



Association internationale
POUR LA DÉFENSE DE LA LIBERTÉ RELIGIEUSE
International Association
FOR THE DEFENSE OF RELIGIOUS LIBERTY

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UNITED NATIONS PERMANENT REPRESENTATIVE IN GENEVA, NEW YORK & VIENNA
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Protection of the existence of religious minorities
and prevention of violence against them

STATEMENT

INTERNATIONAL ASSOCIATION FOR THE DEFENSE OF RELIGIOUS LIBERTY
ASSOCIATION INTERNATIONALE POUR LA DEFENSE DE LA LIBERTÉ RELIGIEUSE
Bern, Switzerland
Secretary General: Mr. Liviu Olteanu

Mr. President of the United Nations Human Rights Council
Ms. High Commissioner for Human Rights
Mr. President of the Forum on Minority Issues
Ms. Independent Expert
Excellencies,
Ladies and Gentlemen,

How could we comprehend our present topic: *“Protection of the existence of religious minorities and prevention of violence against them”*?

I would like to start and finish my Statement with two magnificent quotes from the SECRETARY GENERAL OF THE UNITED NATIONS, Mr. BAN KI-MOON:

“The best form of protection is prevention. Prevention saves lives as well as resources. Prevention is not a

one-off affair. Human rights are an essential component of human protection (...). We are also promoting cross-cultural dialogue in situations of potential conflict through the UN's Alliance of Civilizations, and warning against rising intolerance and the politics of polarization..."¹

MR. PRESIDENT,

The evidences of the present "*Project of recommendations on ensuring the rights of religious minorities*" open a positive, desired and finally consensual way on assuming measures.

Under the auspices and chairmanship of the Committee of Human Rights of the United Nations, a relevant document will surely be issued, for which all delegations of the world, diplomats and contributors to this forum, deserve an applause.

Thank you, Excellencies.

The organization that I have the honor to represent, *The International Association for the Defense of Religious Liberty (IADRL)*, has earned over time the international expertise in the defense of human rights and especially of freedom of religion and belief, and the defense of religious minorities.

The Honorary Chairmen of our organization, starting with Mrs. **Eleanor Roosevelt**, as first president of honor and good family friend of our founder, Dr. Jean Nusbaum, and then **Dr. Albert Schweitzer, Edgar Faure, René Cassin, Léopold Sédar Senghor** and **Mary Robinson**, all of them have fought for human rights, peace and respect in our world and have taught us useful lessons and practice on this topic.

International Association for the Defense of Religious Liberty (IADRL) is ensuring that **human rights and religious freedom have a view of equality and without discrimination to all**; proposes measures and, whenever necessary, supports the efforts of governments, diplomats, religious scholars and other actors in favor of freedom of religion and belief, advises at different levels - international and regional - and cares about defending that legislative proposals at national and international level be inclusive for all categories of people and minorities; furthermore, it observes and monitors the implementation of the legislation and appropriate measures for the protection and guarantee of human rights for ALL.

We believe that every person has *Dignity*, rights and duties, fundamental freedoms and the States have the obligation to ensure the fundamental rights and freedoms among which the freedom of religion or belief is included.

EVERYONE SHOULD BE RESPECTED IN SPITE OF THEIR DIFFERENCES.

Who are the *religious minorities*?

The Project of recommendations speaks of "*a wide range of religious or belief communities, traditional and non-traditional, recognized or not by the State, including religious or belief groups that are more recently established, both large and small communities*" (paragraph 12). The following approach is very important: "*the rights of each individual member of these groups also must be fully respected*" (paragraph 13).

According to Dr. Shana Cohen, **situations affecting our time** and that relate to minorities are among others:

- Misunderstanding the perspectives of "Other".
- Tensions between the people of different religions and faith.
- False perception regarding which religion, church or minority, have to be considered of "first" or "second class".
- Religious sensitivities or sensitivity of "conflict language".
- And I would also add here the existence of a different perspective of some governments on *religious freedom* and on *minorities*: "*problem*" or "*solution*" approach?

