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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Freedom of religion or belief

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report of the Special Rapporteur on freedom of religion or belief, Nazila Ghanea, submitted in accordance with General Assembly resolution [79/174](#).

* [A/80/150](#).



Interim report of the Special Rapporteur on freedom of religion or belief, Nazila Ghanea

Freedom of religion or belief of people on the move

Summary

In the present report, the Special Rapporteur on freedom of religion or belief emphasizes the imperative of guaranteeing freedom of religion or belief for people “on the move”. The robust protection of that freedom under international law makes it abundantly clear that such protection applies to all persons on an equal basis, regardless of citizenship status and regardless of whether persons are documented or undocumented, obliged to reside in refugee or internally displaced person camps, are awaiting resettlement or are migrant workers or members of their families. In the report, the Special Rapporteur recalls that States must not only respect, but also ensure the fulfilment of their positive obligations towards ensuring enjoyment of freedom of religion or belief for every person and every community, including those on the move.

I. Introduction

1. Over time, the percentage of people “on the move” has remained fairly constant, with around 3 per cent of the world’s population living outside the country in which they were born.¹ This percentage clearly constitutes increasing numbers, as the world population has grown to over 8 billion. The distribution of such populations is far from even around the world.² The top 10 countries of origin accounted for almost 90 per cent of refugees in 2022,³ and more than half of all refugees resided in 10 countries.⁴ The average number of years that asylum-seekers and refugees await resettlement now stands at around 10;⁵ for far too many, however, it lasts generations, and the annual rate of resettlement falls alarmingly short of the needs.⁶

2. The freedom of religion or belief of people on the move is routinely overlooked, misunderstood or explicitly denied. The right to freedom of religion or belief can provide a framework for adjustment, connection, exploration of meaning and learning. Asylum-seekers and refugees, internally displaced persons, migrant workers and members of their families face heightened challenges with regard to such freedom compared with the wider population.

3. The right to freedom of religion or belief should be guaranteed to all persons on an equal basis. There is no room for equivocation in international legal obligations in that regard. It must be guaranteed equally for the documented and the undocumented; for citizens and non-citizens; for minorities and majorities; for those in their country of origin, those in transit and those who have arrived in their country of destination; for the forcibly displaced; for those in refugee camps and internally displaced person camps; and for those in offshore detention facilities, immigration detention centres, asylum accommodation, emergency transit mechanism centres and workers’ accommodation, and those living in designated industrial areas.

4. Entities claiming to uphold freedom of religion or belief cannot exclude people on the move from their purview and ignore them for reasons of political expediency. Given the existing inequalities, disdain or outright hostility⁷ often faced by people in such contexts, freedom of religion or belief cannot be fully enjoyed in the absence of tailored assessments and corresponding law, policy and implementation.

5. The present report is aimed at emphasizing the urgent imperative of guaranteeing freedom of religion or belief for persons on the move, at recalling the robust protection of such freedom under international law and at outlining pertinent dimensions of violations of that freedom in practice. Calls and recommendations are made for steps towards the stronger realization of the freedom of religion or belief in

¹ See <https://worldmigrationreport.iom.int/msite/wmr-2024-interactive>.

² General Assembly resolution 73/195.

³ See <https://worldmigrationreport.iom.int/what-we-do/world-migration-report-2024-chapter2/refugees-and-asylum-seekers>. Although the countries in the top 10 change frequently, they were as follows at the end of 2022: Syrian Arab Republic, Ukraine, Afghanistan, South Sudan, Myanmar, Democratic Republic of the Congo, Sudan, Somalia, Central African Republic and Eritrea.

⁴ Ibid. In 2022, “for the seventh consecutive year, Türkiye was the largest host country in the world, with nearly 3.6 million refugees, mainly Syrians. Pakistan and the Islamic Republic of Iran were also among the top 10 refugee-hosting countries, as the two principal hosts of refugees from Afghanistan, the second-largest origin country. Uganda, the Russian Federation, Germany, the Sudan, Poland, Bangladesh and Ethiopia comprised the rest”.

⁵ See https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf.

⁶ See www.migrationdataportal.org/sites/g/files/tmzbd1251/files/2023-06/Key_Global_Migration_Figures_June_2023.pdf.

⁷ A/HRC/55/47.

this arena. The report benefited from 28 inputs and from rich contributions from 41 people during two hybrid brainstorming workshops held to garner feedback.⁸

II. Scope of the report

6. Persons or groups on the move have in common that they are away from their original home environment, from the stability of a previous community, from their neighbours and from the solace of their religion or belief community. They may be in vulnerable situations in relation to their legal status and their lack of societal support structures. Encountering new communities, realities and ideas can inspire people to deepen their connection with their religion, beliefs and belonging, or to explore or investigate it. Freedom of religion or belief is not less important for people in such contexts; rather, it has heightened relevance and resonance.

7. Nevertheless, the freedom of religion or belief of people on the move is often overlooked, misunderstood or explicitly denied. It is often assumed that those populations have other rights priorities, such as education, decent work⁹ and resettlement in the case of internally displaced persons, asylum-seekers and refugees. Although those rights are no doubt vital, the present report serves to draw attention to the critical need to assess and provide for their freedom of religion or belief.

8. After all, some persons on the move have found themselves in that new reality as a consequence of war crimes, crimes against humanity, genocide or being rendered stateless on the grounds of their religion or belief. They may find that discriminatory structures persist from the State of origin to the transit State and the State of destination, whether in terms of religious exclusivity or preference¹⁰ regarding resettlement or citizenship tests that serve to exclude particular religions or beliefs, or other hostilities and biases.

9. Overall, in the consideration of, and processes concerned with, persons on the move, freedom of religion or belief receives insufficient consideration. That is the case across the spectrum, whether in terms of resettlement interviews in the case of asylum-seekers and refugees; the disregard of camp officials for the freedom of religion or belief of internally displaced persons, refugees and those rendered stateless; the work environment of migrants; or other contexts.

10. In the present report, the Special Rapporteur provides an overall snapshot of the significance of the freedom of religion or belief, recalls its strong legal underpinning, provides an overview of its widespread violation and calls urgently for its respect.

III. Freedom of religion or belief in the context of migration

11. Six key aspects of the enjoyment of the freedom of religion or belief of people on the move are explored in more detail below. The many ways in which this right is routinely overlooked, misunderstood or explicitly denied to them, resulting in multilayered and multifaceted violations against them, are set out. Lack of protection

⁸ Warm appreciation is extended to Kimberlie Orr, Domenic Canonico and their colleagues at the Lindsay and Matt Moroun Religious Liberty Clinic at the University of Notre Dame for research support; to the International Centre for Law and Religion Studies for its generous hosting of two hybrid consultations, to David Griffiths for facilitating them and to all participants for their generous contributions; to Helle Dahl Iversen and Gihan Indraguptha of the Office of the United Nations High Commissioner for Human Rights; and to Daniel Cloney and Lily Jeffrey at Regent's Park College, University of Oxford.

⁹ See www.ilo.org/topics-and-sectors/decent-work.

¹⁰ A/HRC/49/44, para. 51.

of that freedom – resulting, for example, from terrorist attacks against religious minorities¹¹ or the failure of the State to condemn violence against minorities and itself destroying places of worship¹² – causes many to have to flee their countries of origin and leads them to be “on the move”, thereby heightening the importance of such freedom for such persons, but also for all persons on the move.

