



Wilton Park



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Conference report

**Combating intolerance and promoting freedom of religion or belief for all: working on UN Human Rights Council Resolution 16/18**

Monday 3 – Wednesday 5 December 2012 | WP1187

In association with:

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## Conference report

# Combating intolerance and promoting freedom of religion or belief for all: working on UN Human Rights Council Resolution 16/18

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### Combating intolerance and promoting freedom of religion or belief: supporting the inclusion and participation of all. The significance of UN Human Rights Council Resolution 16/18

Summary of Key Best Practice Points and suggestions for further action:

- All UN Member States to submit annual reports on the actions they have taken to implement UN Human Rights Council Resolution 16/18 in their own countries;
- There is a role for Leaders, both political and religious to speak out against incidents of incitement to violence on the basis of religion or belief without seeking necessarily to criminalise them;
- Free speech could be used positively to counter expressions of hatred;
- Advice could be sought from the OSCE Advisory Panel of Experts on Freedom of Religion or Belief on legislation guaranteeing freedom of religion or belief;
- Holy Site toolkit needed drawing together existing guidelines on how to protect holy sites and places of worship, perhaps produced by OSCE Advisory Panel of Experts;
- Registration of religious groups should not be overly burdensome, restrictive or exclusive;
- Education is central in promoting inclusion and combating intolerance;
- The education of police, lawyers, journalists, etc is also key;
- The Religious Literacy Leadership Programme had run 80 workshops for other universities on religious literacy in order to reduce the negative energy around religion, leading to better quality conversations around religion and instilling confidence in handling those with no religious beliefs;
- The OSCE has prepared concise practical guidelines on the teaching of religion in public schools. The Toledo Guiding Principles were developed in order to contribute towards an improved understanding of the world's increasing religious diversity;
- The Network of European Federations has also issued a report on Teaching about Religions in European School Systems: Policy Issues and Trends;
- Governments to be encouraged to develop more substantial dialogue with mainstream secular NGOs in defending freedom of religion or belief;
- There is a need to equip policy makers in particular on the principles, methods and tools to defend freedom of religion or belief effectively;

- Engagement with religious leaders reveals inter-faith work ongoing at a grass roots level on the basis of common principles of justice, dignity and universal human rights such as in Nigeria where Pastor James Wuye and Imam Muhammad Ashafa lead the Muslim-Christian Interfaith Mediation Centre which has set up task-forces to resolve conflicts across Nigeria.
- The UK Christian-Muslim Forum has developed guidelines for the sharing of faith without causing offence;

## Overview and background

1. There is widespread concern that the situation regarding freedom of religion or belief was deteriorating and that no region of the world was immune to the challenges posed to this human right. Globalisation, migration and digital technology as well as a host of other factors meant that an issue related to religious freedom in one country could also now have ramifications on the other side of the world too. Freedom of religion or belief is a core human right which underpinned many others and that where it was under attack other freedoms are often under attack too.
2. For some countries the issue of hate speech and religious intolerance lie at the heart of the problem. They acknowledge that freedom of expression is fundamental to democratic processes and to the protection of human rights, but also point out that it cannot be an unqualified right. Nevertheless where to draw the boundaries of acceptable limitations on the freedom of expression remained a matter for intense debate and previous attempts by some to put religious beliefs or venerated figureheads beyond criticism had gone beyond what was agreed in international human rights law.
3. Into this troubling and divisive situation UN Human Rights Council Resolution 16/18 had been a genuine breakthrough and delivered international consensus on a shared way forward. It had brushed away the feeling that Freedom of Religion or Belief was an issue that divided “West” from East”. While there had been no meeting of minds on the issue of defamation of religions, was all countries shared a common objective to combat incitement to imminent violence or hatred on the grounds of religion or belief. The 16/18 resolution focused on intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. The 8 point action plan identified in the UN resolution provided a basis for movement forward on religion or belief, one of the most sensitive and complex of issues. In Washington in December 2011 the first experts meeting on implementing the resolution had been held and the present conference – a joint UK-Canadian initiative - provided new momentum at a time when the debates around combating religious tolerance and promoting freedom of religion or belief were once again firmly in the international spotlight.
4. Progress to date does not mask however the need for further action to be taken. Very few states had reported so far on their implementation of UNHRC Resoution16/18. Without clear demonstrable progress the issues of freedom of expression and prohibition of hate speech would continue to be intensely debated within the international community and there had been renewed calls by some states for all to legislate against acts of incitement. Legislation is not enough. There is a role for leaders, both political and religious, to speak out against incidents of incitement without necessarily seeking to criminalise them.
5. Other activities, such as the Rabat expert workshop on the prohibition of incitement to hatred, organised by the Office of the High Commissioner for Human Rights, had perhaps not received the international profile that they merited. Important conclusions emerging from the workshop included the fact that Article 20 of the International Covenant on Civil and Political Rights set a high bar for restricting freedom of expression in the name of preventing incitement to hatred and that the aim of

