

Joint Statement

from

International Association for Religious Freedom (IARF), All India Women's Conference, Brahma Kumaris World Spiritual University, Institute for Planetary Synthesis, International Council of Jewish Women, International Federation of Social Workers (IFSW), Organisation mondiale des anciens/ennes élèves de l'enseignement catholique, Susila Dharma International Association, World Federation of Methodist and Uniting Church Women, World Union of Catholic Women's Organisations, World Young Women's Christian Association

on
"The Mandate of the Special Rapporteur on Freedom of Religion or Belief"

Item 11

Civil and Political Rights, including the question of
(e) Religious Intolerance

Mr Chairman,

The report to this Commission of M. Abdelfattah Amor, Special Rapporteur on Freedom of Religion or Belief, (E/CN.4/2004/63 together with addenda on his *in situ* visits and his interim report to the 58th Session of the General Assembly), gives impressive testimony to the truly worldwide scope of his sensitive and pertinent investigations and recommendations over some eleven years.

His patient and systematic dialogue with governments, despite some regrettable and consistent failures to respond to his communications, and his encouragement and generous appreciation of non-governmental partners are models of how the work of special rapporteurs can, on every continent, identify violations and protect victims, whether collective or individual and regardless of religious or non-religious conviction. Furthermore his emphasis on the need to take preventive measures and to follow up on the implementation of recommendations respond to the most urgently needed strategies and priorities of this Commission.

Although this agenda item is still, perhaps anachronistically, entitled "Religious Intolerance" rather than "Freedom of Religion or Belief", the substance of the mandate of the special rapporteur is to promote the fundamental right of freedom of religion or belief. It is not only intolerance but also the associated scourges of ignorance, of legal and social discrimination, and of xenophobic prejudice which need to be addressed.

M. Amor's constructive emphasis on the need for education for tolerance at all levels of schooling has been coupled with his appeal to governments to be scrupulous in legal protection of and redress for all victims of discrimination. He has also identified pervasive threats from all forms of prejudice and xenophobia especially when they are manipulated by and/or aimed at identities based on religions or beliefs. His impartiality and perspicacity have won him gratitude and admiration but have also provoked resentment, neglect or suspicion in some quarters. It is to be hoped that all governments will respond openly, swiftly and accurately to the approaches of special rapporteurs.

The recent *in situ* visits of M. Amor to Romania and Georgia raise important questions for governments in all parts of Europe and of the world. The sometimes invidious and imprecise differentiation between officially recognized and non-recognized religions and between these and so-called “sects” goes far beyond these countries. Minority religious or non-religious groups, even though they may represent majorities in some parts of the world, can be denied fundamental rights of expression of their convictions or practices in other parts. In the context of some actual or proposed legislation this tends to promote what M. Amor’s current report identifies as “*uniformisation*”, and this can, however unintentionally, promote marginalization and strengthen ghettos. Exclusion and compulsion in matters of religion or belief are counter-productive both to the true spirit of religion and the true spirit of *laïcité*.

Mr Chairman, there are sadly far too many flagrant connexions between the violations of the fundamental freedom of religion or belief with other violations such as arbitrary detention, torture, denial of the right to education, erosion of the rights of the child, or failure to honour, protect and empower the status of women. The careful analysis given by M. Amor of the years in which he has held this mandate, and in which he has provided so many seminal reports and studies, points to the sincere commitment of many governments to address these lamentably connected issues. However, the vigorous and scrupulous implementation of the legal and educational measures which M. Amor has so consistently recommended need careful monitoring, not least to publicize best practices.

M. Amor has appealed also to non-governmental organizations to promote inter-religious dialogue, education for tolerance, and support for victims of discrimination and violence. The work of non-governmental organizations can in turn be a support to enlightened governments both to uphold fundamental freedoms and essential visions and principles and also for implementation at the grass roots where many communities based on religion or belief have significant strength and influence.

Such partnership and mutual trust, still palpable and effective at many levels of this Commission, need to be strengthened and widened. Co-operation and shared vision among all stakeholders are needed to make real the precious, fundamental and too often threatened human right of freedom of religion or belief. It is to be hoped that this Commission will renew the vitally important mandate of the Special Rapporteur on Freedom of Religion or Belief and that the Chairman will identify a no less expert, fair and effective successor to M. Abdelfattah Amor.

Thank you, Mr. Chairman.