¹ UN Secretary-General Ban Ki-moon, Selected Speeches. Extracts from: *Cyril Foster Lecture at Oxford University: Human Protection and the 21st Century United Nations*, see at: http://www.un.org/sg/selected-speeches/statement_full.asp?statID=1064; the title and under titles are not part of Selected Speeches

We are in search of efficient and appropriate measures in order to avoid tension and acts of aggression against religious minorities.

The analysis of this Project of recommendations, as well as the experience of our organization - International Association for the Defense of Religious Liberty (IADRL) - enables us to present some thoughts to this distinguished forum, organized by the United Nations Human Rights Council.

Mr. President,

Please allow me to express some **comments** or **suggestions** that may be efficient on the guarantee of the rights of religious minorities and could help on the "*Protection of the existence of religious minorities and prevention of violence against them*".

Changes begin in the minds of people and have an influence on the decisions that are made. We need to respect ourselves in order to respect others, whether majority or minority, or belonging to a minority.

1. *It is an act of normality, to recognize and respect the dignity of others. Not forgetting that each person is important, has value in itself, and is worthy of our respect.*
2. *We believe there is need for political will to respect fundamental human rights and freedoms for every person living in a country, and to implement international standards into national legislation in each country.*
3. *Adopting a language that is clear, strong and covered by a relevant legal framework, just as this Project of recommendations does.*

The project has a *clear and imperative tone* and has a significant legal framework of a universal value.

It is based on: "Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities" - 1992; Universal Declaration of Human Rights - 1948; International Covenant on Civil and Political Rights - 1966; General Observation No. 22 (1993) and General Observation No. 23 (1994) of the Council of Human Rights; "Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Beliefs" - 1981; as well as other international and regional rules and principles of human rights; jurisprudence and general comments of the Human Rights Council and other treaty bodies, including here the work and reports of the Special Rapporteur on freedom of religion or belief, Prof. Heiner Bielefeldt. These elements show that we have in front of us a necessary study which offers a solid guarantee not only for a correct diagnosis, but also for the effectiveness of the *treatment* and for the expected *recovery*.

Although recommendations are formulated in general terms, they provide *evidence of urgency*: e.g. used words do not allow mistakes: "**All States**" "**must**" or "**should**" "**fully implement** - *do - ensure - pass - move - check - include - etc*", and this language statistically appears 65 times, which is significant about the importance of this document.

4. *Search nondiscrimination for religious minorities, or persons belonging to religious minorities, according to the "Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Beliefs" - 1981. Just a few relevant examples:*

There is a "*direct or indirect*" discrimination, in "*multiple and combined*" forms, affecting religious minorities, and especially women and girls, children, youth, students or immigrants belonging to religious minorities, who need special focus.

NEUTRALITY towards of situations of discrimination, intolerance or persecution, has serious and multiple consequences for the individuals belonging to religious minorities, and also for international security and peace, and we cannot afford this "*luxury*". According to some case studies and contrasted observations, discriminations may be identified in several directions, as: *education and work, gender*

related; depending on *different features or situation* of a subject, either because of the *observation of religious holidays and days of rest, or other peculiarities* (that may affected including the Jews, or Christians as Seventh Day Adventists, Seventh Day Baptists or Muslims, etc.), etc. We may find: discrimination, persecution and sentenced individuals, including for reasons of *meeting* of those belonging to religious minorities with the members of their religion or belief; for the *adoption or change* of religion, etc.

In the *Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities* - 1992, article 4, paragraph 2, provides that States "**will adopt the necessary measures to ensure** that persons belonging to minorities can *express their characteristics and develop their culture, traditions*, except in cases where specific practices are in violation of the National legislation and contrary to international standards."