A. Denial or deprivation of citizenship and denaturalization relating to freedom of religion or belief

12. The denial or deprivation of citizenship and denaturalization of people on the basis of their religion or belief is a long-standing strategy used by some States in an attempt to sidestep legal obligations to such people¹³ or to silence them. This can precipitate a swath of human rights violations, result in internal or external displacement and lead to discrimination against asylum-seekers, refugees and migrants.

13. Examples raised by human rights mechanisms include deportations due to alleged “illegal religious activity”,¹⁴ revocation or denial of citizenship on the basis of religion or belief and sectarianism,¹⁵ efforts to forcibly recruit those belonging to a particular religion into the military through the promise of citizenship,¹⁶ the expulsion of missionaries, the designation of non-citizens belonging to a particular religious denomination as allegedly constituting a security threat and the cancellation of their residency or outright denial of citizenship for those who do not belong to the majority religion,¹⁷ and forced exile for religious leaders through threats and residency revocations.¹⁸

14. Denial of citizenship, including on the basis of religious or belief identity, can also precipitate genocide, war crimes and crimes against humanity. In its order on the request for the indication of provisional measures against Myanmar, the International Court of Justice determined that the facts before it, including denial of citizenship, systematic violence and killing and mass deportation, made it plausible that genocide was being committed against the Rohingya.¹⁹ Possible crimes against humanity with regard to deportation and ethnic/religious persecution committed by Myanmar against the Rohingya are also being investigated by the International Criminal Court, whose Pre-Trial Chamber III noted in 2019, among other things, that the policies and laws of Myanmar had gradually deprived the Rohingya of citizenship, thereby rendering them stateless.²⁰

¹¹ See communication EGY 6/2017. All communications mentioned in the present report are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

¹² See communication IND 9/2015.

¹³ [A/75/385](#), paras. 25–39.

¹⁴ See communication UZB 6/2012.

¹⁵ See communications BHR 5/2016 and BHR 5/2017. See also [A/HRC/38/50](#), para. 53; and [CCPR/C/VNM/CO/3](#), para. 56.

¹⁶ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-4-christian-solidarity-worldwide.pdf.

¹⁷ [A/HRC/4/21/Add.3](#), para. 45.

¹⁸ See communications NIC 2/2024, NIC 2/2023 and NIC 2/2022. See also www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-13-joint-submission-association-pr-cern.pdf and www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-3-adf-international.docx.

¹⁹ See www.icj-cij.org/sites/default/files/case-related/178/178-20200123-ORD-01-00-EN.pdf, paras. 53–56.

²⁰ See www.icc-cpi.int/sites/default/files/CourtRecords/CR2019_06955.PDF, para. 67.

15. Penalization for belonging to a particular religion can be embedded into citizenship laws themselves, for example by hindering the conferment of citizenship for persons belonging to a particular religion²¹ or by empowering the Government to strip citizenship from individuals residing abroad and engaging in acts vaguely deemed to be “contrary to the political, economic or social interests” of the country.²²

16. Denial or revocation of citizenship or nationality on the basis of religion or belief is contrary to the principle of non-discrimination as enshrined in the corpus of international human rights treaties and also has gender-specific consequences. Under article 15 of the Universal Declaration of Human Rights, the right to nationality is guaranteed and the arbitrary deprivation of nationality is prohibited. The right of children to acquire a nationality is protected under article 24 (3) of the International Covenant on Civil and Political Rights and articles 7 and 8 of the Convention on the Rights of the Child. Under article 9 of the 1961 Convention on the Reduction of Statelessness, the deprivation of any person or group of persons of their nationality on religious grounds is explicitly prohibited.

B. Displacement, refugee camps and asylum centres

17. Violations of freedom of religion or belief can lead to forced internal displacement, which can, in turn, constitute an ongoing violation of freedom of religion or belief, and precipitate even further such violations.

18. In the Guiding Principles on Internal Displacement, internally displaced persons are defined as “persons or groups of persons who have been forced or obliged to flee or to leave their home or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border”.²³ Protection for such persons should include protection from displacement, protection and assistance during displacement, and return or resettlement and reintegration,²⁴ and such protection must also be considered through a freedom of religion or belief lens.

19. According to jurisprudence from regional human rights systems, the eviction of Indigenous Peoples can amount to “an unjustifiable interference with the freedom of religion”.²⁵ It has also been established that Indigenous Peoples’ identities are based on “their unique relationship with their traditional lands”, which underscores their claims to those lands.²⁶ The forcible displacement of Indigenous Peoples has also led to their inability to bury their dead, conduct spiritual rituals²⁷ and carry out their cultural and religious practices.²⁸

²¹ A/75/385, para. 27. See also communication OL IND 2/2019.

²² Confidential submission.

²³ E/CN.4/1998/53/Add.2, para. 2.

²⁴ Ibid., para. 1.

²⁵ See www.african-court.org/cpmt/storage/app/uploads/public/5f5/5fe/9a9/5f55fe9a96676974302132.pdf.

²⁶ See www.corteidh.or.cr/docs/casos/articulos/seriec_214_ing.pdf. See also A/77/514.

²⁷ See www.corteidh.or.cr/docs/casos/articulos/seriec_124_ing.pdf. After a military massacre of an Afro-religious community, which led to the displacement of the survivors, the Inter-American Court of Human Rights found that the inability to bury the dead or perform spiritual rites violated the right to conduct cultural and religious practices.

²⁸ See www.corteidh.or.cr/docs/casos/articulos/seriec_328_ing.pdf. The Inter-American Court of Human Rights found that the State had failed to take adequate steps to ensure the community’s return after the Government forcibly displaced many people and killed all Mayan priests in a village, leading to the loss of cultural and religious practices. See also A/HRC/58/49, sect. IV.B.2.

20. In her communications, the Special Rapporteur has referred to instances where religious communities have been targeted and violently displaced, religious sites and homes have been attacked, and such communities have been forced into internally displaced person camps that themselves did not offer safety;²⁹ and where those attempting to assist internally displaced persons have been obstructed or killed, including through the planting of landmines, the destruction of humanitarian aid supplies,³⁰ the theft of belongings and arbitrary detention. There have also been cases of post-election violence against religious minorities, resulting in internal displacement or migration to neighbouring countries,³¹ and even of displacement due to the refusal of members of other religions to forcibly partake in the religious activities of the dominant religion.³²

21. In the inputs for the present report, attention was drawn to recent alleged cases of forced displacement of religious minorities due to sectarianism; inadequate protection against attacks by non-State actors against religious minorities in camps;³³ the blocking of support for internally displaced persons by non-governmental organizations, even where government support had been discontinued;³⁴ and pressure to disguise religious belonging and to convert in internally displaced person camps in order to gain access to services and jobs.³⁵

22. It is rare to find instances of full enjoyment of freedom of religion or belief in refugee and internally displaced person camps. Even in cases in which camp populations have been displaced due to their religion or belief, they continue to be targeted and are at high risk of continuing violence by both State and non-State actors. Such targets often face restrictions on their freedom of movement when separated in camps for their safety. Not only should safety and security be effectively guaranteed, but provision should also be made for the enjoyment of freedom of religion or belief and for dialogue between communities.