legislation prohibiting incitement to hatred should always be to protect individuals rather than institutions or belief systems. At the national level, legislation is often vague, incomplete or misapplied; and the record on whether tough national legislation prohibiting incitement succeeded in reducing conflict is mixed. There are many examples of this kind of legislation being used to punish minorities, while genuine examples of incitement are unpunished.

6. UNHRC Resolution 16/18 not does exist in isolation. The EU had a similar resolution (UN HRC 16/13) focused on freedom of religion or belief, which had been adopted at the same Council session in March 2011. This resolution sees freedom of religion or belief and freedom of expression as mutually reinforcing and identified the positive role freedom of expression could play in combating hate speech. Together the resolutions reflected a new consensual approach to tackling religious intolerance, protecting minorities, rejecting negative stereotyping and moving beyond the previously divisive issue of defamation of religions.
7. Along with recalling the history of UN HRC Resolution 16/18, there is also a need for assessing where the future lay. While differences remained, UNHRC Resolution 16/18 at least provided a basis from which to move forward through further discussion and further consensus-building measures. While incidents of intolerance, hatred and violence towards others were frequent, there was also an opportunity for collaborative networks involving both faith and secular actors to together tackle fear and ignorance and replace them with a climate of tolerance. Inter-faith, inter-cultural dialogue played a role, as did dialogue between academics, civil society and other regional actors such as the OIC, OSCE, Council of Europe and the Alliance of Civilisations. The legal path, adoption of measures to criminalise incitement to violence, was unlikely to bring consensus, but joint denunciations of inflammatory acts or expressions by government and civil society representatives were something we could all agree on. Free speech could be used to counter and drown out the lone voices who spout hate or who wanted to burn holy books. The need for societal and governmental responses reflected the multi-dimensional nature of this fundamental freedom and demonstrated why legislation alone was not the answer.
8. Political leaders had a role to play in addressing incidents of incitement but also in discouraging disproportionate public reactions to provocations. It was notable that the vast majority of those protesting against “The Innocence of Muslims” had not even seen the film clip. The media too had a duty to report events in perspective rather than in an inflammatory manner. The hard-won consensus around UN HRC Resolution 16/18 was finely balanced and depended on the political will of the United Nations to hold it together. Earlier UN debates had painted caricatures of two supposed opposing sides which had failed to reflect that there was in fact considerable diversity of opinion within the so-called blocs. It was important not to return to that mutually defeating situation when the question we needed to answer was how to respond to the deterioration of the freedom of religion or belief worldwide.
9. Societies in 2012 were more diverse and less homogenised than ever before. Reactions to incidents of perceived provocation varied within countries as well as across them. Muslim communities in the US, while appalled and deeply offended by perceived provocations, had responded by having open days and activities designed to teach their local communities about Islam. Members of the public in Times Square, New York City, had responded to hateful speeches by drowning out the speaker and singing “All you need is Love” by the Beatles. There were positive responses to incitement which were being overlooked. Fear, ignorance or a lack of cultural awareness were being challenged by those who refused to buy into the apocalyptic scenarios being portrayed.
10. The King Abdullah Centre for Interfaith and Intercultural Dialogue in Vienna had inaugurated the week before the Wilton Park conference. This Centre might help change the narrative by fostering dialogue and sharing ideas, examples and best

practice.

