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Strong and deep nexus between human dignity and religious freedom

By Jan Figel, *Former EU Commissioner and FoRB Special Envoy*

HRWF (10.12.2023) - Today, the agenda of human rights is hijacked by various groups representing ideologies, violent extremism or ethical relativism. We also tend to forget or neglect our human duties towards the other and towards society.

Peace is a fruit of justice. The core of justice is based on the respect of fundamental human rights and the foundational principle of human rights is dignity. In order to make our era more humane, we must return to the original meaning of key documents and definitions on this subject.

1. There is a strong and deep nexus between human dignity of all and freedom of religion or belief (FoRB) for all.

Following are three basic sources that articulate the priority of human dignity – two secular documents, and a faith document:

a) Universal Declaration of Human Rights (1948) Article 1:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Art. 1 is a leading article; Art. 18 (on freedom of thought, conscience and religion) is a central one. Both speak about triune dimension of human person: rationality, morality, religiosity (spirituality).

Dignity appears five times in the UDHR. Dignity as a term is today recognized and included in more than 160 of the world's constitutions.

b) The European Union Charter of Fundamental Rights (2000)

It recognizes **dignity** as the first founding value of the Union and respects and protects dignity in the Article 1 of Chapter 1.

c) Vatican II Council Declaration on Religious Freedom Dignitatis Humanae (1965):

"The Council... declares that the right to religious freedom has its foundation in the very dignity of the human person."

2. Respect of human dignity is a meeting point for religious and secular humanists.

The convergence of different traditions and concepts leads from a **common ground** to a **common good**. The Judeo-Christian tradition states that mankind is created in the likeness and image of God. *Karamah* (Arabic) in Islam has Quranic roots when angels are asked to bow in front of Adam.

Dignity is the highest worthiness that each person possesses and therefore transcends the whole material world. Each human being is a PERSON: a unique being with intellectual, spiritual and material dimensions. **Only a person can have rights and duties**. A person is always a SUBJECT with reason, conscience and freedom.

3. Rights cannot work without duties.

We should promote awareness and respect of human duties. A culture of human dignity brings together two ancient ethical rules:

The Silver Rule: „Do not do unto others as you would not have them do unto you.“ This is a basis of justice, reciprocity, tolerance, equal treatment.

The Golden Rule: "Do unto others as you would have them do unto you." This is a source of compassion, acceptance, solidarity, charity and love.

The dignity of each person represents a balance and interdependence of rights and duties, freedom and responsibility. Freedom without responsibility cannot survive. My dignity is a call for my duties - as father, husband, neighbor, citizen.

4. Equal citizenship as a fruit of equal dignity.

Equal dignity as a moral principle has a socio-political implication: **equal, fair, inclusive, dignified citizenship**.

In dignity we are ALL EQUAL. In identity we are ALL DIFFERENT (people of the past, presence, future). This is not a problem; this is the principle of creativity (in opposition to copying or cloning).

5. Dignity is the best theme for learning how to live together, not merely to exist together.

We are invited to live in a spirit of brotherhood. **Reason and faith, science and religion** in quest for truth, working for common good of people, can drive our civilization forward and upward. Dignity is more than a right; it is a reality from which rights are derived. Dignity is a daily learning process through which we discover what it means to be human in every situation. It is the best permanent lesson on rights, responsibilities and reciprocity.

USCIRF releases report on religious garb and International Human Rights Law

[USCIRF](#) (20.11.2023) – The United States Commission on International Religious Freedom ([USCIRF](#)) today released the following new report:

[Religious Garb Restrictions and International Human Rights Law](#) - This report analyzes how countries impermissibly restrict individuals' freedom to wear garb expressing or in accordance with their religion or belief. These restrictions typically involve governments either prohibiting or mandating the wearing of religious garb. Examples of dressing in accordance with one's religion or belief include Muslim women wearing the hijab, Sikh men wearing the turban, Jewish men wearing the kippah, and Christians displaying the cross. The report explains why such restrictions are inconsistent with Article 18 of the International Covenant on Civil and Political Rights, which protects the right to freedom of religion or belief. The report concludes that repealing legislation restricting individuals' freedom to wear garb in accordance with their religion or belief is necessary to comply with international human rights law.

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USCIRF alarmed by attacks on religious sites during armed conflict

[USCIRF](#) (03.11.2023) – The United States Commission on International Religious Freedom ([USCIRF](#)) expressed alarm over an increase in the destruction of religious sites.

In both peacetime and times of armed conflict, governments and non-state actors are obligated by international law to protect these sites. However, recent attacks have targeted religious sites including cemeteries and houses of worship including churches, mosques, and a synagogue.

"USCIRF abhors the burning and destruction of the El Hamma synagogue in Tunisia. This attack is linked directly to rising global antisemitism and explicit threats against Jews, including antisemitic chants at protests and the tagging of Jewish homes with Star of David graffiti," said USCIRF Commissioner [Susie Gelman](#) *"We also condemn several recent attacks on mosques and the rise in anti-Muslim rhetoric globally. All governments have an obligation to protect houses of worship and the people who use them for worship and religious observance."*

"We are concerned by the uptick of attacks on churches in Sudan and Nigeria, and the targeting of Christian churches and cemeteries in Jerusalem," said USCIRF Commissioner [Frank Wolf](#). *"We urge the United States to do everything it can to ensure that these religious sites are protected."*

"International humanitarian law protects human dignity and institutions that serve civilians, including houses of worship, during times of armed conflict," said USCIRF Commissioner [Nury Turkel](#). *"It is [unlawful](#) to direct attacks at religious sites, or to use houses of worship in support of a military effort. The U.S. government must continue to insist in public and private engagements that all parties to the current conflicts respect these crucial tenets of international law."*

In 2019, USCIRF issued a [factsheet](#) on international law protecting houses of worship and holy sites. Last month, USCIRF expressed [concern](#) over rising religious hatred as a result of the ongoing conflict in Israel and Gaza.