23. In Cox's Bazar, Bangladesh, rapid displacements, severely overstretched services and resources, overcrowding, natural disasters and other challenges have exacerbated difficulties, including threats to security and psychosocial well-being that relate to freedom of religion or belief. Hundreds of Hindu Rohingya refugees were, on occasion, accommodated separately to guarantee their safety, but their freedom of movement and access to education and employment were thereby limited. Christians were also taken to the United Nations transit centre for their safety. Hindu and Christian Rohingya have been attacked, and religious gatherings, including those of Muslims, have been monitored and restricted on occasion due to security concerns. Violence among Muslims and Hindus has resulted in deaths and hospitalizations. Bangladeshi authorities have also imposed restrictions on madrasas in refugee camps due to a fear of radicalization. Armed groups enforce their own versions of religious practices and intimidate those with other beliefs. Rohingya militant groups reportedly operated in the camps, spreading propaganda against Christians and calling for the assassination of their leaders.³⁶

²⁹ See communication IND 9/2023.

³⁰ See communication OTH 11/2022.

³¹ See communication BGD 8/2018.

³² See communication MEX 6/2020.

³³ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-3-adf-international.docx.

³⁴ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-4-christian-solidarity-worldwide.pdf.

³⁵ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-25-open-doors-international.docx.

³⁶ Confidential submission.

24. It is out of fear of such insecurity that many, understandably, avoid registering with the Office of the United Nations High Commissioner for Refugees (UNHCR) or with other relevant authorities,³⁷ and other shelter is sought out of desperation.

25. Recognition of the need to address religious and belief diversity, however, is not without precedent. The work of UNHCR with the Rohingya in Bangladesh has included religious engagement, namely working with imams and female religious teachers across camps in discussing community concerns, conducting awareness-raising activities and offering leadership training,³⁸ with the objective of reducing “the gap between faith leaders and humanitarian actors” and building trust.³⁹ Such initiatives are also focused on strengthening the inclusive participation of religious minority groups in such settings.

26. Most camps lack facilities for practices such as prayer or rites such as burials. Many of the approximately 30 State-run reception and accommodation centres in Greece lack officially designated prayer areas, so people gather to pray informally. Muslim migrants who perished while attempting to reach Greece by sea have, in some cases, been buried in Muslim cemeteries in northern Greece, while in other cases, they have been buried in informal areas without following religious rites and with poorly marked graves. Several informal graveyards for deceased migrants exist, but they have become overgrown and lack proper markings.⁴⁰

27. States’ human rights obligations, including those relating to freedom of religion or belief, continue to apply in toto in all refugee camps, internally displaced person camps and asylum centres that fall under their jurisdiction. All persons in such locations, regardless of their status, continue to enjoy the non-derogable right to freedom of thought, conscience and religion in a manner free from coercion. Restrictions on the freedom to manifest their religion or belief in such circumstances must comply with the strict criteria established in article 18 (3) of the International Covenant on Civil and Political Rights.

28. The context of increased threats and vulnerabilities faced by individuals in refugee camps, internally displaced person camps and asylum centres bears heavily upon States’ positive obligations to prevent, protect against, investigate, prosecute and punish acts of violence, especially those motivated by the religion or belief of victims or perpetrators. The Human Rights Committee has asserted that the duty to protect this right requires States Parties to the Covenant “to take special measures of protection towards persons in vulnerable situations whose lives have been placed at particular risk because of specific threats or pre-existing patterns of violence”, including members of ethnic and religious minorities, displaced persons, asylum-seekers, refugees and stateless persons.⁴¹ Furthermore, it has clarified that a heightened duty to protect the right to life also applies to individuals “quartered in liberty-restricting State-run facilities, such as ... refugee camps and camps for internally displaced persons”.⁴² The protection of the right to life in those

³⁷ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-3-adf-international.docx and www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-10-european-centre-law-justice.docx.

³⁸ See www.reliefweb.int/report/bangladesh/rohingya-refugee-response-bangladesh-community-based-protection-factsheet-31-december-2022.

³⁹ See www.unhcr.org/media/strengthening-engagement-between-faith-leaders-and-humanitarian-actors.

⁴⁰ Confidential submission.

⁴¹ CCPR/C/GC/36, para. 23.

⁴² Ibid., para. 25.

circumstances also imposes the obligation to effectively investigate and, where appropriate, prosecute the perpetrators of violence.

29. International humanitarian law also imposes obligations relevant to those circumstances during situations of armed conflict. Protected persons are entitled, in all circumstances, to respect for their religious convictions and practices, and their manners and customs;⁴³ the right of religious ministers to give spiritual assistance to the members of their communities is protected, as is the consignment of books and articles required for religious practice, along with their distribution.⁴⁴ Detaining Powers must also place premises suitable for the holding of religious services at the disposal of interned persons,⁴⁵ and the latter “shall enjoy complete latitude in the exercise of their religious duties”.⁴⁶ Article 75 of the first Additional Protocol and article 4 of the second Additional Protocol to the Geneva Conventions guarantee, as a minimum, respect for the convictions and religious practices of all persons without discrimination.

30. Under international criminal law, such displacement may constitute crimes against humanity of forcible transfer or of persecution on ethnic, national and religious grounds in some contexts;⁴⁷ forcible transfer can also constitute genocide.⁴⁸ Both the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Court of Justice⁴⁹ have made relevant findings in that regard, in relation to acts committed in Srebrenica. The International Criminal Court has also observed that internally displaced persons “who have established temporary homes after being uprooted from their original communities” enjoy the protection of the prohibition on forcible transfer, in itself a crime against humanity under article 7 (1) (d) of the Rome Statute.⁵⁰

C. Freedom of religion or belief at borders and in contexts of deprivation of liberty of asylum-seekers, refugees and migrants

31. Migrants, refugees and asylum-seekers are often rendered particularly vulnerable to human rights violations, including of freedom of religion or belief or discrimination on the basis of their religion or belief, when they are deprived of their liberty. According to the Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the concept of “places of deprivation of liberty” is broadly interpreted as including both public and private settings. Immigration detention centres, immigration hubs and offshore detention centres constitute such places of detention where persons held are vulnerable to human rights violations, including of their right to freedom of religion or belief.

32. In her practice and communications, the mandate holder has addressed numerous instances in which freedom of religion or belief violations occur at borders and in contexts of deprivation of liberty. These have included forcible repatriation or detentions of those crossing the borders of transit countries when escaping religious

⁴³ Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 27.

⁴⁴ Ibid., art. 58.

⁴⁵ Ibid., art. 86.

⁴⁶ Ibid., art. 93.

⁴⁷ See www.refworld.org/jurisprudence/caselaw/icty/2005/en/91971, paras. 619 and 620.

⁴⁸ Ibid., paras. 616–674.

⁴⁹ See www.icj-cij.org/sites/default/files/case-related/91/091-20070226-JUD-01-00-EN.pdf, para. 297.