11. UN Human Rights Council Resolution 16/18 was a good starting point for states to work together.

**Sharing best practice: protecting individuals from persecution or discrimination on grounds of religion or belief within domestic policy including tackling constitutional, legislative and administrative dimensions of discrimination**

12. Constitutional and legislative protection is fundamental for the safeguarding of the right to freedom of religion or belief. Individuals from religious communities under threat value the rule of law as opposed to the rule by law. The emerging constitutions in former Soviet Socialist Republics and in the wake of the Arab Spring might present an opportunity to explore further what constitutional guarantees could be provided for freedom of religion or belief.
13. Under international human rights law the state has the obligation to protect the freedom of religion or belief for all. It is not just an issue for minorities or established religious communities, it is about individuals and their freedom to hold or not a religion or belief, to dissent from the majority position in a society if they choose to do so and to share their views with others including with a view to persuading others into changing their religion
14. Laws should exist to protect individuals from discrimination and there should be an independent assessment to ensure that the laws are in line with international guarantees. General Comment Number 34 of the Human Rights Committee stated that States are obliged to have legal prohibitions not regarding hate crimes themselves, but regarding hate that leads to a criminal act.
15. Restrictions on freedom of speech, such as blasphemy laws, are open to abuse but UN HRC Resolution 16/18 provides a basis for tackling incitement without resorting to protecting the belief rather than the believer.

**Core guarantees in a Constitution:**

- Freedom for the individual to follow a religion or belief. Not just for minority religions. Should allow people to discuss/dissent from favoured interpretation of a majority belief.
- Freedom to manifest one's religion.
- No coercion permitted regarding having, adopting or changing religion or belief. Non-discrimination on those grounds.
- Freedom of expression.

16. Constitutions provide the basis, but alone they are insufficient to safeguard the freedom of religion or belief. Even well drafted constitutions may not be translated into effective laws or may be unable to prevent violations of this freedom. It is important to ensure that legislative reviews of laws take place and to ensure that laws facilitate freedom for all, rather than excluding those who do not fit certain criteria. The OSCE Panel of Experts on Freedom of Religion or Belief could provide such a legislative review with regards to the registration of religious communities for example.
17. UN HRC 16/18 provides a helpful basis on which to base these discussions but in order to promote freedom of religion or belief for all we must focus on more than just combating incitement on the grounds of religion or belief. It is important to put combating incitement in the wider context of defending the universal right to freedom of religion or belief.
18. Freedom of religion or belief is the subject of an increasing amount of interest at the moment - from EU guidelines to Commonwealth charters. We must take advantage of

this momentum to ensure that freedom of religion or belief is normalised as a human right. People whose freedom to follow a religion or belief is denied do not suffer any less than someone persecuted on political grounds. Other freedoms, whether social-economic or to do with private life, also suffer when religious freedom is circumscribed.

19. Domestic actors from police to teachers, the judiciary to immigration officials were being trained on religious literacy but they also needed to understand that the freedom of religion or belief was a basic human right rather than just a question of cultural awareness.
20. There could be no coercion if true freedom of religion or belief was to be guaranteed. Nor should the State limit an individual's freedom to determine their own beliefs by prescribing an exclusive list of religions. States needed to take action to ensure the freedom for all groups, whether between religions or within religions.

Freedom of religion or belief focuses on major life questions of truth, deity, meaning, community. States need to create a conducive environment for individuals to follow their own path in relation to these questions.