Y el artículo 6 de la *Declaración sobre la eliminación de todas las formas de intolerancia y discriminación fundadas en la religión o las convicciones*, de 1981 subraya:

And **Article 6** of the *Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Beliefs* - 1981, highlights: *„the right freedom of thought, conscience, religion or belief shall include, inter alia, the following (9) freedoms:*

(a) *To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;*

(b) *To establish and maintain appropriate charitable or humanitarian institutions;*

(c) *To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;*

(d) *To write, issue and disseminate relevant publications in these areas;*

(e) *To teach a religion or belief in places suitable for these purposes;*

(f) *To solicit and receive voluntary financial and other contributions from individuals and institutions;*

(g) *To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;*

(h) *To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;*

(i) *To establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels”.*

I propose that Article 6 of the Declaration of 1981, which has a very important value against discrimination, be included in this Document on the guarantee of the rights of religious minorities.

5. Grant special attention to a few different approaches

Para que la protección de los derechos de las minorías sean posible y real, creemos que se debe una especial atención a unos distintos enfoques como *„circunstancias, factores históricos, culturales y religiosos, sistemas políticos“*, para buscar medidas adecuadas (5).

In order for the protection of minorities' rights to be possible and real, we believe that special attention is due to some different approaches, as *"circumstances, historical, cultural and religious factors, political systems"*, so to find appropriate measures (5).

"The States shall adopt appropriate legislative and other measures" and "take the necessary measures to ensure that persons belonging to minorities may exercise effectively all their fundamental human rights and freedoms, without any discrimination and in full equality before the law" (paragraph 10, Project of recommendations).

6. *We consider it necessary to require clear and intelligent measures in order to demand responsibilities to the states or other actors who violate the rights of religious minorities or their belonging found. And that the work of non-Governmental organizations should help point out sensitive and troubling situations in our environment, with a view towards problem solving.*

Efficient measures on medium and long term:

7. *Training programs on human rights, religious freedom and religious minorities, carried out in two directions:*

a) *on the one hand for public and Governmental officials, aiming to know and update on the rights of minorities, and*

b) *on the other hand, for religious minorities, in order that they know their rights.*

8. *Social awareness and constant interreligious - intergovernmental - academic - and civil society" dialogue. Diplomatic tools must play an important role in these meetings. All actors are important and necessary.*

The *training* program should be done for and with political representatives, public officials (especially with the occasion of the taking of position), religious leaders, non-governmental organizations, etc. ...

The *International Association for the Defense of Religious Liberty*, is conducting these activities, periodically organizing or being invited to symposiums, training conferences, with the cooperation of parliaments and ministries of foreign affairs, justice, education, and culture, with religious leaders and university researchers.

- **Examples of recent events** of this type are: Romania in June 2013 and Armenia in September 2013.
- In June we organized several events: In Romania, a Festival with the purpose of social awareness, religious freedom and interfaith dialogue through culture, with the presence of the "Madrigal" chorus in Bucharest, Ateneul Roman Hall.
- IADRL organized a symposium at the Romanian Parliament, attended by: ministers of foreign affairs, culture, cults, former prime ministers, parliamentarians, religious leaders, and academics.
- In September 2013, we have been invited by the Minister of Foreign Affairs of Armenia, to co-participate in an event organized by Armenia and the Council of Europe held in Yerevan.
- In **December 2013** we will participate to an international event on "Religious Freedom Project" organized by "Georgetown University" from Washington, DC, and " Pontificia Universita Urbaniana", to be held in Rome, Italy.
- For **January 2014** we are organizing in Spain one major international event with important international representatives, professors, ambassadors, religious leaders; and we will also be combining an international event organized annually with world experts on religious freedom.
- Our plan is to organize a **Panel at the United Nations in 2014**. We will organize and award from our "International Association for the Defense of Religious Liberty" the **Prize for Human Rights and Religious Freedom** for outstanding promoters and defenders of human rights and religious freedom.
- For the **spring of 2015**, we are preparing an **International Congress** in a multidisciplinary format with politicians, diplomats, interreligious figures, academics and civil society representatives, and with regional and international institutional presence.
- It would be a **great honor also to be able to cooperate** with other UN delegations in projects of social awareness, -education and training, lectures, interreligious dialogue, which can contribute to harmony, peace and security in our world. We hope that in this way we can come together to the efforts of United Nations for human rights and peace in our world. So we think IADRL may have a positive influence on the prevention of conflicts and contribute to eradicate religious hatred, and tensions between people belonging to different religions, churches or beliefs. Thus, peace and reconciliation could have a more stable place in our world.