US delegation at the OSCE denounces religious repression in the OSCE space

US Delegation at the OSCE (06.10.2023) – At the Warsaw Human Conference, the US delegation made the following statement as prepared for delivery by Daniel L. Nadel, Principal Deputy to the Ambassador at Large for International Religious Freedom Warsaw, on 6 October 2023.

Freedom of religion continues to be severely restricted in some OSCE participating States.

In November of 2022, Secretary Blinken again designated **Russia, Tajikistan, and Turkmenistan** as Countries of Particular Concern under the U.S. International Religious Freedom Act for particularly severe violations of religious freedom.

Under Putin, **Russia's** government systematically targets, imprisons, tortures, and seizes property from people because of their religious identity, practice, or affiliation. The government has designated religious groups not aligned with the Kremlin as "extremist," "terrorist," or "undesirable" without credible evidence, including Pentecostal groups, Church of Scientology, Jehovah's Witnesses, and followers of Turkish Muslim theologian Said Nursi. In 2022 alone, there were reportedly 93 criminal convictions of Jehovah's Witnesses. Russia also targets religious groups in parts of Ukraine it occupies, particularly Crimean Tatar Muslims, Jehovah's Witnesses, and members of the Orthodox Church of Ukraine.

We remain concerned about restrictions on religious practices in **Tajikistan**, including restrictions on the participation of women and minors in religious services, rejection of the registration applications of minority religious organizations, and limitations on the publication or importation of religious literature. We welcome the release of a Jehovah's Witness, but the community continues to report persecution.

Although we welcomed **Turkmenistan's** release in 2021 of 16 Jehovah's Witnesses who had been imprisoned as conscientious objectors, the government has not provided alternatives to military service compatible with their beliefs. Additionally, members of some religious groups continue to face harassment and some religious organizations report registration and re-registration are challenging due to excessive bureaucratic requirements. Although some religious groups reported improvements in the religious freedom climate over the last year, this easing of restrictions against religious groups is not reflected by new laws or official policy.

The government of **Uzbekistan** continues to curtail religious freedom despite promises to eliminate restrictions. The government still prevents registration of religious communities, and vaguely worded extremism-related charges, and ignores allegations of abuse in custody.

A 2021 Law on Freedom of Conscience and Religious Organizations retains restrictive and rights-violating provisions and is inconsistent with international human rights law.

In **Azerbaijan**, religious observance is tightly regulated by the government, and state persecution has continued against some non-state-aligned religious communities, including both Shia and Sunni Muslim communities. The "Law on Freedom of Religious Beliefs," amended in 2021 and 2022, expanded the state's already extensive control over religious organizations in the country. We are also concerned by reports of the detention of hundreds of Shia religious believers this year, allegedly for drug possession or distribution.

Among all the other excuses the Lukashenka regime in **Belarus** has come up with to crack down on the pro-democracy movement and civil society, it prohibits religious activities that it claims undermine "civic harmony."

Kazakhstan and the **Kyrgyz Republic** continue to employ legislation to monitor religious activities. All religious groups, both registered and unregistered, report that security forces monitor their activities and fear that the government could penalize them at any point. Sunni Muslims continue to face widespread state targeting for their religious activities.

Elsewhere in the OSCE region ...

Proposed or enacted laws in some participating States banning religious attire, religious animal slaughter, and circumcision threaten the viability of Muslim, Jewish, and other religious communities by restricting their members' ability to observe their faith, and thus interfere with the enjoyment of freedom of religion or belief.

The United States has expressed deep concern for the acts of Quran and other holy book burnings and desecration in several participating States. Such demonstrations could create an environment of intolerance that impacts the ability of Muslims, Jews, and members of other religious groups to freely exercise their right to freedom of religion or belief. We commend **Sweden, Denmark, the Netherlands**, and others for their strong advocacy of both national security and human rights, which together ensure safe and prosperous countries, in their response to these acts. More work to foster an inclusive environment for members of religious minority groups is needed.

However, efforts to ban or criminalize expression deemed offensive are not an effective means of addressing hatred and intolerance. No matter how disagreeable someone's speech may be, silencing it often serves as a catalyst for further antagonism. This is why the United States firmly opposes blasphemy laws and other laws that purport to criminalize "insult to religion." The best way to deal with offensive speech is to counter voices of hate with positive speech. In this spirit we advocate for education and interfaith and intercultural dialogue as part of our commitment to UN Human Rights Council Resolution 16/18 and its action plan to combat intolerance based on religion or belief while respecting freedom of expression, association, and peaceful assembly.

Turning to the other topics for today's Working Group, the United States is also concerned about continued, and in some cases intensifying, restrictions on freedom of peaceful assembly and association in the OSCE region.

In **Russia**, organizations and individuals designated by the Kremlin under vague and restrictive legislation as "undesirable," "extremist," and/or "foreign agents" are subject to restrictions on their work and face potential criminal prosecution. Since the expansion of the law's scope to include anyone under "foreign influence," an even greater number of individuals and institutions have now been classified as "foreign agents." The closures of Memorial Human Rights Center, the Moscow Helsinki Group, the Sova Center for Information and Analysis, and other civil society organizations -- as well as the Kremlin's efforts since February 2022 to prohibit open discussion of its war against Ukraine -- demonstrate Putin's fear that the people of Russia could receive information and views from sources he doesn't control.