⁵⁰ www.icc-cpi.int/sites/default/files/CourtRecords/CR2019_03568.PDF, para. 1069.

persecution. Detention in poorly equipped immigration detention centres often proves unsanitary, sometimes resulting in death.⁵¹ Migrants in detention have reportedly been forced to carry out religious practices that were not their own and faced increased risk on account of their religion or belief⁵² or other identity.⁵³ Converts, especially, face challenges in exercising their religions due to social and administrative factors.⁵⁴

33. Immigration detention centres often also ignore the religious dietary requirements of detainees, for example with respect to halal food and mealtimes in the light of religious fasting periods. In Mexico, however, under the Migration Act and associated policies, migration centres – set up to provide temporary accommodation for foreigners who cannot prove their migration status – can offer special diets to individuals who request them for religious purposes. In addition, religious associations that enter such spaces must offer their services for free. Implementation is lagging, however; in the north of the country, 76 per cent of the migrants participating in a survey noted that no meals based on religious preferences had been prepared.⁵⁵

34. Facilities for prayers and access to religious texts are also often denied.⁵⁶ Regular access to religious personnel (clergy) or religious services and visits to places of worship outside detention centres are also denied, even where laws prohibit interference with the religion or belief, or caste, of prisoners and permit detainees to fast, observe religious holidays and maintain “approved” religious books in prison libraries.⁵⁷ Places of worship, in addition to their religious or spiritual function, can serve as important spaces for intercultural and interfaith dialogue, along with practical support for migrants, asylum-seekers and refugees.⁵⁸

35. Further examples of such rights violations have been captured in regional human rights jurisprudence. In *A.P. v. Hungary*, numerous violations were found in which an Iranian Christian convert was subjected to indefinite detention in a transit zone under “jail-like” conditions, with limited access to food and deprivation of contact with the outside world.⁵⁹

D. Expulsions, credibility assessments and the non-refoulement obligation

36. Asylum-seekers fleeing human rights violations that are based on their religion or belief are required to make a credible case that it is unsafe for them to return, and, in general, to substantiate the individual risk that they would face in that regard.⁶⁰ In the most serious cases, the host State’s non-refoulement obligation is engaged.

⁵¹ See communication THA 2/2024.

⁵² See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-21-libya-crimes-watch.pdf.

⁵³ See communication THA 2/2024.

⁵⁴ Confidential submission.

⁵⁵ Migration Act of Mexico (2011), art. 107.II. See also www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-nhri-5-comision-derechos-humanos-cui-exico.pdf.

⁵⁶ See communications OTH 61/2018, OTH 60/2018 and USA 18/2018.

⁵⁷ Jail Code of Bangladesh, paras. 689, 691 and 698. See also www.mip.gov.cy/mip/asylum/asylumservice.nsf/All/5BCEA8131FE27233C2258ADA002E8CBA?OpenDocument.

⁵⁸ According to consultation participants.

⁵⁹ See www.refworld.org/jurisprudence/caselaw/echr/2024/en/149119.

⁶⁰ See [https://hudoc.echr.coe.int/eng#%7B%22itemid%22:\[%22001-165442%22\]%7D](https://hudoc.echr.coe.int/eng#%7B%22itemid%22:[%22001-165442%22]%7D), paras. 91–98, 103 and 123. See also Thiago Alves Pinto, “Offence to religious belief and international law”, PhD thesis, University of Oxford, 2020.

37. The principle of non-refoulement is well established in multiple sources of international law, both customary law and treaty law, including under article 33 (1) of the Convention relating to the Status of Refugees and article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Under the International Covenant on Civil and Political Rights, the Human Rights Committee has explained that the article 2 obligation to respect and ensure Covenant rights “entails an obligation not to extradite, deport, expel or otherwise remove a person from [a State Party’s] territory, where there are substantial grounds for believing that there is a real risk of irreparable harm [in the State of destination], such as that contemplated by articles 6 and 7 of the Covenant”.⁶¹ In the jurisprudence of the Committee on the Elimination of Discrimination Against Women relating to deportations or expulsions, it is recognized that “gender-related asylum claims may intersect with other proscribed grounds of discrimination, including ethnicity and religion”.⁶² States Parties are obliged “to undertake an individualized assessment of the real, personal and foreseeable risk of gender-related persecution” or violence that a woman may face in a receiving State.⁶³

38. *Sur place* conversions give rise to particular concerns regarding credibility and can necessitate a rigorous investigation of the circumstances or sincerity of the conversion (or renouncement of religious identity in question).⁶⁴ When an asylum applicant converts to a new religion after his or her initial application has been denied, “it may be reasonable that an in-depth examination of the circumstances of the conversion be carried out by the authorities”.⁶⁵ The authorities nonetheless have an obligation to assess all the information before them before making a decision on the removal of an individual and must carry out a sufficiently serious *ex nunc* examination of the consequences of conversions, including how the religion or belief that they have adopted is expressed.

39. The Human Rights Committee has observed that, “regardless of sincerity”, the State must still consider whether the individual’s “behaviour and activities in connection with or to justify his or her conversion, such as attending a church, being baptized, participating in proselytizing activities, could have serious adverse consequences in the country of origin so as to put him or her at risk of irreparable harm”.⁶⁶ This is in line with UNHCR guidelines,⁶⁷ which also note that, even where a claim “is found to be self-serving but the claimant nonetheless has a well-founded fear of persecution on return, international protection is required”.⁶⁸

40. The risks associated with the act of conversion itself – either to another religion or away from religion altogether – must also be taken into account. The European Court of Human Rights has ruled that failure to take account of the greater danger faced by converts and the specific targeting that they are at risk of would constitute a violation of articles 2 and 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights).⁶⁹

41. It is unreasonable to expect an individual to simply hide his or her religion or belief upon return. As emphasized in the UNHCR guidelines, the Convention would

⁶¹ CCPR/C/21/Rev.1/Add.13, para. 12.

⁶² CEDAW/C/62/D/53/2013, para. 9.5.

⁶³ CEDAW/C/85/D/173/2021, para. 7.6.

⁶⁴ See <https://hudoc.echr.coe.int/fre#%7B%22itemid%22%3A%22001-161829%22%7D>, para. 144.

⁶⁵ CCPR/C/121/D/2419/2014, para. 11.8.

⁶⁶ Ibid.; CCPR/C/125/D/2439/2014, para. 8.5; CCPR/C/128/D/3032/2017, paras. 7.5 and 7.8; and CCPR/C/131/D/3069/2017, para. 9.4.

⁶⁷ See <https://unhcr.org/uk/media/guidelines-international-protection-no-6-religion-based-refugee-claims-under-article-1a-2>, para. 35.

⁶⁸ Ibid., para. 36.

⁶⁹ See <https://hudoc.echr.coe.int/fre#%7B%22itemid%22%3A%22001-216976%22%7D>.

give no protection from persecution for reasons of religion if it was a condition that the person affected must take steps – reasonable or otherwise – to avoid offending the wishes of the persecutors.⁷⁰ The same point has been upheld in European Court of Human Rights judgments⁷¹ and emphasized by mandate holders.⁷²

42. In the UNHCR guidelines, it is also recognized that “individuals may be persecuted on the basis of their religion, even though they have little or no substantive knowledge of its tenets or practices” and that that “less formal knowledge may also be required of someone who obtained a particular religion by birth and who has not widely practised it”.⁷³ The credibility of converts is, nevertheless, often questioned⁷⁴ due to supposedly incorrect answers to questions relating to their new religion.

43. Bias and ridicule also encroach on the assessment and interview process. In the reports submitted to the mandate holder, there are critiques of an overemphasis on knowledge-based questions, rejection of affidavits from religious institutions as evidence of conversion, ridicule from interviewers, sectarian influences⁷⁵ and ignorance relating to the non-religious.⁷⁶

44. There is also little understanding of the fact that conscientious objection to military service relates to freedom of religion or belief and that the rejection thereof may constitute religious persecution. In the report of the Office of the United Nations High Commissioner for Human Rights on conscientious objection to military service, the importance of better understanding of relevant international obligations is highlighted,⁷⁷ and the particular challenges faced by conscientious objectors, including the imposition of “exacting standards and burdens of proof that would render it difficult for deserters and draft evaders for reasons of conscience to achieve refugee status”, is acknowledged.⁷⁸

45. Special procedure mandate holders have expressed concern about deceptive and coercive measures being used to compel refugees escaping religious persecution to

⁷⁰ See www.unhcr.org/uk/media/guidelines-international-protection-no-6-religion-based-refugee-claims-under-article-1a-2, para. 13.

