

Islamic Minorities, A New Challenge to Religious Freedom

See full paper at: <http://bit.ly/1WESrg5>

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HRWF (20.04.2016) - Which Muslim groups and their members can claim the protection or not of their religious freedom? Which Muslim minorities and their members should or should not be defended by religious freedom advocacy NGOs and human rights organizations?

On 15 April, Willy Fautré participated in the conference on "Religions and Human Rights" organized by the University of Padua (Italy) and presented a 10-page paper addressing the challenge to the defense of religious freedom posed by certain Islamic groups whose teachings and agendas lie in a grey area where politics, religion, use or advocacy of violence or not are difficult to disentangle.

The issue is of major importance for FoRB defenders who need to defend individuals and groups whose objective is not

- to undermine the foundations of democracy, the rule of law and human rights, including the equality of citizens
- to promote some form of theocracy or the rule of law by a dominant religion
- to overthrow political regimes
- to weaken and destroy in the short term or long term the international order based on the United Nations.

Several groups were examined through the lens of Article 5 of the ICCPR and Article 17 of the European Convention and in the light of the argument of violence or non-violence. Article 5 of the ICCPR:

Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

Article 17 of the European Convention:

Nothing in [the] Convention may be interpreted as implying for any state, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth herein or at their limitation to a greater extent than is provided for in the Convention.

The paper covered the following issues:

Identifying Legitimate FoRB Rights and FoRB Activities

"Controversial" Muslim Movements

- Hizb ut-Tahrir: a religiously-rooted political movement challenging the current world order with an Islamic socio-political totalitarian ideology;
- Salafis : an originally pious movement divided between several competing branches: a spiritual one, a spiritual-political one and a violent one;
- Tablighi Jamaat : a pious and missionary movement occasionally and involuntarily providing easy prey to jihadist recruiters;

- Said Nursi Followers : loose and informal groups of individuals inspired by a theologian for their own spiritual development.

Conclusions

Banning totalitarian movements is not a solution as they can pursue their activities underground. Repression is not the right answer either for the same reasons, except in cases of criminal activities. Whether they use violence or not, their common denominator is their ideology. For the sake of democracy, the rule of law and human rights, their ideology must be combated with determination as other political totalitarian ideologies such as fascism neo-nazism or communism have been and are still fought against with democratic means. Human rights organizations also have a major role to play in this regard.