



**UNREPRESENTED
NATIONS & PEOPLES
ORGANIZATION**

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UNPO Submission

**Report to the United Nations General Assembly
on Eliminating Intolerance and Discrimination
Based on Religion or Belief and the Achievement
of Sustainable Development Goal 16 (SDG 16)**

June 2020

About the UNPO

The Unrepresented Nations and Peoples Organization (UNPO) is an international membership-based organization established to empower the voices of unrepresented and marginalised peoples worldwide and to protect their fundamental human rights.

The peoples represented within the UNPO membership are all united by one shared condition: they are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realise their rights to civil and political participation and to control their economic, social and cultural development. In many cases, they are subject to the worst forms of violence and repression.

UNPO is a unique presence in the international arena in that it is built and primarily funded by its members. This gives it a strong connection to those suffering the consequences of the exclusion that the organization seeks to address. And it means that UNPO is able to address issues that often remain hidden because UNPO has the freedom to raise issues that others cannot due to political or funding constraints.

The organization consists of a General Assembly of members, which serves as a deliberative body for decision-making, solidarity and standard setting among unrepresented nations and peoples, and a number of Foundations established to provide secretariat services for the General Assembly and to improve the respect for the rights of unrepresented peoples everywhere through research, education and public campaigns.

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I. Introduction

Recognising the importance of the UN General Assembly's Sustainable Development Goal (SDG 16) and emphasising the overlap of this goal with our own work with religious minorities around the world, the **Unrepresented Nations and Peoples Organization** (UNPO) would like to issue the present submission to the *Special Rapporteur on freedom of religion or belief*.

The UNPO promotes the importance of self-determination as a fundamental human right. Often misunderstood, the right to self-determination is at the heart of true implementation of all other human rights, as well as the creation of an effective international world order capable of responding to issues of global concern. With regards to SDG 16, understanding the importance of the implementation of the right to self-determination to eliminate intolerance and discrimination based on religion or belief is imperative.

Currently, more than a quarter of UNPO member peoples face persecution based on their religion or belief. This is true irrespective of underlying creed, affecting Muslims, Christians, Buddhists and others. Excluded from adequate national and international representation, these communities are left in a state of significant vulnerability and exposed to systematic intimidation, violence and discrimination.

As a response to the growing attacks on freedom of religion of its members, in March 2020 UNPO released a *Catalogue Report on Religious Freedom of Unrepresented Peoples*. The report shows how those whose self-determination rights are denied are also vulnerable to religious persecution. Paradoxically, the report found that most countries that systematically violate religious freedom have a constitution that protects the right, albeit in different forms.

Despite this ostensible constitutional protection of religious freedom, these governments have tried to introduce (legal) policies through which state persecution of religious minorities has been legitimised. As such, the UNPO report explores two key concepts that help to identify in which ways repression against religious and belief minorities are being justified by authoritarian states – the *securitisation* and *politicisation* of religion.

II. Securitisation of Religion

An important reason why some states resort to the persecution of persons based on their distinct religion or belief is that these governments – which are most often authoritarian – perceive religious or cultural differences as a threat to state control. In particular, the predominance of religious or ideological doctrine as a basis for governance has meant that minorities explicitly have fewer rights than majority groups in these countries. In other words, severe persecution of religious minority groups often follows from the inextricable link between state control and religious or ideological doctrine as a basis for governance.

As religious differences are perceived by many authoritarian states as threatening their control over society, the first main trend that can be identified from this report is the securitisation of religion. This is often particular to states that have an ideological doctrine as a basis for governance, such as China and Laos. In this sense, a government moves issues such as political dissent or expressions of a distinct religion out of the political realm by framing these issues as security threats. This is called a “securitising move”.

The most important consequence of securitising an issue is that it allows governments to use ‘extraordinary measures’ that would not be acceptable under ‘normal circumstances’. In other words, by framing religious practices as threats to the security of a state, repressive regimes provide a justification for religious persecution or strict controls on religious practices. A commonly used securitising practice, especially after the 9/11 terrorist attacks, is the use of anti-terrorism and anti-extremist legislation to arrest, detain and even execute clerics and religious activists. Moreover, such legislation is commonly used to restrict the religious activities of minority groups by placing them under strict government control.