⁷¹ See <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-139903%22%5D%7D>, para. 55. The Court of Justice of the European Union has come to a similar conclusion; see *Bundesrepublik Deutschland v. Y and Z*, Joined Cases C-71/11 & C-99/11 (2012), paras. 78–80. See also European Court of Human Rights, *F.G. v. Sweden*, Application No. 43611/11 (2012), para. 145. *A/HRC/6/5*, para. 30; and *A/67/303*, para. 40.

⁷² See www.unhcr.org/uk/media/guidelines-international-protection-no-6-religion-based-refugee-claims-under-article-1a-2, paras. 30 and 31.

⁷³ Federal Court of Australia, *Mashayekhi v. Minister for Immigration and Multicultural Affairs*, Case No. FCA 321, 22 March 2000.

⁷⁴ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-10-european-centre-law-justice.docx, www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-13-joint-submission-association-pr-cern.pdf, www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-3-adf-international.docx, www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-16-joint-submission-by-international-hum-ience.docx and www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-8-conscience-peace-tax-international-onal.doc.

⁷⁵ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-12-humanists-uk.pdf.

⁷⁶ See also www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-26-quaker-un-office.pdf.

⁷⁷ *A/HRC/56/30*, para. 33.

return.⁷⁹ Urgent concerns have been raised regarding mass deportation or “repatriation” with no individual risk assessments for religious or belief minorities.⁸⁰

E. Targeting of asylum-seekers, refugees and migrants

46. State and non-State actors regularly target asylum-seekers, refugees and migrants through hate speech and violence. Sharp political polarization and the promotion of fear and hatred against people on the move to gain political “mileage” is, regrettably, commonplace. Inputs received for the present report have added to the record of such violations received under the mandate since it was established. The inputs have included cases of alleged extrajudicial killings and torture of migrants on the basis of witchcraft allegations arising from the peaceful practice of their religious beliefs.⁸¹

47. A sense of belonging and freedom from discrimination on the basis of religion or belief cannot be assumed when both migrants and host communities share a common religion or belief, since expressions may differ significantly. In addition, minorities within religion or belief communities, whether with sectarian differences or relating to other intersectional characteristics, find themselves vulnerable to discrimination and may thus avoid mainstream support services.⁸² Those who are readily identifiable as belonging to a particular religion or belief, for example women because of their headdresses or men because of their beards, may be particularly vulnerable.

48. The African Commission on Human and Peoples’ Rights has tackled cases of large-scale killings and forcible displacement by government-backed militias of Indigenous tribes that were mostly Muslims.⁸³ Numerous violations of the African Charter on Human and Peoples’ Rights were found, although the Commission did not discuss the religious element of this ethnic cleansing.

49. The *Karaahmed v. Bulgaria* case concerned an incident where some 100–150 leaders, members and supporters of a Bulgarian political party clashed with Muslim worshippers, including both Bulgarian nationals and immigrants, while they were gathered for Friday prayer. Violation of freedom of religion or belief was found, due to the failure of the domestic authorities “to strike a proper balance in the steps they took to ensure the effective and peaceful exercise rights of the demonstrators and the rights of the applicant and the other worshippers to pray together, as well as their subsequent failure properly to respond to those events”.⁸⁴

50. Vaguely formulated laws are often used to frame asylum-seekers, refugees and migrants as spies, foreign agents or criminals, with no regard for the only legitimate limitations to the manifestation of freedom of religion or belief as referred to in article 18 (3) of the International Covenant on Civil and Political Rights, or due process.

51. Asylum-seekers may also be targeted in their host countries by members of their community or their nationality of origin; such attacks may be facilitated by the spread

⁷⁹ See communication BGD 5/2023.

⁸⁰ See communication PAK 11/2023. See also www.ohchr.org/en/press-releases/2025/07/un-experts-alarmed-resumption-us-deportations-third-countries-warn and communication USA 14/2025.

⁸¹ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-14-joint-submission-libya-anti-torture.pdf.

⁸² According to consultation participants.

⁸³ See www.africanlii.org/akn/aa-au/judgment/achpr/2009/100/eng@2009-05-27.

⁸⁴ See <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-152382%22%5D%7D>, para. 111.

of information about them and their locations through social media.⁸⁵ Furthermore, States of origin are increasingly emboldened to pursue individuals across borders. This results in the transnational repression of persons belonging to particular religions or beliefs, targeting them even in other countries in order to create fear and alignment with State ideology. Such cases are reflected in special procedures communications, which refer to death threats and assaults suffered by those belonging to religious minorities,⁸⁶ and reports attesting to the kidnapping of refugees and pressure to repatriate religious minorities.⁸⁷

52. Host States have positive obligations to prevent, protect against, investigate, prosecute and punish acts of violence against individuals on the basis of their religion or belief. This is especially true in the case of asylum-seekers, refugees and migrants, including those belonging to religious or belief minorities, who are subject to patterns of violence. Under article 20 (2) of the International Covenant on Civil and Political Rights, States Parties are obliged to prohibit advocacy of religious hatred, including that which is directed against people on the move, which constitutes incitement to discrimination, hostility or violence. The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence contains a six-part threshold test for establishing such cases. Nonetheless, even cases that do not meet the required threshold should be considered important “warning signs of prejudicial attitudes that must be addressed”.⁸⁸

53. Soft law instruments include Human Rights Council resolution 16/18, in which the Council called upon States to take a series of actions aimed at fostering domestic environments of religious tolerance, peace and respect.⁸⁹ In its resolution 77/318, the General Assembly encouraged Member States to promote interreligious and intercultural dialogue, and to take practical action to foster tolerance and cooperation to actively counter discrimination and to promote inclusion and unity.

54. Relatedly, the Young Peacebuilders programme of the United Nations Alliance of Civilizations is aimed at fostering respect, understanding and positive relationships between peoples of different cultures and religions, and equipping young peacebuilders with tools to address polarization and build inclusive and peaceful societies.⁹⁰ Its “Spread no hate” campaign (#spreadnohate) is focused on addressing hate speech against migrants and refugees.

F. Freedom of religion or belief of migrant workers and members of their families

55. States routinely neglect – and often restrict – the freedom of religion or belief of migrant workers and their families. Some legal codes do not even guarantee such freedom for non-nationals, in a blatant departure from international obligations. Other legal systems are applied in such a way as to restrict the freedom of religion or belief

⁸⁵ See communication THA 2/2022.

⁸⁶ See communication EGY 4/2022.

⁸⁷ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-4-christian-solidarity-worldwide.pdf.

⁸⁸ A/HRC/55/47, para. 14.

⁸⁹ Para. 5. See also A/HRC/55/47, paras. 48–57.

⁹⁰ See www.unaoc.org/what-we-do/projects-and-initiatives/young-peacebuilders.

of the “average” migrant worker, alleging that certain practices can be carried out only by those on missionary or religious-worker visas.