The Lukashenka regime in **Belarus** has continued its full-scale repression of the pro-democracy movement and civil society, banning all independent labor unions and shutting down nearly all civil society organizations, including the Belarusian Helsinki Committee, claiming they were "extremist" organizations. This is an unacceptable blow to freedom of association. Peaceful protestors still cannot assemble without fear of arrest and/or violent dispersion. The authorities continue to prosecute peaceful participants of the 2020 protests. Belarus enacted regulatory amendments to allow the police to use combat weapons and special military equipment to disperse public protests.

Azerbaijan's government continues to restrict freedom of peaceful assembly and association, with conditions that amount to a de facto ban on assembly. For example, authorities have responded to peaceful protests by using force against, or detaining, protesters. While the constitution stipulates that groups may peacefully assemble after notifying the relevant government body in advance, the government continues to

interpret this provision as a requirement for prior permission rather than merely prior notification.

Georgia's Parliament is considering amendments that would restrict freedom of assembly. The 2023 Tbilisi Pride festival was shut down by violent right-wing extremists despite the government's insistence that it would secure the festival. In addition, Georgian authorities have not held the organizers of the 2021 Pride-related violence accountable.

In **Serbia**, this year's Pride Events in Belgrade -- by some estimates the largest ever held in the city -- were incident-free, in stark contrast to the tumultuous weeks that preceded Belgrade's hosting of EuroPride 2022.

In **Turkiye**, severe restrictions of freedoms of peaceful assembly and association include overly restrictive laws regarding government oversight of nongovernmental organizations. In addition, the United States is gravely concerned about the fate of Osman Kavala, a civic activist who was sentenced to life in prison ostensibly for supporting anti-government protests. The European Court of Human Rights found that Mr. Kavala was wrongfully convicted and that his arrest was an attempt to "silence him and dissuade other human rights defenders."

'Break the silence on persecuted Christians'

A conference and an exhibition held by MEP Bert-Jan Ruissen in the European Parliament denounces the silence and the impunity surrounding the suffering of Christians around the world



Conference at the European Parliament about the persecution of Christians in Sub-Saharan Africa (Credit: MEP Bert-Jan Ruissen)



Exhibition at the European Parliament about the persecution of Christians in Sub-Saharan Africa (Credit: MEP Bert-Jan Ruissen)

HRWF (21.09.2023) - "The EU must take stronger action against the blatant violations of freedom of religion, which mostly affect Christians worldwide. This silence costs thousands of lives every year, especially in Africa. This deadly silence must be broken," MEP Bert-Jan Ruissen advocated on Monday 19 September at a conference and opening of an exhibition in the European Parliament.

The event attended by over a hundred people was followed by the visit of an exhibition in the heart of the European Parliament, organised together with Open Doors and SDOK (Foundation of the Underground Church). It showed shocking photos of victims of Christian persecution: among others, a photo of a Chinese believer who was hung by the police with his legs from a horizontal pole, now adorns the heart of the European Parliament.



Bert-Jan Ruissen: "Freedom of religion is a universal human right. The EU claims to be a community of values but is now too often silent on serious violations. The thousands of victims and families must be able to rely on EU action. As an

economic power bloc, we must hold all countries accountable that all believers are free to practice their religion."

Ruissen pointed out that 10 years ago now, the EU adopted directives to protect freedom of religion. "These directives are too much on paper and too little in practice. The EU has a moral duty to credibly protect this freedom."

Anastasia Hartman, advocacy officer at Open Doors in Brussels: "As we want to strengthen sub-Saharan Christians, we also want them to become part of a solution to the complex regional crisis. Enforcing freedom of belief should be high on the agenda, because when both Christians and non-Christians see their fundamental freedoms protected, they can become a blessing for the whole community."

Bonus for killing a pastor

Nigerian student Ishaku Dawa recounted the horrors of the Islamist terrorist organisation Boko Haram: "In my region, 30 pastors have already been killed. Pastors are outlaws: the death of a pastor brings a bounty of the equivalent of 2,500 euros. One victim I knew personally ", the VU Amsterdam student said. "Think of the kidnapped schoolgirls in 2014: they were targeted because they came from a Christian school."

Also speaking at the conference was Illia Djadi, Open Doors' Senior Analyst on freedom of faith in Sub-Saharan Africa. He called for more international engagement.

Jelle Creemers, director of the Institute for the Study of Freedom of Religion or Belief at the Evangelical Theological Faculty (ETF) Leuven, said, "An EU policy that promotes freedom of religion is not only about individual freedoms but also helps fight injustice, actively supports threatened communities and is a foundation on which people can flourish. I hope this exhibition helps to remind us of the need and importance of this commitment."

CONFERENCE

Suffering Christians

in Sub-Saharan Africa and elsewhere



Monday 18 September 16-18h
Room SPAAK 7C50 and online

Hosts: MEP Bert-Jan Ruissen (NL)
MEP Michaela Šojdrová (CZ)

With experts and witnesses from
Nigeria and East-Africa



Registration: bert-jan.ruissen@ep.europa.eu
Followed by exposition near Spinelli 3G

ENG spoken

Article 18: an indivisible right divided

By: Dr José Luis Bazán



The sculpture "Freedom of Religion" presents a man holding aloft a sphere embossed with the symbols of the main religions of the world, symbolically maintaining and supporting the sacredness of our beliefs - as interprets its author, Marlene Hilton Moore. The McMurtry Gardens of Justice in Toronto, Canada, 2012. [@Aitkens-Flickr/ACN]