9. *Conflict prevention and eradication of religious hatred, also through the disclosure of materials that focus values, human rights and knowing of the Other.*

IADRL, with the purpose of contributing to *the prevention of conflicts and violence related to religion and minorities*, and in order to provide information and open a forum for debate on human rights and religious freedom, publishes since 1948 - year of the Universal Declaration on Human Rights- , the **Conscience and Liberty** magazine in three languages: *French, English and German*, and plans to be translated into Portuguese, Spanish and other languages, being a *training instrument* and a special approach for the political leaders, diplomats religious figures, and treating topics of present interest. We will promote human rights and different initiatives of international and regional institutions.

- o The 2012 edition of *Conscience and Liberty* has addressed the topic: "**Universality of Human Rights**".
- o The special edition of 2013 - which will appear soon - evokes the importance of the Edict of Milan since 1700 years ago (313), for human rights and religious freedom; it also evokes 65 years from the first appearance of the Magazine in 1948. The main topic of this special issue is: "**Human rights and religious liberty: a new balance or new challenges**". The authors of this book are ambassadors, religious leaders, judges and professors, evoking *religious freedom* in an inclusive, positive and comprehensive manner.

By measures of this kind, we wish to support and appreciate the efforts Your Excellencies do every day through your delegations, that we all have a safer and better world.

We consider that all of us today present here could combine our efforts with the purpose of contributing to *Peace and understanding* between persons, minorities and nations.

We believe that all nations and peoples that Your Excellencies represent at the United Nations are important for all positive contribution brought to our global home.

IADRL promotes and supports the Resolutions and projects of the United Nations Human Rights Council, and also initiatives of the European Union (European Parliament and the European Commission), the Council of Europe (CoE) or the Organization for Security and Cooperation in Europe (OSCE) in relation to the need for an inclusive religious freedom, protecting *all* those who need it.

Dr. Bruno Vertallier, president of the IADRL rightly observed:

"Freedom of conscience and religion remains in a fragile balance" and "Yet who thinks intolerant as to refuse his neighbor freedom to think or believe what he wants? (...) The story reminds us that periodically freedom of conscience and especially religious freedom was not a leisurely walk from the Edict of Milan in 313"

There have been some deviations.²

Mr. President

We are all looking for stable solutions. We fight that "big deviations of history may not repeat again." And, "*Each one of us has a belief.*"

I would conclude this Statement, with the practical reflections of the **UN Secretary-General, Mr. Ban Ki-moon:**

"In short, how do we build communities rooted in "coexistence" – living together in peace, based on trust and mutual respect? The process of building inclusive societies must itself be inclusive. It takes each and every one of us. After all, peace and reconciliation cannot be imposed. They are seeds, planted by people, nurtured by communities. Day, after day, after day... (...)

I can see on the horizon a world that understands that, together, we are better. I can hear shouting replaced with listening. I can feel a force committed to making it happen. Governments, civil society, the private sector, the faith community, young people. You - and all this Alliance represents. A global social

² Dr. Bruno Vertallier, *Conscience and Liberté 2013, Introduction: Bon Anniversaire*, Bern, Switzerland

movement. An Alliance of Humanity.

Regardless of religious tradition, we have a common faith: a faith in our shared future. Let us harness our common humanity and make a better world.³

Thank you, Excellencies,

Thank you so much, Mr. President.

³ UN Secretary-General Ban Ki-moon, Selected Speeches. Extracts from: *Remarks to the Third Forum of the Alliance of Civilizations by UN Secretary-General Ban Ki-moon*, see at: http://www.un.org/sg/selected-speeches/statement_full.asp?statID=834