56. Mandate holders have previously noted the poverty suffered by people on the move, given their insecure, low-paid or lack of employment, where such disadvantages are exacerbated and their access to basic services is limited due to their religion or belief, for example as Muslims. Such poor living conditions, violations of labour rights and fear of deportation considerably heighten vulnerability to human rights violations, including sexual abuse.⁹¹ Such contexts of “exclusionary practices and policies may cause ‘coercive assimilation’” by placing migrants and people on the move “under pressure to conform with majoritarian norms and values or hide their identity”.⁹²

57. The provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families apply to all migrant workers and members of their families “without distinction of any kind such as ... religion or conviction”.⁹³ Under the Convention, the right to freedom of religion or belief of migrant workers and their families, including the right “to have or to adopt a religion or belief of their choice and freedom either individually or in community with others and in public or private to manifest their religion or belief in worship, observance, practice and teaching”, is protected.⁹⁴ Also under the Convention, mirroring the International Covenant on Civil and Political Rights, migrant workers and their families are protected against coercion that would impair their freedom to have or adopt a religion or belief of their choice, the grounds for any limitations on manifestation of religion or belief are stipulated, and the rights of parents and/or legal guardians to ensure the moral and religious education of their children in conformity with their own convictions are guaranteed. Torture and other cruel, inhuman or degrading treatment or punishment against migrant workers and members of their families are prohibited.⁹⁵

58. In communications under the mandate⁹⁶ and Human Rights Committee jurisprudence, reference has been made to expulsions on account of religious activity, with residency revoked on the grounds that the person concerned was not registered as a foreign missionary. The Committee concluded that the person concerned was engaged in activity protected by article 18 (1), under which all members of a religious congregation, not only missionaries, and not only citizens, were protected; that the harsh consequences for the person concerned, who was facing deportation, amounted to a limitation his right to manifest his religion; and that no legitimate basis for limiting that right under article 18 (3) had been identified by the State Party.⁹⁷

IV. Good practices by civil society and faith-based organizations

59. The examples below indicate how a range of entities around the world are working to ameliorate the plight of persons on the move and to address the widespread de-emphasis, sidelining or denial of their freedom of religion or belief. Such examples serve as inspiration of what more can be done.

⁹¹ [A/HRC/46/30](#), para. 33.

⁹² *Ibid.*, para. 34.

⁹³ International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, arts. 1 (1) and 7.

⁹⁴ *Ibid.*, art. 12.

⁹⁵ *Ibid.*, art. 10.

⁹⁶ See communications JOR 3/2014, KAZ 1/2014, TUR 14/2020 and UZB 6/2012.

⁹⁷ [CCPR/C/112/D/2131/2012](#), para. 9.4.

60. Faith-based organizations often play a vital role in the provision of essential services to displaced persons, migrants, asylum-seekers and refugees, and often fill gaps left by States. This is particularly the case in the provision of the “community dimension of religious practice”, which many States tend to overlook in their integration policies.⁹⁸

61. In Cyprus, several Christian groups and the Imam of the Hala Sultan Tekke mosque provide material support to asylum-seekers, along with counselling and pastoral care. Furthermore, the Religious Track of the Cyprus Peace Process⁹⁹ brings together faith representatives to promote understanding and cooperation.¹⁰⁰

62. The British Humanist Association runs the Faith to Faithless project, which supports non-religious asylum-seekers in documenting their blasphemy or apostasy for the purpose of their asylum claims.¹⁰¹

63. In Morocco, faith-based organizations provide access to places of worship; facilitate interfaith dialogue; provide advocacy support and legal assistance; provide practical and humanitarian support, including basic needs assistance and support in gaining access to integration services, shelter and temporary housing; support victims of sexual and gender-based violence and trafficking; and support the burial and repatriation of deceased migrants, refugees and asylum-seekers.¹⁰²

64. The King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue organized the fifth European Policy Dialogue Forum, which was focused on addressing hate speech against migrants and refugees.¹⁰³

65. Initiatives across denominational divides have included the case of the Shenzhen Holy Reformed Church, also known as the Mayflower Church, the members of which were exiled to the Republic of Korea, where their asylum was denied, and subsequently detained in Bangkok for overstaying their tourist visas. At the risk of repatriation to China, they relocated to Texas, United States of America, where they have built a permanent home with the support of other Christian denominations.¹⁰⁴

66. In many places, faith-based organizations face hurdles and restrictions. This includes detentions and accusations of proselytism for persons working with faith-based humanitarian organizations in Afghanistan since the Taliban returned to power.¹⁰⁵ Special procedure mandate holders have also raised concerns regarding the criminalization, investigations and administrative detentions of human rights defenders concerned with the welfare of people on the move, including through their provision of life-saving humanitarian aid and sea rescue operations.¹⁰⁶ Such humanitarian initiatives are, understandably, sometimes inspired by religion or belief and operated by faith-based organizations.

67. In only Benue State, Nigeria, it is estimated that the internally displaced population stands at 2 million due to violence, especially Fulani militant attacks,

⁹⁸ A/HRC/34/50/Add.1, para. 48.

⁹⁹ See www.religioustrack.com/about.

¹⁰⁰ Confidential submission.

¹⁰¹ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-12-humanists-uk.pdf.

¹⁰² Confidential submission.

¹⁰³ See www.kaiciid.org/epdf.

¹⁰⁴ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-4-christian-solidarity-worldwide.pdf.

¹⁰⁵ Confidential submission.

¹⁰⁶ See communications GRC 3/2022, ITA 1/2023, ITA 4/2024, LVA 1/2023, TUN 6/2024 and TUN 1/2025.

targeted largely at agrarian Christian communities.¹⁰⁷ On 13 June 2025, more than 200 Christian internally displaced persons sheltering in Yelewata, Nigeria, were killed.¹⁰⁸ Christian organizations have established informal internally displaced person camps and aid distribution centres. However, they are poorly resourced, and humanitarian needs outpace the support being provided. They also face more challenges in operating in the north. The Shalom Trauma Centre offers holistic support to trauma victims and trains church leaders in providing trauma care.¹⁰⁹

68. In Bangladesh, faith-based organizations offer services generally without discrimination and play a key role in mitigating interreligious conflicts and tensions. Following the tensions between Christian and Muslim Rohingya refugee communities in 2025, for example, and under the UNHCR-led peace and security campaign,¹¹⁰ UNHCR engaged with both Imams and Christian community leaders and encouraged them to play a role in fostering social cohesion and promoting peace in the community. Faith-based organizations have also contributed to awareness-raising campaigns to promote peace and social cohesion and supported responses to crises, the protection of children and the building of places of worship. However, government restrictions reportedly prevent the expansion of religious infrastructure in camps, making it difficult for minorities to establish formal places of worship.¹¹¹

69. Programmes for refugee and internally displaced person communities affected by mass atrocities across, for example, Bosnia and Herzegovina, Iraq and Jordan are under way to train non-expert psychologists in supporting mental health. Culturally adapted cognitive behavioural therapy is provided by community members without formal mental health training. Pre- and post-treatment change screening have reportedly shown remarkable improvements, especially among women and children.¹¹² Cultural and other interventions in Iraq are focused on Yazidi internally displaced persons, 11 years after the genocide that led to their displacement.¹¹³

V. Guiding questions to the relevant authorities

70. In order to assist States in reviewing the issues raised in relation to the present report, the following guiding questions are put forward as an initial prompt to alert the relevant authorities to their duties in relation to freedom of religion or belief:

(a) What is the status of ratification of international human rights instruments relating to freedom of religion or belief, non-discrimination and equality, refugees, internally displaced persons, Indigenous Peoples and minority rights?

