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**THE PROTECTION OF RELIGIOUS MINORITIES
IN THE UNITED NATIONS AND ORGANIZATION OF AMERICAN STATES SYSTEMS**

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Madam Chairperson,
Mister President,
Madam Chief of Special Procedures,
Mister Special Adviser on the prevention of Genocide,
Madam Independent Expert on Minority Issues,
Distinguished Delegates,
Ladies and Gentlemen,

It is a great honor and privilege for me to address you at this Forum. I want to express my deepest appreciation and gratitude to the Independent Expert for the kind invitation to join this important meeting.

I would also like to take this opportunity to congratulate the extraordinary efforts made by the United Nations, its Human Rights Council and Independent Expert towards the protection of minorities.

Dear Colleagues,

The protection of the rights of minorities contributes to the peace and stability of States and promotes human dignity. The International Organizations have an increasingly important role to play regarding the protection of minorities against human rights violations.

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Reports from different organizations emphasize the fact that religious minorities need special attention. There is no doubt that members of religious minorities are denied their most fundamental rights in various parts of the world.

The United Nations took a major step when they adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in 1992. Inspired by the article 27 of the International Covenant on Civil and Political Rights, the Declaration acknowledges the rights of persons belonging to minorities while it entrusts States with duties.

Under the Declaration, on the one hand, States shall protect the existence and identity of religious minorities, ensure that members of religious minorities may exercise their rights, protect them against discrimination, create favorable conditions for the expression and development of the group characteristics, and create measures so that they may participate in the progress of the country. In summary, States shall observe and enforce the cornerstone principles of equality, non-discrimination, non-exclusion and non-assimilation of religious minorities. On the other hand, persons have the right to enjoy their own culture, to profess and practice their own religion and to use their own language, participate effectively in every area of social life, participate in political decisions, associate and establish or keep contact with others, including members of other minority groups and of the mainstream society. In short, those belonging to minorities must be able to exercise all their human rights individually or with others.

It is important to highlight that the Declaration acknowledges the rights of persons belonging to religious minorities but not group rights to political self-determination or land. In this way, while individuals may claim their rights even against their own group, religious minority or majority groups may not claim any intrinsic rights over their adherents nor exercise jurisdiction over them.

In addition, members of religious minorities should receive special protection against accusations of defamation, blasphemy or apostasy. Religions by themselves are not entitled to international legal protection of their reputation nor against the risk of losing members. The religion itself does not have rights. Human beings have universal human rights.

Even though it is not a binding document, the Declaration is a fundamental instrument to legitimize the claims of religious minorities, as well as to influence nations and regional organizations regarding the promotion of minorities' human rights.

In June 2013, the Inter-American Convention Against All Forms of Discrimination and Intolerance was adopted within the Organization of American States. Undoubtedly, it is a relevant tool in protecting victims of religious intolerance. In its preamble, the States Parties recognized that among the victims of discrimination in the Americas are religious groups or minorities, and that there is a general increase of intolerance motivated by anti-Semitism, Christianophobia or Islamophobia, and directed against members of other religious communities, such as those with African roots.

The Anti-Discrimination Convention emphasizes that equality, nondiscrimination and separation between State laws and religious norms are fundamental for the peaceful coexistence in pluralistic and democratic societies, and that societies must respect the identity of every person, while create the conditions that will enable its expression, preservation and development.

By this binding instrument, the States Parties agree that every human being has equality rights, namely, equality under the law, equal protection and equality in recognition, enjoyment, exercise, and protection of all human rights, at individual and collective levels. They have also proposed to engage in the prevention, elimination, prohibition and punishment of all acts and manifestations of discrimination and intolerance, as well as to adopt policies, legislation and measures to ensure those rights.

Due to disagreements related to some of its clauses, only Argentina, Brazil, Ecuador and Uruguay signed the Anti-Discrimination Convention, and, to date, no ratification or accession instruments have been deposited with the General Secretariat.

Ladies and Gentlemen,

The core of democracy is civil and political rights, which must be further promoted and safeguarded. International organizations and national governments, as well as NGO's and individuals must engage in protecting religious freedom and all the other human rights of minorities against acts of intolerance practiced in the name of a religious truth, to defend the national identity, or based on any other illegitimate motives.

I wish to conclude by highlighting that the UN Declaration combined with the Anti-Discrimination Convention constitute firstly, instruments of counter-majoritarian protection that should inspire and contribute to the development of other regional and national instruments. Secondly, they are transformative instruments, not only of majoritarian groups, but also of minorities, since every person is entitled to, as well as constrained by universal human rights.

Thank you!