[Aid to the Church in Need](#) (08.06.2023) - During the drafting process of the Universal Declaration of Human Rights (UDHR) in May 1948, the representative of the USSR recommended a provision emphasizing independence between freedom of thought and religious freedom, giving prominence to the first to, allegedly, "guarantee the freedom of conscience", "to promote the development of modern sciences ... [and] to discard all old-fashioned beliefs and religious fanaticism."^[1] The Soviet delegation justified the proposal by stating that "the expression 'freedom of thought' included scientific and philosophic thought as well as thought in its religious forms",^[2] a position similar to that of the Chinese representative who expressed the view that "freedom of thought included freedom of conscience as well as religious freedom".^[3]

Whereas the United States confirmed the proposal that made "freedom of religion" (and not only "religious observance") a part of the UDHR Article 18,^[4] a final agreement was reached only following a principle expressed by the Philippines that a declaration on human rights "should attempt [...] to express a common philosophy for all nations and thus further the advancement of the human race"^[5] by way of recognizing a single right to freedom of thought, conscience and religion. The USSR reluctantly accepted the final version of the draft text because "other countries were not as progressive as his own and therefore, it would have been too much to expect them to subscribe to the same guarantees as the USSR".^[6]

The 1948 USSR concept to divide the right to freedom of thought, conscience, and religion into three autonomous, albeit connected, rights is back. Of note are efforts to carve out and rank the components of Article 18, to single out freedom of thought and conscience as belonging to the realm of non-religious individuals while freedom of religion would be, in that perspective, only for religious believers.

This deconstruction of the single right into three was evidenced in a 5 October 2021 report titled *The Freedom of Thought* by the UN Special Rapporteur on Freedom of Religion or Belief, when he stated that: "freedom of thought is recognized as one of three distinct, but equal rights within the right to freedom of 'thought, conscience and religion or belief.'" [\[7\]](#) The approach divided the rights into three – instead of one indivisible right with three dimensions as originally conceived – with an singular focus on freedom of thought.

This line of reasoning is also evident in documents by humanist associations. For example, the Humanist International in its annual *The Freedom of Thought Report* highlighting "violations of freedom of conscience and of belief [...] against the non-religious in everyday life", [\[8\]](#) the word "religion" doesn't appear, considering only "thought" and "conscience".

Finally, this right is also reshaped in the #Faith4Rights toolkit promoted by the UN High Commissioner of Human Rights. For example, in Module I (Context) addressing freedom of conscience, the authors state: "Freedom of conscience is imperative and larger than the freedom of religion or belief." [\[9\]](#)

These efforts not only negate the internal harmony of this triadic right – and of the human rights system which is based on equal dignity for all – but contradicts the spirit of Article 18, which opens space for the transcendent conscience of each person to think, feel, decide, and live in accordance with the most essential questions about our human life and final destiny.

Following the thesis of Karl Marx that mankind should be freed "from the witchery of religion", [\[10\]](#) the attempt to subordinate religious freedom to freedom of thought and conscience would demote freedom of religion to a "second-class" freedom, associated with irrationality, superstition, and sectarianism – a permanent source of problems. Accordingly, this would elevate the other rights to "first-class" freedoms, as expressions of rationality and universality and a solution to social tensions. Ultimately freedom of religion would become freedom from religion.

Religious freedom, however, has a historic place in human history as it was "of decisive importance for the development and practical break-through of the human rights idea in European and North American constitutional history" [\[11\]](#) and is considered "the canary in the coalmine", the most trustful tool to anticipate general human rights violations by a repressive regime or tyrant.

Religious freedom – which is not reducible to worship as "it radiates upon the entire spiritual and practical human life" [\[12\]](#) – cannot exist without freedom of thought and conscience as these freedoms imply per se a position about religion, be it adherence to, rejection of, or indifference towards.

[\[1\]](#) William A. Schabas (ed.), *The Universal Declaration of Human Rights. The Travaux Préparatoires*, Volume II: December 1947 to August 1948, Cambridge University Press, 2013, pp. 1574 and 2489.

[\[2\]](#) Ibid, p. 2500

[\[3\]](#) Ibid, p. 2495

[\[4\]](#) Ibid, p. 1573

[5] Ibid, p. 2494

[6] Ibid, p. 2505

[7] "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", Seventy-sixth session, OHCHR, 5 October

2021; https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/A_76_380_A_UV.docx

[8] Andrew Copson, Preface to the 2022 edition: <https://fot.humanists.international>

[9] "Module 1: Freedom of conscience", OHCHR, 2023

(updated); <https://www.ohchr.org/en/faith-for-rights/faith4rights-toolkit/module-1-freedom-conscience>

[10] Karl Marx, "Critique of the Gotha Programme", marxists.org, 1999:

https://www.marxists.org/archive/marx/works/download/Marx_Critique_of_the_Gotha_Programme.pdf (accessed 14th March 2023).

[11] Luchterhandt, Otto, "The Understanding of Religious Freedom in the Socialist States," Occasional Papers on Religion in Eastern Europe, Vol. 3, Iss. 3, Article 5, 1983, p.

15: <https://digitalcommons.georgefox.edu/cgi/viewcontent.cgi?article=1029&context=religion> (accessed 13th March 2023).

[12] Luchterhandt, op. cit., p. 17 (accessed 13th March 2023).

UN alerts on surge in acts of religious hatred

***Statement by Nazila Ghanea, Special Rapporteur on freedom of religion or belief
(53rd Session of the Human Rights Council)***

[European Times](#) (11.07.2023) –

"Mr. President, Distinguished Delegates, Representatives of civil society,

It is my honour to be with you today and to deliver a statement on behalf of the Coordination Committee of the Special Procedures and my own mandate.