Russia

In Russian-occupied Crimea, the indigenous **Crimean Tatars** are persecuted under terrorism and extremism-related charges as part of a Russian policy that seeks to exclude non-traditional religious groups and suppress political opposition to the annexation of Crimea. The majority of Crimean Tatars that have been prosecuted are political activists opposed to the 2014 annexation. However, despite most opposition to the annexation of Crimea being political and ethnic in nature, Russian authorities have based the persecution of Crimean Tatars mainly on religious grounds. To do this, the Russian authorities have used anti-extremist legislation, which follows

vague and contradictory definitions of ‘extremism’.¹ This has been used in a sustained campaign aimed at excluding ‘non-traditional’ religious groups and suppressing political opposition.²

China

In China, the independent practicing of religion by both **Uyghur** Muslims and **Tibetan** Buddhists has been harshly restricted by the Chinese Communist Party (CCP) in order to ‘sinicise’ religious belief. The persecution of Uyghur Muslims is particularly severe, as millions of Uyghurs have been forcefully imprisoned in detainment camps which the CPP defend as ‘re-education camps’ to combat extremism in the region.

In recent years, China has embedded the systematic religious persecution of Uyghur Muslims in its official policies by passing legislation that explicitly targets Islamic religious practice. In 2014, China passed the Xinjiang Regulations on Religious Affairs, which alleged the use of religion as a vessel for extremist or separatist tendencies and emphasised that ‘extremism’ has to be guarded against in religious management. In addition, in 2017 the CCP adopted the Xinjiang Autonomous Region Regulations on de-extremification, which explicitly linked Islam to extremism and radicalisation and banned numerous Islamic religious practices and expressions.³

In Tibet, the CCP has assumed strict control over Tibetan Buddhism and introduced several counterterrorism laws which criminalise even small acts of Buddhist religious expression.⁴ This was most recently manifested in February 2018, when the CCP updated its Religious Affairs Regulation to tighten its grip on religious practice, consequently requiring all religious groups to practice ‘core socialist values’. With its overall goal to sinicise Tibetan Buddhism, the CCP has created an authorised catalogue of ‘verified Buddhas’, halved the resident population of the Larung Gar Buddhist Academy, introduced new ‘political reliability training for Buddhist monks and nuns.’⁵

¹ USCIRF, 2019 Annual Report, 86.

² UNPO Report “Religious Freedom of Unrepresented Peoples” (p.34)
<https://unpo.org/downloads/2582.pdf>

³ Ibid. (p.14)

⁴ <https://unpo.org/article/21797>

⁵ Ibid. (p.10)

Laos

The Communist government of Laos has also placed heavy restrictions on the freedom of religion. For the **Hmong** in Laos - of which a considerable number are Christians - their religious persecution is compounded by the fact that the Lao government has framed them as a dangerous anti-government group because of their involvement in the Vietnam War. Ever since, the Hmong have been targeted by a government campaign of systematic discrimination and military violence. Accordingly, the Hmong disproportionately suffer from arbitrary arrests, enforced disappearances, abject poverty, inequalities and lack of access to healthcare and education.⁶

Indonesia

West Papuans in Indonesia have long been suffering from violence at the hands of state authorities, who have tried to crack down on any pro-independence sentiment in West Papua. The most far-reaching government policy to oppress West Papuans (a predominantly Christian people) by means of religious persecution is its immigration policy, in which Indonesian authorities have actively encouraged and incentivised Muslims from other provinces to migrate to West Papua in order to create a Muslim majority in the province.⁷

The use of securitisation policies to problematise religion and justify repression against religious expression is a severe problem that affects millions of people belonging to religious minorities around the world. Authoritarian governments are blatantly flaunting UN decrees for the protection of human rights and turning their oppressive behaviors into standard practice, backed up by discriminatory laws and regulations.