21. The importance of freedom of religion or belief to the individual should not be underestimated - whether they live in "the East" or "the West". For many religion or belief was a central element in defining who they were. Their demand for life to be governed by religious law was increasing. As were demands from other individuals to make decisions free from the prevailing religious make-up of their society. The rights of the individual needed to be kept in mind.
22. For some the need to tackle incidents of hate speech was of prime importance, for others their freedom to question, debate or criticise was paramount. Whatever one's conviction, there was a sense that it was a globalised issue which had a local impact and often it was the local actions which had the greatest impact. Following offensive sculptures of the Muslim prophet in Sweden the Swedish Prime Minister had spoken at a local Mosque about the importance of using freedom of speech without abusing it.
23. Often we restricted ourselves to finding legal solutions to problems when other options such as inter-religious dialogue could help by building cultural awareness and helping to cross boundaries. Inter-religious dialogue was also growing more confident and addressing the core divisive issues. The Christian-Muslim Forum in the UK had developed ethical guidelines for the sharing of faith without causing offence.
24. Education was also important in addressing the problem of religious intolerance. Ignorant or scared people might well have the loudest voices in response to hate speech but education about what others actually believed was inadequate. It has been said that "empty pots make louder sounds".
25. UN Human Rights Council Resolution 16/18 had established a common basis for how states could combat stigmatisation and discrimination, but states needed to demonstrate the practical results which the resolution was delivering. The Washington experts meeting, for example, was able to engage civil society and local government officials in order to explain to public officials the sensitivities regarding religion and to community leaders why certain procedures had to be followed.
26. Finding agreement on what constituted incitement to imminent violence was always going to be elusive locally, nationally and internationally. Nevertheless resolution 16/18 provided us with a platform on which to build, a space to open up the debate on religious issues and an opportunity to remove restrictions which had been placed on communities due to negative stereotyping.

## **Sharing best practice: promoting full respect for and protection of holy sites, existing and new places of worship**

### Protection of holy sites

27. There were tools available to deal with the tensions concerning a range of holy sites from places of worship and cemeteries to national parks of religious significance. These tools were however hidden within international law and often had been developed in relation to specific events/situations which meant that the instruments themselves were not well known outside of their specific sphere. In some cases holy sites were protected as private property – for example as the Vatican had arranged with the State of Israel. Elsewhere they were protected as heritage sites - although that left them vulnerable to future revisions of what constituted a national heritage. Where holy sites had been destroyed, as in the former Yugoslavia, international tribunals became involved in their restoration and administration. Attempts have been made to unify the various existing protections for holy sites but it remained an incomplete area. There was room for a body such as the OSCE Panel of Experts to provide a toolkit or guidelines bringing these examples of best practice together.

### Building new places of worship

28. Migration and an influx of foreign workers of different religious beliefs presented challenges to authorities in previously largely homogenous societies such as Qatar. In cases such as these where there was no history of non-Muslim places of worship there were potential causes of tension due to misunderstanding or lack of cultural awareness. The role of the government, or in this case the Royal Family, was central in terms of breaking new ground and avoiding hostility. The Qatari Royal family had set a courageous example by providing high level acceptance, ensuring local authority co-operation and security on holy days or special occasions. The situation was not perfect, the list of faith communities who could use the limited non-Muslim place of worship was not exhaustive and confined to one location only, but it demonstrated what was possible where there was strong political leadership and a willingness of faith communities to work together.

29. Problems related to the protection of holy sites or the construction of new places of worship were not limited to one region and were often more prevalent at the local level but here was an example of political will to overcome obstacles. The Doha International Centre for Interfaith Dialogue provided further evidence of an ambitious approach to facilitate understanding on new places of worship in places where diversity of belief was an issue societies had not previously dealt with.

30. Faith leaders themselves had drawn up a code for holy sites which, while not legally binding, did demonstrate a commitment to respect for the other and desire to educate one's own constituency on the rights of others. Religions for Peace had a project to this effect taking place in Bosnia and had also arranged for 49 religious leaders to draw up a series of documents as to how to show respect for other religions. The objective of this collaboration was to demonstrate how to educate religious leaders in human rights and how to communicate this down to the grassroots.

31. UN HRC Resolution 16/18 could provide a framework to bring together these disparate attempts to promote full respect for and protection of holy sites and existing and new places of worship. The Washington experts meeting in December 2011 had engaged law enforcement officials from across the world on the rights of a community to construct a place of worship without discrimination and had increased awareness of the importance of holy days and religious festivals. Once again initiatives in this field often came from the faith communities themselves, who had, for example, opened prayer spaces in churches, mosques or synagogues, in New York City or Washington DC, for members of other faiths to gather to worship.