The Special Procedures work tirelessly to promote understanding, coexistence, non-discrimination and equality for all. No one should be subject to discrimination by any State, institution, group of persons, or person whether on the grounds of their religion or belief¹ or any other identity ground.

The Special Procedures promote non-discrimination and equality through their country visits, communications, and reporting. Most of the work of the Special Procedures addresses this – for example through identifying root causes, instances that require redress, and amendments to laws and policies that may contribute towards it.

Together with several of my colleagues, on 6 March this year, we called for greater efforts to promote freedom of religion or belief, foster intercultural dialogue and understanding, protect religious minorities and combat hate speech while upholding freedom of opinion and expression.²

This is a call that we should all reaffirm today. Intolerance and discrimination based on religion or belief is experienced in numerous ways, in every corner of the world. It includes distinction, exclusion, restriction, or preference based on religion or belief. Any attack on the equal enjoyment of human rights and fundamental freedoms, constitutes

such intolerance and discrimination, whether this was the purpose or otherwise.³ Article 18(2) of the International Covenant on Civil and Political Rights (ICCPR) draws attention to the fact that no one should be subject to coercion which would impair their freedom to have or to adopt a religion or belief of their choice.

The targets of such attacks may be individuals or groups, and they may be targeted directly or indirectly. Attacks are distinct from incitement, which – by definition – is an instigation by a person for the audience to attack the target group.⁴ It is not directly implementable by one person against another. Religions, beliefs or their followers should not be instrumentalized to incite hatred and violence, for example for electoral purposes or political gains.⁵

Public acts of intolerance are on the increase around the world and are more common in times of political tension. The political motives and purposes for these engineered public displays of intolerance belie their purpose: the instrumentalization of religion and belief and its weaponization to foster hatred. We condemn such acts wherever they might occur and whoever the instigator may be.

Acts which manifest intolerance and are intentionally aimed at stirring up hatred, or cause hurt and foster inter-religious and political tensions such as some recent instances of the public burning of the holy Quran or desecration of places of worship, are objectionable and risk drawing our societies backwards, reversing positive educational and social investments towards understanding and diversity. These acts also raise concern in terms of tolerance, civility, and respect for the rights of others.⁶ More than ever, our responses to these acts should be strongly anchored in the international human rights law framework. The responses of national authorities to these acts, and related incidents, should be compatible with international human rights law.

We welcome the condemnations by State authorities, international organisations, civil society organizations and individuals of such acts of intolerance. Recent public objections by numerous authorities and actors, have made clear that these acts, carried out by individuals, are *not* condoned by the authorities or representative of wider society. This is in line with paragraph 5(e) of Human Rights Council resolution 16/18's action points⁷ and the resolve to strongly encourage "government representatives and leaders in all sectors of society and respective communities to speak out against acts of intolerance and violence based on religion or belief".⁸

Resolution 16/18 also calls on States to foster a domestic environment of religious tolerance, peace and respect through encouraging the creation of collaborative networks to build mutual understanding, to inspire constructive action towards integration, to identify and address potential areas of tension between different communities, to engage in effective outreach, and to recognise the positive role of the debate of ideas and interfaith and intercultural dialogue. It also recognises the need to combat denigration and negative religious stereotyping of persons by taking action, inter alia through education and awareness-raising; and adopting measures to criminalize incitement to imminent violence based on religion or belief.⁹

Mr. President,

With reference to several relevant incidents in Europe this year, we note that relevant Special Procedures have visited Denmark, Netherlands and Sweden and that the UN Special Rapporteur on freedom of religion or belief has requested to visit Sweden in order to explore this matter more fully, and this has been welcomed by Sweden.

We are aware, and have raised our concerns, regarding religious intolerance and attacks on religious minorities in a number of countries in Asia and Africa, and would

urge those governments to welcome visits from Special Procedures to examine and advise on these matters.

The CERD Committee recognises discrimination as being forbidden on numerous grounds in light of the principle of intersectionality. They call for States to effectively sanction, as offences punishable by law, incitement to hatred, contempt, or discrimination against members of a group; and insults, ridicule or slander of persons or groups or justifications of hatred, contempt or discrimination when it clearly amounts to incitement to hatred or discrimination.[10](#) Their focus is on persons or groups. As emphasized by my predecessor in his report to the 46th session of this Council, international human rights law protects individuals, not religions. As Ahmed Shaheed stressed, “[n]othing in [this] report suggests that criticism of the ideas, leaders, symbols or practices of Islam is something that should be prohibited or criminally sanctioned”.[11](#)

This is why context is important. The CERD Committee has noted and endorsed the observations of the UN Human Rights Committee that “criticism of religious leaders or commentary on religious doctrine or tenets of faith” should not be prohibited or punished.[12](#)

The Human Rights Committee also highlights that prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the ICCPR except in the specific circumstances envisaged in article 20.2 and in line with other ICCPR standards.[13](#)

Mr. President,

Freedom of religion or belief and freedom of opinion and expression are mutually reinforcing as they allow all persons, no matter of what religious belief or no belief at all, whether from minority or majority communities, to speak out against intolerance and hostility and to participate meaningfully and contribute openly and equally in society. Freedom of expression is essential for combatting negative stereotypes, offering alternative views and counterpoints, and creating an atmosphere of respect and understanding between peoples and communities.

While the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence is prohibited under international law, there is a high threshold required to reach that standard, and we need a case-by-case analysis. Contextual factors for assessment of gravity are insisted upon by CERD,[14](#) the Human Rights Committee, and the Rabat Plan of Action in its six-part threshold test for expressions that *may* call for the application of article 20 of the ICCPR, namely: context, speaker, intent, content, extent of dissemination, and the likelihood of harm, including imminence.