III. Politicisation of Religion

A second trend that can be discerned from UNPO's report - and one that is very much related to the securitisation of religion but not entirely similar - is the politicisation of religion. This is often particular to states that have a religious doctrine as their basis for governance, such as Pakistan and Iran. In countries where politics and religion are intertwined, certain religious communities that do not

⁶ Ibid. (p.26) For a more exhaustive list, see UNPO and Congress of World Hmong People (CWHP), Joint Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the 3rd Universal Periodic Review of tLao People's Democratic Republic (July 2019).

⁷ Ibid. (p.16)

conform to the dominant or state religion are regarded as a threat to the state and society. In this sense, the dominant or state religion is used as a tool of exclusion to marginalise, isolate and discriminate against religious minority groups.

By framing expressions and practices of non-recognised religious minorities as blasphemous or offensive to state religion, repressive governments legitimise persecuting these groups. This religious persecution is often legalised – and sometimes even constitutionalised – through the introduction of blasphemy and related laws.

Pakistan

In Pakistan, where Islam is the official state religion, non-Sunni religious groups face intersectional violence and severe persecution. In its **Balochistan** province, where the Pakistani government has fostered an environment conducive to hate speech and bigotry, non-Sunni minorities are targeted by sectarian violence of extremist movements. In Pakistan's **Sindh** province, Hindu and Christian women and girls are often victims of forced marriages or conversions, which aggravates their already marginalised position in Pakistani society.

Moreover, both in Balochistan and Sindh provinces, persons belonging to religious minority groups are disproportionately affected by Pakistan's harsh blasphemy laws.⁸ Conversely, all of this stands contrary to Article 2 of the Constitution of Pakistan, which stipulates that although Islam is the official state religion, "adequate provision shall be made for the minorities to freely profess and practice their religions and develop their cultures".⁹ However, despite the provisions outlined in the Constitution, Pakistan has introduced strict blasphemy laws, which "criminalise (speech) acts that insult a religion or religious beliefs" and which disproportionately affect non-Muslim minorities.¹⁰

Iran

Such an oppressive and discriminatory legal system can also be found in Iran, whose legal system is based on an Islamic Shia-dominated doctrine. As a result, minority groups who adhere to Sunnism, such as **Ahwazi Arabs**, **Iranian Kurds** and **Baloch**,

⁸ <https://unpo.org/article/21797>

⁹ Constitute, 'Pakistan's Constitution of 1973, Reinstated in 2002, with amendments through 2015'. Available at:

https://www.constituteproject.org/constitution/Pakistan_2015.pdf?lang=en.

¹⁰ UNPO Report "Religious Freedom of Unrepresented Peoples" (p.28) <https://unpo.org/downloads/2582.pdf>

form a disproportionate share of those detained or executed under Iran's Islamic Penal Code (IPC).

Kurds in Iran have been disproportionately targeted by authorities due to their activism, calling for a federal Iran whereby they would have a greater voice in the country's politics.¹¹ As a result, Iranian authorities have cracked down on Kurdish activists, with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran noting that "Kurdish political prisoners charged with national security offences represent almost half of the total number of political prisoners in the Islamic Republic of Iran and constitute a disproportionately high number of those who received the death penalty and are executed".¹²

Ahwazi Arabs have also been subjected to religious persecution by the Iranian authorities. Because Ahwazi Arabs live under severe conditions of abject poverty, despite living in one of the most oil-rich regions of Iran, many Ahwazi human rights activists have advocated for better living conditions. For this, these activists are faced with "face constant oppression from the Iranian government through arbitrary arrests, torture, enforced disappearances and (extrajudicial) executions."¹³

Similarly to the situation of Baloch people in Pakistan, those on the other side of the border in Iran are also subjected to religious persecution. In addition to living in Iran's poorest and least developed region, the Baloch are a majority Sunni-Muslim people and face religious repression at the hands of the Shia-Iranian regime. This repression takes the form "arbitrary arrests, torture, enforced disappearances, and [they] are imprisoned and executed on political and national-security related charges."¹⁴

Vietnam

In Vietnam, although formally a secular country, the government-created Vietnam Buddhist Saga (VBS) acts as the sole representative of Vietnamese Buddhism. As a consequence, the Vietnamese government has assumed almost total control over the distinct Buddhist practices of the indigenous **Khmer-Krom**. Any protest against this practice has been quelled under charges of 'anti-government activities', which has resulted in the defrocking of numerous Khmer-Krom religious leaders.

