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CIVIL AND POLITICAL RIGHTS

Joint written statement* submitted by friends world committee for consultation (Quakers), Franciscans international and international association for religious freedom, non-governmental organizations in general consultative status, and international service for human rights and Lutheran world federation, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 January 2005]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Freedom of Religion or Belief

At the 60th Session of the UN Commission on Human Rights, the Resolution 2004/36 on Elimination of All Forms of Religious Intolerance added 'Christianophobia' to the previous listing of special problem areas of 'Islamophobia' and 'Anti-Semitism'.

The above-named non-governmental organisations would wish to see this list removed in order to return to the earlier text which was clear that ALL FORMS of discrimination based on religion or belief are equally prohibited by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All forms of Intolerance and of Discrimination Based on Religion or Belief, without specifying any particular religion or belief.

We recognise that at different times and in different places certain religious groups, or those of no religion or belief, are or may be subjected to greater or more consistent forms of discrimination than other such groups. However, particular problems arise when some religions, and only some, are listed in this way and not others.

First, the degree, nature and subject of discrimination varies in different countries and/or regions, thus listing only one, two or three religions in a general resolution on the elimination of all forms of intolerance based on religion or belief, fails to take account of the particular problems, vulnerabilities and variations. The greater the number listed, the more invidious the list becomes because of those not included. In this instance, listing only the three 'religions of the book' creates an impression of a hierarchy – either of religions, or of victims/discrimination or of both. No form of intolerance or discrimination based on actual or supposed religion or belief, or non-belief, is acceptable.

Furthermore, listing only three religions fails to take account of the discrimination and religious intolerance which occurs within religions. Intolerance and discrimination are not only practised between different religions. Indeed, many religious groups experience as many problems from those of the 'same' religion as from those of 'other' religions. The implication that religious intolerance and discrimination are only practised by 'outsiders' is not only wrong but misleading, and dangerously so, in that it indeed helps to propagate the attitude that what is happening is a clash of religions or beliefs, rather than the continuation of misconceived attitudes which identify others by certain characteristics (real or imagined) and deems it acceptable to treat them differently when the possession of these supposed characteristics is actually irrelevant, whether or not also untrue. The fact that three 'religions' are listed also underplays the importance of freedom of belief, which is equally protected by the international standards.

The above-named non-governmental organisations therefore, call on the UN Commission on Human Rights to:

1. Reflect on how the question of freedom of religion or belief can be applied consistently and absolutely without discrimination as intended, including inviting input from the Special Rapporteur on Freedom of Religion or Belief;
2. Avoid categorisations which may encourage the idea of a clash of religions by underplaying the intolerance and discrimination which occur within religions;

3. Adopt a resolution which
 - (a) promotes non-discrimination and tolerance in relation to *all* religions and beliefs, rather than singling out only a few;
 - (b) considers that “religious intolerance” may be as much about race or xenophobia as about religion *per se* and explore ways in which to address this;
4. Consider renaming the resolution as a resolution on ‘Freedom of Religion or Belief’ in line with the current title of the Special Rapporteur, and with a view to encouraging a more positive approach.