Furthermore, restrictions of freedom of expression must respect the three-part test set out in the ICCPR: they must be legal, strictly necessary and proportionate to achieve a legitimate objective set out in international human rights law.[15](#)

All States should exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities,[16](#) and to detect signs of intolerance that may lead to discrimination based on religion or belief. Expressions of intolerance need to be countered so that they do not encourage further acts of intolerance or even of violence. Political, religious and civil society leaders can play a major role in both condemning intolerance and encouraging diversity, inclusion and understanding among communities. We stand against those who wilfully exploit tensions or target individuals based on their religion or belief.[17](#)

- ¹ <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>, article 2(1).
- ² <https://www.ohchr.org/en/press-releases/2023/03/use-human-rights-frameworks-promote-freedoms-religion-belief-and-expression>
- ³ <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>, article 2(2).
- ⁴ Rabat Plan of Action, A/HRC/22/17/Add.4, appendix, para. 29 and footnote 5. See also <https://www.un.org/genocideprevention/documents/UN%20Strategy%20and%20PoA%20on%20Hate%20Speech%20Guidance%20on%20Addressing%20in%20field.pdf>, p. 13.
- ⁵ Beirut Declaration and its 18 Commitments on "Faith for Rights", A/HRC/40/58, annex II, commitment X.
- ⁶ Rabat Plan of Action, A/HRC/22/17/Add.4, appendix, para. 20.
- ⁷ Human Rights Council resolution 16/18 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief, A/HRC/RES/16/18.
- ⁸ A/HRC/RES/49/5, paragraph 8.
- ⁹ A/HRC/RES/16/18, para. 5
- ¹⁰ CERD/C/GC/35, para. 13
- ¹¹ A/HRC/46/30, para. 73, report of the Special Rapporteur on freedom of religion or belief.
- ¹² A/66/40, Human Rights Committee general comment 34
- ¹³ CCPR/C/GC/34, paras. 48 and 50-52.
- ¹⁴ CERD/C/GC/35, para. 15
- ¹⁵ Rabat Plan of Action, A/HRC/22/17/Add.4, appendix, para. 22
- ¹⁶ A/HRC/RES/43/12, para. 7 and para. 9(m)
- ¹⁷ A/HRC/RES/16/18, preambular para. 8

UN States must redouble efforts against intolerance based on religion or belief

Türk calls on States to combat "the weaponization of religious differences for political purposes". Statement by Volker Türk, UN High Commissioner for Human Rights at urgent debate at the UN Human Rights Council on 11 July 2023.



By **Volker Türk**

Volker Türk (born 1965) is an Austrian lawyer and United Nations official. He has been the United Nations High Commissioner for Human Rights since 17 October 2022.

Türk calls on States to combat "the weaponization of religious differences for political purposes". Statement by Volker Türk, UN High Commissioner for Human Rights at urgent debate at the UN Human Rights Council on 11 July 2023.

[United Nations](#) (12.07.2023) - Beyond words, human beings communicate through symbols. A ring marks our commitment to marry. A coloured light signals us to stop or go. Religious symbols go much deeper. A crescent, a star, a cross, a seated figure: for some, these might mean little, but for millions of people they have deep significance as the repository and incarnation of an immense history, a far-reaching system of values, a foundation of collective community and belonging, and the essence of their identity and core beliefs.

The abuse or destruction of the manifestations of our innermost beliefs can polarise societies and aggravate tensions.

This Urgent Debate is prompted by recent incidents of burning of the Quran, which is the core of faith for well over a billion people. These and other incidents appear to have been manufactured to express contempt and inflame anger; to drive wedges between people; and to provoke, transforming differences of perspective into hatred and, perhaps, violence.

So the first point I want to make here is this: setting aside for a moment the question of what the law states is permissible or not, and irrespective of one's own religious beliefs or lack of belief, people need to act **with respect for others**. All others.

SETTING ASIDE FOR A MOMENT THE QUESTION OF WHAT THE LAW STATES IS PERMISSIBLE OR NOT, AND IRRESPECTIVE OF ONE'S OWN RELIGIOUS BELIEFS OR LACK OF BELIEF, PEOPLE NEED TO ACT **WITH RESPECT FOR OTHERS**. ALL OTHERS

Only in this way can sustained dialogue become possible. Only in this way can we have conduct among human beings that enables us to address, together, the challenges we face.

Yet the vandalism of religious sites and the destructions of icons, texts that are sacred to their believers, and religious items, have been used to insult and provoke people for centuries. To me, it is clear that speech and inflammatory acts against Muslims; Islamophobia; anti-Semitism; and actions and speech that target Christians – or minority groups such as Ahmadis, Bahá'ís or Yazidis – are manifestations of utter disrespect. They are offensive, irresponsible and wrong.

It is important to recall the immense benefit of diversity for all societies. All people have an equal right to believe, or not to believe: this is fundamental to the Universal Declaration of Human Rights that unites us. We need to promote interfaith harmony and mutual respect, in the interest of all communities.

Political and religious leaders have a particularly crucial role to play in speaking out clearly, firmly and immediately against disrespect and intolerance – not only of their own communities, but of any group subjected to attack. They should also make it clear that violence cannot be justified by prior provocation, whether real or perceived.

ALSO MAKE IT CLEAR THAT VIOLENCE CANNOT BE JUSTIFIED BY PRIOR PROVOCATION, WHETHER REAL OR PERCEIVED

Mr President,

These are complex areas. The limitation of any kind of speech or expression must, as a fundamental principle, remain an exception – particularly since laws limiting speech are often misused by those in power, including to stifle debate on critical issues.

