

Mr Heiner Bielefeldt, Special Rapporteur on freedom of religion or belief, presented on “The rights of religious minorities” on Item IV

Thank you very much Chair.

Let me first of all appreciate the possibility to also take the floor and say something from my mandate as Special Rapporteur on Freedom and Religion or belief.

I have noticed that within the minority rights discussion increasing is being paid also to the situation of religious minorities. I would now say that the same move is from the opposite angle, that from the perspective of freedom of religion or belief, those engaged in the discussion do see increasingly also the potential of minority protection for enhancing the situation of freedom of religion or beliefs in particular of vulnerable groups. And that is why I will devote my next thematic report - to be delivered in March to the Human Rights Council – to the situation of religious minorities and their freedom of religion or belief.

The starting point of that report will be the experience of abuses. Abuses that occur in various regions of the world originating from most different political motives or religious motives, ideological, but sometimes personal notice. Such abuses are perpetrated by states, or non-state actors and quite often, the combination of both. In particular human rights violations perpetrated by non-state actors often a climate of impunity. That’s one of the challenges. Abuses include a broad range of phenomena like unproportionate bureaucratic restrictions – I would say that is one of the main problems. Denial of proper legal status positions that minorities need to build up a religious infrastructure. Systematic discrimination and partial exclusion from important sectors of society, discriminatory rules in family laws, indoctrination of children from minorities in public schools and publically soaked prejudices and vilifications sometimes connected also with historic traumas and national mythologies. Acts of vandalism, dislocation ect, ect. I don’t want to go on with this list.

Given the number and also the gravity of human rights violations in need for concerted action to safeguard the human rights of those belonging to religious minorities is more than obvious.

The point that I want to make is that such activities must be based on all the principals of the human rights approach, that is, universalism, freedom and equality. So the rights of persons belonging to religious or belief minorities should be consistently interpreted from a human rights perspective. And they must be implemented in conjunction of all other human rights. That is why the term religious minority should be broadly construed such as to cover all respective groups of person, including traditional, as well as non-traditional communities, large and small communities.

I want you to also take into account the situation of internal minorities, that is, minority groups within larger minorities. And special attention should be given to women from religious or belief minorities who suffer from multiple or intersectional forms of discrimination.

I would like to reiterate in this context that the rights of persons belonging to religious minorities are not interuniversalist privileges reserved for members of certainly defined groups. Rather all persons who factually live in the situation of religious or belief minority should be able to fully enjoy their freedom of religion or belief in full respect of their self-understanding, which is always a starting point – self-understanding of human beings – on the basis of effective non-discrimination and prospects of really developing their community related religious or belief identities. And that requires indeed extra

efforts – I don't have the time to really go into the list of recommendations but – that includes infrastructure efforts. Religious minorities must have a chance to build up a suitable infrastructure, and in many countries we have problems there. Important measures include inter-religious communication. If you have been in situations in which members of different communities would not even be able to look at each other's eyes because they don't have any culture of communication, you see what is at stake, how important it is to invest into those issues.

Let me finally refer simply to a document that recently came out – the Rabat Program of Action as a result of the various OHCHR workshops organised last year and this year on incitement to hatred. I think there is quite a lot of recommendations which we should consider in designing strategies.

Thank you very much.