32. The need to protect sites from vandalism or violence was a concern - whether it was

protecting a synagogue in the UK or a church in Egypt. Decisions on whether police were required or whether video surveillance alone was sufficient were best taken by the local authorities in conjunction with the local faith community. For some communities there was a reluctance to involve the authorities. This might be resolved by an attempt at outreach by the local authorities. It was clear however that these were matters which were of grave importance whatever the faith of the community involved. Nor was it only between faith communities but within faith communities that there were tensions – for example minority churches in the UK had historically struggled to co-exist with the prevailing church of the country.

33. One comprehensive standard within, for example, a UNESCO framework providing guidelines to state actors seemed elusive given the difficulties in agreeing what constituted a holy site or the unending debate on whether one site was more valuable than another. Nevertheless the actions of non-state actors to allow others to pray freely brought a rare glimpse of optimism to the debate on religious freedom. The Common Word Initiative based on the principles of loving God and neighbour and firmly rooted in Muslim and Christian scripture empowered communities to work together for a positive change. During the revolution in Egypt, Muslims and Coptic Christians made space for each other to pray freely in the midst of demanding a change in government. In the UK Jews and Christians had come together to defend the right to build mosques when far right groups had attempted to whip up hatred. The East End of London offered a curious example of the evolving nature of religious sites where Huguenot churches had become synagogues and later mosques as the make-up of the local communities changed.

### **Ensuring Freedom of Religion or Belief by combating societal and cultural obstacles to inclusion and freedom of religion**

- i. Fostering pluralism and overcoming obstacles to the open and equal participation of all groups in society, promoting the ability of all communities to manifest their religion
34. Freedom of religion or belief should be underpinned by tolerance and result in communities prospering together. It has been said that diversity creates division but pluralism and the promotion of religious freedom should allow communities to live together peacefully despite difference. Communities should be encouraged to work together on joint projects and to value the way in which their different cultural and societal outlooks enrich society.
35. Pluralism was viewed by some as requiring a continuous process of compromise and accommodation, going beyond mere legislation guaranteeing freedom of religion or belief to include democracy, strong institutions, the rule of law, vibrant civil society and support of the general population. Aiming for and encouraging respect for diversity is better than simply creating tolerance of difference.
36. The various responses of States to pluralism were numerous but there were common elements which would be beneficial for all communities. Registration of religious groups should not be overly burdensome, restrictive or exclusive. States should follow broad engagement policies with religious communities rather than trying to identify “the good and the bad”. Reasonable accommodation should be made for manifestations of religious faith whether in attire, prayer spaces or burial grounds. The pluralism of people’s beliefs should be taken on board whether at school, university or in a place of employment.
37. Communities’ self-identity, confidence and respect were affected by the attitude of local authorities. Legislation such as that to prevent evangelism or apostasy could be problematic for the society as a whole not just for minority communities. The local authorities had a duty to protect the right of the individual within the community. Community rights flow from individual rights and so it was important for individual rights to come first and community rights later. Protection at a community level risked

preventing the individual from expressing his or her dissent within the community.