But on the other hand, an act of speech, in the specific circumstances in which it occurs, can constitute incitement to action on the part of others — in some cases, very violent and discriminatory action. In recent years, numerous acts of violence, terror attacks and mass atrocities have targeted people on account of their religious beliefs, including inside their places of worship.

International law is clear on these kinds of incitement. Article 20 of the [International Covenant on Civil and Political Rights](#) states: States parties must, without exception, prohibit “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence”.

To understand better how this must be applied, in 2011, my Office organised a series of regional workshops that led to the [Rabat Plan of Action](#). This provides a six-step threshold regarding context, speaker, intent, content, and extent and likelihood of harm, to help demarcate free speech from incitement to violence.

Ultimately, the application of Article 20 of the ICCPR is a matter for national law-makers and courts to determine in a particular case. They need to do so in a manner that is consistent with the guardrails that international human rights law provides. Any national restrictions to the overriding right to freedom of opinion and expression must be formulated so that their sole purpose and outcome is to protect individuals – rather than to shield religious doctrine from critical review.

My second point is this: **advocacy of hatred that constitutes incitement to violence, discrimination and hostility should be prohibited in every State.**

Mr President,

While they may not be deemed to incite violence, other forms of expression can amount to **hate speech**, if they use pejorative or bigoted language towards a person or group on the basis of their sex, belief, race, migration status, sexual orientation or any other factor inherent to their person or identity, seeking to diminish their dignity and demean their value in the eyes of others.

I'd like to elaborate: dehumanizing women and denying their equality with men; verbally abusing Muslim women and girls who wear a headscarf; sneering at people with disabilities; making false claims that migrants or people of specific ethnicities are more likely to engage in crime; or smearing LGBTIQ+ people: all such hate speech is similar, in that it stems from the baseline notion that some people are less deserving of respect as human beings.

Powered by the tidal forces of social media, and in a context of increasing international and national discord and polarisation, hate speech of every kind is rising, everywhere. It is harmful to individuals, and it damages the social cohesion necessary to the sound functioning of all societies.

My third point, then: **hate speech needs to be addressed, in all societies, through dialogue, education, awareness raising, inter-faith and inter-community engagement** and other public policy tools. It needs to be actively countered by all responsible authorities, figures of influence, and the private sector.

The **UN Strategy and Plan of Action on Hate Speech** is the UN response to address this phenomenon and to support States to counter it.

Effective prevention strategies by national authorities and others can identify and address the underlying causes of hate speech. I encourage States to redouble their efforts to implement the action plan to combat intolerance based on religion or belief that was set out in Human Rights Council [resolution 16/18](#) and via the [Istanbul process](#). As I highlighted in my related [report](#) earlier this year, teaching materials, and peer-to-peer learning, should promote respect for pluralism and diversity in the field of religion or belief. Exchanges of lessons learned and promising practices should continue to be promoted, including with the support of our [Faith for Rights Framework](#).

Mr President,

Many societies are struggling with this weaponization of religious differences for political purposes. We must not allow ourselves to be reeled in and become instrumentalised by these merchants of chaos for political gain – these provocateurs who deliberately seekways to divide us.

I am immensely sympathetic to the millions of people who are offended and outraged by acts that target their deepest values and beliefs.

My overriding goal today is to acknowledge the profound enrichment of all of us that is brought about by our diversity, understandings of human existence, and our thoughts and beliefs. Our societies – all our societies, whatever their religious and cultural backgrounds – must strive to become magnets for respect, dialogue and cooperation among different peoples, as has been achieved by multiple civilisations in the past.

To promote international peace and security; a rich, safe and respectful social fabric; as well as economies and societies that can benefit fully from the contributions of all their members, we must commit to advancing greater tolerance; greater respect; and greater recognition of the **importance and value of our differences**.

In the media. Online. In businesses. In schools. In government. In the police. And both outside and within places of worship. The best way to push back against hate speech is with more dialogue, more conversations, more building of common understanding and more acts that manifest our conviction that we are all equal.

That all of us have rights, including the right to hold different beliefs, to adopt different ways of living, and to have and share different opinions.

I trust this Council will be able to discuss these complex issues in the spirit of unity, constructive engagement, mutual respect and deep reflection that they deserve.

Thank you

USCIRF documents 2,000 victims, calls attention to millions persecuted for religion or belief

[USCIRF](#) (01.05.2023) – The United States Commission on International Religious Freedom ([USCIRF](#)) today surpassed 2,000 individuals included in its [Freedom of Religion or Belief \(FoRB\) Victims List](#), a database that catalogues victims who have been detained, imprisoned, placed under house arrest, disappeared, forced to renounce their faith, or tortured for their religious belief, religious activity, or religious freedom advocacy. While this development represents a tragic milestone, USCIRF calls attention to the millions of other unknown victims around the world who continue to face severe oppression for their religion or belief.

"Shockingly, people all across the world face prosecution, prison time, state-sanctioned extrajudicial acts, and other forms of punishment for peacefully exercising their freedom of religion or belief and defending others' rights to religious freedom," said [Chair Nury Turkel](#). "By documenting these cases, USCIRF shares the horrific stories of not only those individuals experiencing severe violations of their fundamental right to freedom of religion or belief but also of the millions of others who are forced to live under the tyranny of religious repression."

