of discrimination and violence on the grounds or in the name of religion or belief. In my thematic report, I have identified a number of early warning signs with regard to State actors, non-State actors and external factors:

- One early warning sign with regard to State actors is the lack of adequate legislation ensuring freedom of religion or belief in all its dimensions. A second early warning sign is a lack of accountability for crimes and patterns of impunity following a human rights violation targeting members of a specific religious or belief community. In addition, the existence of significant patterns of religious discrimination in State practices and policies needs to be watched and addressed. Similarly, the persistent negative stereotyping in public speeches by elected or other officials targeting members of specific religious or belief communities is a matter which can aggravate latent tendencies to discriminate.
- Violent attacks by non-State actors on persons based on their religious affiliation are further indicators that warrant State intervention. The degree and persistence of religious tensions at the societal level should be watched closely. The spreading of messages of religious hatred by religious leaders and opinion-makers in the mass media or by individuals in blogs and online discussion sites should give rise to measures to enhance tolerance through a number of initiatives, including dialogue and support to alternative voices.
- In addition, there are a number of external factors that might hamper the enjoyment of freedom of religion or belief in a given society. Such external factors could be related to upcoming elections, hate campaigning on religious lines and divisive vote-bank politics. Tensions that subsist over a long period of time may be another early warning sign, in particular if they are linked to past conflicts over places of worship, land, power or religious identity. Furthermore, natural disasters may trigger demands from some religious groups to curb so-called “unethical conversions”, as was the case in certain States following the tsunami of December 2004 in the Indian Ocean.

Mr. President, Excellencies, Ladies and Gentlemen,

I have re-established the mandate’s initial approach of sending follow-up letters after country visits in order to receive updated information about the implementation of the recommendations at the national level. Last November, I transmitted follow-up tables to the Governments of the eight States which I visited in the 2005 to 2007 period. These tables, which are now available online, contain the conclusions and recommendations from my mission report and any follow-up information from relevant UN documents and the State concerned. In this context, I would like to explicitly refer to the current and recurring cases of inter-communal violence in Nigeria. I am alarmed by the recent flare-up of religious tensions and violent clashes in Jos, Plateau State, where hundreds of Christians and Muslims were reportedly killed during the past weeks alone. This example once again shows the importance of taking heed of early warning signs and addressing the root causes of religious tensions.

There are other issues of concern in relation to my mandate, which seem to be more prevalent in particular regions or States. For example, some domestic registration procedures for religious communities are applied in a discriminatory manner by the relevant authorities. I have also noticed a number of restrictions imposed on different forms of religious expression, for example, on the wearing of distinctive clothing or head coverings. It is unacceptable that women are forced to wear religious dress in public, contrary to their individual choice.

Persons in a vulnerable situation, including children and converts, are targeted by discrimination or violence in the name of religion or belief. Children have been indoctrinated with religious intolerance and, unfortunately, continue to be used by certain non-State actors to perpetrate violence on others or themselves in the name of religion. Individuals who have changed their religion continue to be threatened by non-State actors and sometimes even State authorities. Let me recall that the Universal Declaration of Human Rights explicitly provides that “freedom of thought, conscience and religion [...] includes freedom to change [one’s] religion or belief”.

Mr. President, Excellencies, Ladies and Gentlemen,

At this session, I have submitted three mission reports (A/HRC/13/40, addendum 2, 3 and 4):

With regard to the former Yugoslav Republic of Macedonia, I welcome the Government’s initiative in organizing the World Conference on Dialogue among Religions and Civilizations. However, I am concerned at reports received during my mission regarding sectarian violence and cases of incitement to religious hatred that were allegedly not followed up by the authorities. At the same time, the risk that legal provisions prohibiting hate speech are applied selectively – to the detriment of religious minorities – underlines the importance of having unambiguous language and of devising effective safeguards against abuses of the law.

During my mission to the Republic of Serbia, including a visit to Kosovo, I noted the painful history of the Balkans region and the deep suffering of individuals and communities on account of intolerance, violence, atrocities and wars. Regrettably, racism as well as religious issues contributed to the recent conflicts. The scars of these conflicts remain and yet there is a yearning by all communities for sustainable peace and reconciliation. It is vital to send a clear message that violence and incitement to racial or religious hatred will not be tolerated. One of the lessons learned from the conflicts in the past decade is to remain vigilant in detecting any emerging tensions and to try to defuse them before they turn violent.

At the end of my mission to the Lao People’s Democratic Republic, I concluded that the people there are generally very tolerant on religious matters. During the last twelve years, however, my mandate has also received a number of serious allegations of human rights violations by the State, such as arrests on the basis of religion, or official campaigns aimed at forcing Christians to renounce their faith. The situation seems to have significantly improved recently, yet I remain concerned with individual cases and certain policies that clearly violate freedom of religion or belief. Therefore I recommend a review of the Decree for the Management and Protection of Religious Activities and suggest that explanatory policy directions be passed on to the provincial and district levels to avoid any discriminatory interpretation.

Mr. President, Excellencies, Ladies and Gentlemen,

Religious intolerance is not a natural outcome of diverse societies. Rather, intolerance is often the product of manipulation by a few groups, political forces or individuals for various reasons. History, both contemporary and much earlier, has proven that issues of religion or belief are highly emotive. As the germs of religious intolerance spread, it is hard to contain them. The structure of the State, its method of governance and educational policies may – depending on their design and implementation – either help in creating religious harmony or contribute to religious friction. Preventive activities and the commitment of Governments and societies to fundamental human rights are therefore key to creating an atmosphere of religious tolerance.

Mr. President, Excellencies, Ladies and Gentlemen,

This mandate can only be a truly living one if it courageously and openly highlights discriminatory practices that women have had to suffer over the centuries and continue to do so in the name of religion or belief. It can no longer remain a taboo to demand that women's rights must take priority over intolerant religious beliefs that justify gender discrimination. During my missions and interactions with religious leaders I have been told time and again that most religions recognize gender equality. Yet, it is quite apparent that religious zealots and their followers often launch vicious campaigns to discriminate against women rather than support gender equality. It is depressing that women are denied basic rights of equality within the most fundamental social unit, i.e. the family. In a number of countries, this is supported through legislation and justified in the name of religion or tradition. There can never be true gender equality in the public sector if women continue to be drowned by the weight of discrimination within their homes – this sadly in the name of divine sanction.

As an independent expert who has enjoyed the trust of the Human Rights Council for a number of years, I would like to conclude with a personal reflection. I am grateful for the cooperation that I received from Governments during my country missions. Similarly, the High Commissioner and Deputy High Commissioner have been very encouraging to this mandate. I truly appreciate the quality of assistance that I have received from staff members at the Office of the High Commissioner for Human Rights.

I also wish to thank the Member States and civil society representatives for their cooperation and support during the course of my term. I firmly believe in the importance of a frank, respectful and constructive dialogue. When the Human Rights Council adopted the Code of Conduct for Special Procedures mandate-holders in June 2007, the same resolution also “urges all States to cooperate with, and assist, the special procedures in the performance of their tasks and to provide all information in a timely manner, as well as respond to communications transmitted to them by the special procedures without undue delay”. I trust that both the States and the mandate-holders will continue to constructively engage on the substance of their thematic or country-specific mandates. We owe this to the victims of discrimination and persecution around the world; we must endeavour to build a better and more tolerant future for generations to come.

I thank you for your attention.