38. Society leaders, whether religious or secular, had a role in promoting tolerance and needed to reach out beyond their own constituencies. Leaders' timely interventions in the face of incitement or hate speech could have the multiplier effect of either calming tensions or exacerbating them. Speaking out against attacks in the name of religion, such as the violent attack against Malala Yousafzai in Pakistan, was important and constructive, especially if it was a religious leader using their theology to stand up against violence and/or for the rights of others. There were good examples of this and practical support given such as in Trondheim, where Church leaders came together to collect funds to help rebuild a local mosque which had been burnt down. But it was difficult to know exactly at what point leaders should start speaking out, without unnecessarily stoking the fire of any brewing protest.
39. The media too had an important role to play. It was important that, as well as actively reporting incidents of incitement such as that of pastor Terry Jones in Florida, they also provided a context for their reporting by demonstrating, in the case of Terry Jones, the absence of support among the population at large for his hate speech. It was also vital that the media did not give people like this any kind of profile.
40. Whether it was better for the state or civil society to respond in the wake of incidents of incitement was the subject of much debate. Faith communities collectively addressing issues of common concern, such as hate speech, clearly had a role to play. Sometimes it was professionals from different faiths, such as in Nigeria, who were using social media to promote co-operation, spread accurate information about incidents or to correct rumours, and in the process weaken calls for retaliation while increasing the numbers of prosecutions. Elsewhere there was clearly a role for the state to address hate material in schools and other public institutions, but even here there was a need to involve and include minority communities in the process.
41. Government involvement in interfaith dialogue was not to be a substitute for its obligation to ensure that interfaith dialogue could take place. Faith communities needed a framework within which they could operate on an equal basis. They were then often better placed to identify local solutions to problems. The State meanwhile also had a duty to create the conditions under which pluralism was accepted. Politicians' statements about the death of multiculturalism or failing to recognise the diversity within a culture did not help to build a cohesive society. Political leadership was important – a positive signal could be sent through visiting different community spaces, partaking in celebrations or by stressing the universal nature of the freedom of religion or belief. In Europe it was also important for secular States to recognise the right to be religious and to educate their populations so that they recognised that it was acceptable to be in a minority.
42. UN HRC Resolution 16/18 created a lot of potential energy but also a desire to translate that energy into action. Given the propensity of the internet to spread messages either in favour or against a religious or belief community with great speed, some called for further legislation to outlaw incitement to hatred or at least a voluntary code of conduct to avoid causing offence. Others believed that focusing on what constituted imminent incitement would divide rather than unite the UN and preferred to look at where societies were fostering pluralism and overcoming obstacles to full participation of communities and to bring those positive examples out into the open.

Either way there is now a transparent, open and high level debate around resolution 16/18. It would be possible to hold States accountable for reporting on the resolution and to be held accountable to the Secretary General for updates. There was also progress at the local level which could be shared more widely.

ii. Promoting inclusion and combating intolerance through education to ensure that faith schools can make a positive contribution to society through positive messages on inclusion, non-discrimination and the valuable contribution faith groups play in society.

43. Education was central in promoting inclusion and combating intolerance. There was a desire to reach the young early, particularly at a primary level, to increase awareness about religious pluralism and to tackle misinformation. In Belgium the authorities provided information about the holy month of Ramadan for the benefit of teachers and others. In Egypt religious facts and holy days such as the Coptic Christmas were being learned about for the first time by the majority population. Technology could be used to link up belief communities, as had been done in New York, to help faith groups contribute fully to society. Education could also help to set freedom of religion or belief in a human rights context. The education of police, lawyers, journalists, etc were equally important in promoting inclusion and combating intolerance. Mainstream secular NGOs should also be involved since currently it appeared that they were often absent from the debate about the freedom of religion or belief.
44. There was currently in many contexts an absence of conversation about religion. Increasing of religious literacy in education did not require having an encyclopaedic knowledge of religion, nor was it about creating more religion or encouraging someone into religion, but rather about facilitating dialogue and understanding about the freedom of religion or belief. Religious literacy would show that it is acceptable for people within religions to disagree, and give others the confidence to question a religion or belief in a way that encourages openness and conversation.
45. The Religious Literacy Leadership Programme had worked in partnership with the Universities of Goldsmiths and Cambridge to run 80 workshops for other universities on religious literacy. These had helped to reduce the negative energy around religion, had led to better quality conversations around religion and had instilled confidence in handling those with no religious beliefs, including in a counselling setting.
46. Representation of “the other” in school textbooks was often a cause for concern. Religions for Peace and The King Abdullah Centre for Interfaith and inter-religious Dialogue were both focusing on bringing to light inaccurate depictions of other religions in school textbooks.
47. The OSCE had prepared concise practical guidelines on the teaching of religion in public schools. The Toledo Guiding Principles were developed in order to contribute towards an improved understanding of the world’s increasing religious diversity. The Network of European Federations had also issued a report on Teaching about Religions in European School Systems: Policy Issues and Trends.