USCIRF has regularly documented gross religious freedom violations, including mass internment and genocide. In [China](#), Communist Party officials have unjustly detained or imprisoned millions of Uyghurs and other Turkic Muslims, in addition to Tibetan Buddhists, Falun Gong practitioners, House Church Protestants, and underground Catholics. Amid ongoing protests over mandatory religious headscarf laws, [Iran](#) has arrested many religious minority group members – particularly Baha'is – as well as opponents of the government's religious restrictions. In the year since [Russia](#) launched its full-scale invasion of Ukraine, Russian forces have abducted Ukrainian religious leaders while other authorities have continued to impose lengthy prison sentences on Jehovah's Witnesses and Muslims. [Uzbekistan](#) continues to jail some 2,000 Muslims for their independent religious practices, and [India](#) has subjected human rights defenders and journalists to extensive periods of pre-trial detention for their work documenting religious freedom violations.

"The U.S. government must support victims and their families, push for the release of religious prisoners of conscience, and hold accountable those governments and officials that perpetrate or tolerate these egregious religious freedom violations," said [Vice Chair Abraham Cooper](#). "USCIRF will continue to put a human face on these largely unknown victims and call for justice for those individuals targeted on the basis of their religion or belief."

In December 2022, USCIRF released a [FoRB Victims List Factsheet](#) that provided an overview of the FoRB Victims List, including its congressional mandate and criteria for including persons on the list. Individuals and organizations with credible information on victims can submit that information through the [FoRB Victims List Intake Form](#).

More reading: <https://bitterwinter.org/religious-liberty-in-the-world-in-2023/>

Photo :USCIRF chair Nury Turkel and the 2023 report. From Twitter.

USCIRF releases 2023 Annual Report highlighting worsening religious freedom conditions worldwide

Includes new recommendations of Cuba and Nicaragua as "Countries of Particular Concern" and Sri Lanka for the "Special Watch List"

[USCIRF](#) (01.05.2023) – The United States Commission on International Religious Freedom ([USCIRF](#)) today released its [2023 Annual Report](#) documenting developments during 2022, including significant regression in countries such as Afghanistan, China, Cuba, Iran, Nicaragua, and Russia. USCIRF's 2023 Annual Report provides recommendations to enhance the U.S. government's promotion of freedom of religion or belief abroad.

USCIRF's independence and bipartisanship enables it to unflinchingly identify threats to religious freedom abroad. In its 2023 Annual Report, USCIRF recommends 17 countries to the State Department for designation as Countries of Particular Concern (CPCs) because their governments engage in or tolerate "systematic, ongoing, and egregious violations" of the right to freedom of religion or belief. These include 12 that the State Department designated as CPCs in November 2022: Burma, China, Cuba, Eritrea, Iran, Nicaragua, North Korea, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan—as well as five additional recommendations: Afghanistan, India, Nigeria, Syria, and Vietnam. For the first time ever, the State Department **designated** Cuba and Nicaragua as CPCs in 2022.

"USCIRF is disheartened by the deteriorating conditions for freedom of religion or belief in some countries— especially in Iran, where authorities harassed, arrested, tortured, and sexually assaulted people peacefully protesting against mandatory hijab laws, alongside their brutal continuing repression of religious minority communities." USCIRF Chair **Nury Turkel** said. "We strongly urge the Biden administration to implement USCIRF's recommendations—in particular, to designate the countries recommended as CPCs, and for the Special Watch List, or SWL, and to review U.S. policy toward the four CPC-designated countries for which waivers were issued on taking any action. We also stress the importance of Congress acting to prohibit any person from receiving compensation for lobbying on behalf of foreign adversaries, including those engaging in particularly severe violations of the right to freedom of religion or belief."

The 2023 Annual Report also recommends 11 countries for placement on the State Department's SWL based on their governments' perpetration or toleration of severe religious freedom violations. These include two that the State Department placed on that list in November 2022: Algeria and Central African Republic (CAR)—as well as nine additional recommendations: Azerbaijan, Egypt, Indonesia, Iraq, Kazakhstan, Malaysia, Sri Lanka, Turkey, and Uzbekistan. USCIRF is recommending the State Department add Sri Lanka to the SWL for the first time due to its deteriorating religious freedom conditions in 2022.

USCIRF further recommends to the State Department seven non-state actors for redesignation as "entities of particular concern" (EPCs) for systematic, ongoing, and egregious religious freedom violations. The State Department designated all seven of these groups as EPCs in November 2022: al-Shabaab, Boko Haram, the Houthis, Hay'at Tahrir al-Sham (HTS), Islamic State in the Greater Sahara (ISGS), Islamic State in West Africa Province (ISWAP or ISIS-West Africa), and Jamaat Nasr al-Islam wal Muslimin (JNIM).

"Throughout the past year, the U.S. government continued to condemn abuses of religious freedom and hold perpetrators accountable through targeted sanctions and other tools. Moving forward, the United States should take additional steps to support freedom of religion or belief around the world. We urge Congress and the Executive Branch to implement the recommendations in USCIRF's 2023 Annual Report to further advance this universal, fundamental human right," USCIRF Vice Chair **Abraham Cooper** stated.

In addition to chapters with key findings and U.S. policy recommendations for these 28 countries, the 2023 Annual Report describes and assesses U.S. international religious freedom policy overall. The report also highlights important global developments and trends related to religious freedom during 2022—including in countries that do not meet the criteria for CPC or SWL recommendations. These include transnational repression and influence by religious freedom violators, religious freedom concerns in Europe, laws restricting religious freedom, emerging religious freedom concerns in other countries,

positive developments in combating antisemitism, and religious freedom concerns for indigenous peoples in Latin America.

The report also highlights key USCIRF recommendations that the U.S. government has implemented from USCIRF's 2022 **Annual Report**—including adding CAR to the State Department's SWL, imposing targeted sanctions on religious freedom violators, and recognizing the Burmese military's atrocities against Rohingya Muslims as genocide and crimes against humanity—and provides details on individuals included in USCIRF's [Freedom or Religion or Belief](#)