(b) To what extent are the above-mentioned instruments enshrined in domestic law and implemented in practice? Are there provisions to allow for conscientious objection to military service?

(c) Has an independent legal assessment been carried out in relation to existing and proposed legislation and their alignment with the above-mentioned instruments? Please give examples of how these relate to laws concerning the following:

¹⁰⁷ See www.bbc.co.uk/news/av/world-africa-64739863.

¹⁰⁸ See www.acnuk.org/news/nigeria-up-to-200-dead-in-worst-killing-spree.

¹⁰⁹ See www.ohchr.org/sites/default/files/documents/issues/religion/cfis/cfi-ga80/subm-freedom-religion-belief-cso-25-open-doors-international.docx.

¹¹⁰ See www.reliefweb.int/report/bangladesh/unhcr-bangladesh-operational-update-november-2024.

¹¹¹ Confidential submission.

¹¹² See www.bellwetherngo.org/on-the-ground.

¹¹³ See www.amarfoundation.org/mental-health/.

- (i) Citizenship and denaturalization;
 - (ii) Deportation, removal, extradition and rendition;
 - (iii) Visa regimes, including religious-worker visas;
 - (iv) Labour law;
 - (v) Criminal law;
 - (vi) Security laws;
 - (vii) Non-governmental organization and charity registration laws for associations and the registration of religion or belief;
 - (viii) Zoning laws around building places of worship and other related entities, including schools and charitable bodies;
 - (ix) Incitement to hatred, in line with article 20 of the International Covenant on Civil and Political Rights;
- (d) What provisions are made for the enjoyment of freedom of religion or belief – both for the individual and his or her ability to manifest religion or belief with others and in public? Please give examples of such provisions in the following contexts:
- (i) Pilgrimage;
 - (ii) Internally displaced person camps;
 - (iii) Refugee camps;
 - (iv) Places of deprivation of liberty;
 - (v) Transit centres and asylum centres;
- (e) What assessments have been carried out regarding access to the full enjoyment of freedom of religion or belief for migrant workers and their families?
- (f) What provisions have been made for the enjoyment of safety and security, equal access to services and freedom of movement for all, on an equal basis, regardless of religion or belief, and with a particular focus on converts and those who have escaped religious violence, in the contexts mentioned above?
- (g) How are the State's obligations to prevent, protect against, investigate, prosecute and punish acts of violence against individuals on the basis of their religion or belief implemented?
- (h) What are the laws, implementing legislation and other guarantees regarding non-refoulement?
- (i) What training is carried out regarding freedom of religion or belief for all related authorities and actors, including caseworkers, interpreters and all those engaging with people on the move? Does the training include awareness-raising with regard to gender dimensions?
- (j) What partnerships are in place with intergovernmental organizations, civil society organizations, faith-based organizations and religion or belief communities to assess, review and address the above-mentioned issues?

VI. Recommendations

71. In the light of the foregoing, the Special Rapporteur calls upon States to:

- (a) Enhance legal frameworks and ensure that national policies are aligned with international human rights standards, particularly those outlined in the 1951 Convention relating to the Status of Refugees and the Universal Declaration of Human Rights, in order to guarantee religious freedom for refugees and migrants. Those efforts could be complemented by the establishment of clear legal safeguards for refugees, with a view to ensuring that they are not subject to discrimination based on their religion or belief;
- (b) Recognize that the State's obligations to uphold freedom of religion or belief can never exclude migrants and people on the move – neither for reasons of political expediency nor for electoral exigencies;
- (c) Carry out tailored assessments with regard to the freedom of religion or belief of migrants and people on the move, and ensure that those assessments are followed by the implementation of corresponding laws and policies;
- (d) Enable and facilitate resettlement for those who have had to escape persecution on the basis of religion or belief; reduce the number of years, even decades, that they spend in limbo in transit States; and collaborate with religious and belief communities in that regard, including by exploring private sponsorship models alongside government-assisted sponsorship for resettlement;¹¹⁴
- (e) Guarantee the right to nationality, as enshrined in international legal instruments, and refrain, under all circumstances, from revoking or denying citizenship on the basis of religion or belief;
- (f) Ensure that a freedom of religion or belief lens is adopted diligently in all their activities relating to migrants and people on the move;
- (g) Take positive measures to protect persons belonging to religious or belief minorities from displacement resulting from violence; and ensure that such instances are thoroughly investigated, that those responsible are brought to justice and that effective remedies, including guarantees of non-repetition, are duly provided to victims;
- (h) Integrate full respect for freedom of religion or belief as an integral part of strategies and programmes for durable solutions to displacement;
- (i) Protect the right of Indigenous Peoples to freedom of religion or belief, including in relation to their traditional lands;
- (j) Take positive measures to protect migrants, refugees and asylum-seekers from discriminatory harassment and violence in relation to their religion or belief and protect their right to manifest their religion or belief, including in community with others and in public; take special measures to prevent discriminatory violence against religious or belief minorities in internally displaced person camps, refugee camps, asylum centres and other analogous areas; where feasible and sufficient data protection safeguards are implemented, collect disaggregated data relating to religion or belief in such situations; and work actively with religious or belief minorities and human rights defenders to identify threats, develop effective protection strategies and establish trust with domestic authorities so that any criminal investigations and proceedings and the provision of remedies may be effectively realized, with the full participation of victims and/or their families;

¹¹⁴ Geoffrey Cameron, "Private sponsorship prefigured: religious groups and Canada's cold war refugee policy", *Journal of Refugee Studies*, vol. 38, No. 1 (March 2025).

(k) Guarantee the freedom of religion or belief, including of pilgrims, asylum-seekers, internally displaced persons, refugees, migrant workers and their families, in situations of deprivation of liberty, with special consideration for converts who may be targeted, including through provisions for dietary preferences, access to religious texts and materials, access to religious or other relevant ministry and adjustments for fasting requirements;

(l) Respect the rights of all protected persons, including detained persons, to have, adopt, change and manifest their religion or belief in situations of armed conflict, in accordance with the relevant provisions of international humanitarian and human rights law;

(m) Guarantee the right to freedom of religion or belief of persons in internally displaced person camps, refugee camps, asylum centres and analogous areas, ensuring that any restrictions on the manifestation of religion or belief are in line with the strict criteria established under article 18 (3) of the International Covenant on Civil and Political Rights;

(n) Facilitate spaces and resources for communal manifestations of religion or belief, provision for dietary preferences, access to religious materials, access to religious or other relevant ministry and access to dignified funerary services for pilgrims, asylum-seekers and refugees, internally displaced persons and migrant workers and their families, in accordance with their religion or belief;

(o) Respect, in all circumstances, the principle of non-refoulement on the basis of conscience, religion or belief, including non-belief;

(p) Provide thorough training for functionaries involved in decision-making with regard to asylum applications, drawing on international best practice, including UNHCR guidelines Nos. 6 and 10, and develop guidelines on freedom of thought, conscience, religion or belief, violations thereof and the effects of those violations, which may rise to the level of torture or cruel, inhuman or degrading treatment or punishment, or which may represent a threat to life. In that connection, glossaries of terms relating to the right to freedom of religion or belief and to knowledge of different religion or belief communities, to facilitate understanding and disambiguate terms, should be developed and provided to relevant functionaries;