Despite the Vietnamese Constitution stipulating that "everyone shall enjoy freedom of belief and of religion; he can follow any religion or follow none" and that "All

¹¹ Ibid. (p.19)

¹² United Nations General Assembly, 'Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran', A/74/188.

¹³ UNPO Report "Religious Freedom of Unrepresented Peoples" (p.21)
<https://unpo.org/downloads/2582.pdf>

¹⁴ Ibid. (p.22)

religions are equal before the law. [...] The State respects and protects freedom of belief and of religion”¹⁵, the Vietnamese government has taken its own legal measures that limit the rights of religious minorities. Article 14(2) of the Constitution notes a number of areas in which religious minority rights may be restricted, including for reasons of “national defence, national security, social order and security, social morality, and the health of the community.”¹⁶ Subsequently, the Vietnamese government has introduced a Law on Belief and Religion, which “in practice it acts as a method of excessive state interference in religious practices as it requires religious groups to register with state authorities and to report on their religious activities.”¹⁷

In the case of the Khmer Krom, after 1975 Buddhist monks were forced to join associations under the umbrella of the Vietnam Buddhist Sangha (VBS), which has close ties with the Vietnamese Communist Party. This close relationship between religion and state has resulted in “the repression of the Khmer-Krom in Kampuchea-Krom, which is under strict religious, political and even military governmental control.”¹⁸ With strict control over the Khmer Krom and their religious practices, the Vietnamese government has also “directly cracked down on Khmer-Krom religious leaders, human rights defenders, peaceful activists and other government critics.”¹⁹

Iraq, Iran and Syria

Finally, **Assyrians** in Iraq, Syria and Iran have also faced systemic discrimination and intersectional violence especially in light of the 2003 Iraq War and the former presence and current legacy of the Islamic State of Iraq and Syria (ISIS) in the region. In spite of the defeat of ISIS, Assyrians in the region have continued to suffer at the hands of the ruling governments of both countries, which have “clearly failed to address the widespread discrimination against Assyrian Christians” and are in fact “often important actors in the religious persecution of Assyrians.”²⁰

¹⁵ Constitute, ‘Viet Nam’s Constitution of 1992 with amendments through 2013’. Available at: https://www.constituteproject.org/constitution/Socialist_Republic_of_Vietnam_2013.pdf?lang=en.

¹⁶ Ibid.

¹⁷ UNPO Report “Religious Freedom of Unrepresented Peoples” (p.37) <https://unpo.org/downloads/2582.pdf>

¹⁸ Ibid. (p.37)

¹⁹ Ibid. (p.37)

²⁰ Ibid. (p.25)

IV. Conclusion

Both the securitisation and politicisation of religion are worrying developments as they have been widely used by state and non-state actors to persecute persons based on their religion or belief with impunity. The increasing use of restrictive laws by authoritarian governments to justify the repression of religious and belief minorities - particularly under the guise of counter-terrorism and counter-extremism since 9/11 - has only worsened the situation.

In the meantime, repressive states often disrespect their own constitutions and show disregard to the United Nations human rights mechanisms, in many cases deliberately manipulating UN procedures to escape punitive measures.

Eliminating intolerance and discrimination against religion or belief communities is certainly fundamental to the attainment of SDG 16. In this regard, the UNPO welcomes the initiative of the *Special Rapporteur* and encourages the United Nations to promote the realization of the right to self-determination as a precondition to safeguarding other human rights at the heart of the SDGs.

Ensuring that religious minorities are protected by legislation is often not enough. Persecution and violent conflict can only be tackled properly if all peoples enjoy equal representation in mechanisms of governance. As long as minority groups are kept marginalized from political decision-making, they will remain exposed to discrimination and human rights violations.