(q) Ensure that, regardless of the presumed sincerity of *sur place* conversions, thorough *ex nunc* evaluations of the potential threat posed to the individual concerned on the basis of his or her perceived conversion and his or her associated activities and behaviours are carried out;

(r) Ensure that all relevant functionaries are adequately familiar with the risks faced by religious converts, atheists and humanists, those subject to blasphemy or apostasy laws, and conscientious objectors to military service;

(s) Ensure that country of origin information includes an adequate analysis of these issues and that all functionaries are regularly trained in combating implicit bias, stereotypes and discriminatory attitudes on the basis of religion or belief;

(t) Guarantee the full respect of the freedom of religion or belief of migrant workers and their families, including through the provision of visas for religious ministers and other religious workers;

(u) Take timely and robust action against hate speech targeted at asylum-seekers, refugees, internally displaced persons, Indigenous Peoples, migrant

workers and their families, and religious or belief minorities, with a particular focus on such targeting in political speeches in the light of the six-part Rabat Plan of Action threshold test;¹¹⁵

(v) Facilitate the effective investigation of international crimes, including the forced transfer of populations on the basis of religion or belief, nationality or ethnicity, under the auspices of the Office of the Prosecutor of the International Criminal Court and United Nations investigative mechanisms;

(w) Take positive measures to prevent the transnational targeting and pressuring of individuals on the basis of their religion or belief, particularly in the context of allegations of “terrorism”, and ensure that all counter-terrorism measures conform to the principles of legality, proportionality, necessity and non-discrimination, along with the principle of non-refoulement;

(x) Guarantee that laws and policies governing migration, asylum and refugee status do not discriminate directly or indirectly on the basis of religion or belief.

72. The Special Rapporteur calls on United Nations, intergovernmental, international and regional organizations to:

(a) Ensure that a freedom of religion or belief lens is adopted diligently in all their activities relating to migrants and people on the move;

(b) Consult regularly and actively with faith-based organizations and religion or belief representatives and leaders in the design, implementation, monitoring and evaluation of humanitarian projects, including in refugee and internally displaced person camps and asylum centres, in order to ensure the enjoyment of freedom of religion or belief;

(c) Facilitate dialogue between Governments and faith-based organizations and other relevant civil society organizations in order to ensure that freedom of religion or belief is fully included in asylum and migration policies and to complement government-assisted sponsorship schemes with private sponsorship for the resettlement of persons on the move.

73. The Special Rapporteur invites civil society and faith-based organizations:

(a) To support initiatives for the training and education of authorities involved in decision-making in relation to asylum applications, including through awareness-raising on the risks faced by individuals on the basis of religion or belief;

(b) To continue to implement societal initiatives aimed at supporting migrants and people on the move, and to insist on respect for their rights and dignity in all instances;

(c) To continue their valiant efforts to ensure the right to life and access to basic services for migrants and people on the move;

(d) To work collaboratively, including within and between religion and belief communities, to foster environments of mutual respect and to support the creation of safe spaces for worship and manifestation without fear for all migrants and people on the move.

¹¹⁵ [A/HRC/22/17/Add.4](#), para. 29.

VII. Activities of the Special Rapporteur

74. An overview of the activities of the Special Rapporteur from 16 July to 31 December 2024 is provided in her most recent report to the Human Rights Council.¹¹⁶ She has since participated in numerous activities, as set out below.

United Nations and related activities

75. In March 2025, the Special Rapporteur presented her report on freedom of religion or belief and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment to the Human Rights Council at its fifty-eighth session. In the interactive dialogue that ensued, many States welcomed the report and its recommendations, and they reiterated support for the work of the Special Rapporteur. The Special Rapporteur also presented the report on her visit to Hungary (7–17 October 2024).¹¹⁷ She held meetings with State representatives, networks of States and other actors, including civil society organizations and victims of human rights violations. She also spoke at numerous side events in Geneva on, inter alia, the theme of her report to the Council, the state of legal recognition and status of places of worship for religious minorities, and countering religious hate and intolerance.

76. From 31 March to 11 April, the Special Rapporteur undertook a visit to Zambia, at the invitation of the Government. The report on her visit will be presented to the Human Rights Council at its sixty-first session.

77. Since 1 January, the Special Rapporteur has initiated or joined 23 communications addressed to Governments concerning a range of violations of the right to freedom of religion or belief.¹¹⁸ She has also initiated or joined several press releases and other public statements on issues related to her mandate.

Conferences, seminars and media engagement

78. The Special Rapporteur has attended in-person conferences and events since 1 January. A small selection of those activities are outlined below.

79. From 15 to 17 January, the Special Rapporteur participated as a keynote speaker at the inaugural meeting of the “HR30” human rights forum in Tirana, hosted by the Government of Albania and the University of Essex. Participants drew on examples from academia, civil society organizations, Governments and other sectors to address the global decline of democratic values and human rights, with a focus on Islamophobia.

80. On 30 January, the Special Rapporteur participated in the International Military Chief of Chaplains Conference, which was attended by participants from around the world. She presented the critical need to uphold freedom of religion or belief in military settings on a panel with speakers from the European Union, the North Atlantic Treaty Organization, the European External Action Service and the Organization for Security and Cooperation in Europe.

81. In February, the Special Rapporteur participated in the Wilton Park dialogue on the role and responsibilities of religious leaders in times of war, atrocities and polarization. A variety of faith leaders and other stakeholders, especially from across the Middle East, participated.

82. In March, the Special Rapporteur participated in an in-person coordination meeting on the fight against anti-Muslim hatred, organized by the European

¹¹⁶ A/HRC/58/49.

¹¹⁷ A/HRC/58/49/Add.1.

¹¹⁸ Available from <https://spcommreports.ohchr.org>.

Commission and the Council of Europe, at which envoys, coordinators, ambassadors and other institutional actors exchanged views and experiences at the national and international levels.

83. On 2 June, the Special Rapporteur spoke on a pre-Summit panel of the Right Here, Right Now Global Climate Summit, organized by the University of Oxford, on the role of religious actors in protecting the environment, and spoke at the concluding session of the Summit on 5 June.

84. In June, the Special Rapporteur participated in events at United Nations Headquarters to mark the fourth International Day for Countering Hate Speech. The events included a high-level event entitled “Hate speech and artificial intelligence nexus: building coalitions to reclaim inclusive and safe spaces free of hatred”, organized by the Permanent Mission of Morocco together with the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide, the Human Rights Centre of the University of Essex and other sponsors. At other events, approaches to better coordinating responses to antisemitism and Islamophobia were explored.

85. From 19 to 21 June, the Special Rapporteur participated in the Second Parliamentary Conference on Interfaith Dialogue in Rome, which was focused on the theme of strengthening trust and embracing hope for a common future and gathered some 600 parliamentarians, religious representatives and leaders, United Nations officials, representatives of civil society organizations and international experts from 100 countries. The Special Rapporteur spoke at the opening plenary session on countering hatred on the basis of religion or belief, with a view to de-escalating polarization and preventing dehumanization and religious weaponization.

86. The Special Rapporteur has continued to promote avenues for collaboration with the regional and international human rights systems regarding stronger protection of freedom of religion or belief through improved awareness, harmonization and cross-pollination.

87. Online engagements allowed the Special Rapporteur to broaden the scope of her participation and engagement activities and to benefit from interaction with a wide range of actors, through meetings, training sessions and government and civil society organization events, including those familiarizing the Special Rapporteur with patterns of violations in particular jurisdictions. She also gave media interviews.