A key idea is to create an UN observatory to monitor violations of freedom of religion or belief. Various international organisations such as the OIC and individual countries such as the US already had reporting mechanisms in place. They are however limited in scope, only focussed on incidents of Islamophobia for example, or severely under resourced. While duplication should be avoided, better co-ordination or UN delivery could be explored. In a similar vein the UN could create an early warning mechanism to monitor these violations. Positive examples of co-operation and combating intolerance or stigmatisation on the grounds of religion or belief could also be recorded by the observatory.

## **Sharing best practice: Equipping policy makers to promote inclusive plural societies, including through the development of guidelines and toolkits**

48. Freedom of religion or belief was a misunderstood human right with which policy makers and legislative practitioners were often unfamiliar. There was a need to equip policy makers in particular on the principles, methods and tools to defend freedom of religion or belief effectively.

49. Principles:

- Any toolkit needed to focus on freedom of religion or belief for all. This grounds the policy firmly in the Human Rights framework. That does not mean we cannot talk about violations against specific groups, but that we look at them in the light of the bigger picture.
- Primacy of the rights of the individual is key whilst protecting those of the collective.
- Freedom of religion or belief should be protected in itself, but also as it relates to other freedoms such as freedom of expression.
- Interfaith dialogue is important as is the need to combine human rights approaches, educational approaches, security approaches, dialogue approaches.

50. Methods:

- Freedom of religion or belief needs to be mainstreamed as it is currently not enough of a priority in most countries.
- There needs to be a creation of impetus identifying a few specific countries where intensive action is necessary in the short term as well as a list of 'worst offenders'.
- There is a need for thematic engagement on key issues important to many countries and an attempt to learn from each other and share information.

51. Tools:

- Training on this particular issue needs focussing on to combat the deficit of knowledge in many foreign Ministries.
- There should be established fora for civil society discussion and understanding of the issues at hand.
- Individual countries need to defend this freedom rather than waiting for the international organisations to do so. EU action for example will be strongest when member states share the burden.

52. Guidelines and tools are only one aspect of international policy however. A tool is not a goal in itself but a means to continuously improve action. It is important to consider who we are working for and how we can improve their living environments and situation.

53. Guidelines provide a framework for civil society action and should be public so that civil society can hold policy makers to account and can also contribute towards their development. There is a need for an inclusive process over time that takes all the different actors into account.

54. Language: important that it addresses the correct issues. Need to look at the context: development of democratic and pluralistic society.

55. Scope: need a balance between something pragmatic and functional, and understandable for the public, but also something comprehensive, taking everything into account. This is a difficult balancing act as the guidelines need to be detailed enough that EU delegations and foreign officers can actually use them.

56. Guidelines without implementation lose purpose. Key questions: how to ensure sufficient flexibility and user-friendliness without losing content. Guidelines need to be put into broader context of national policy.
57. Clear terms of reference for implementation of guidelines. Communication strategy with all necessary info available to keep actors on the same page (including translation of guidelines).
58. Finally, the original text needs from the outset to include explicit wording about the possibility of a review as situations evolve and guidelines need to reflect current national and international policy.

### **Engaging with civil society, developing partnerships, building networks to protect against intolerance and discrimination and to promote FoRB**

59. The issue of religious freedom affected everyone wherever they lived. The US State Department set out its work to defend the freedom of religion or belief including their conviction that strategic dialogue with civil society can lead to strengthened discussion on religious freedom. The US produced an annual International Religious Freedom Report, had a Religion and Foreign Policy Working Group, provided assistance programmes to advance religious freedom and made use of a number of other diplomatic tools which required close consultation with civil society.
60. Engagement with religious leaders often revealed inter-faith work ongoing at a grass roots level on the basis of common principles of justice, dignity and universal human rights. One such example came from Kano in Nigeria where Pastor James Wuye and Imam Muhammad Ashafa lead the Muslim-Christian Interfaith Mediation Centre which has set up task-forces to resolve conflicts across Nigeria. Despite opposition and personal losses they had been able to overcome stereotypes through mutual respect, courage and a shared determination to claim a rightful place in society.

### **Importance of religious leaders as a voice at the table, so that they can encourage speaking out for tolerance.**

61. In the event of incidents of incitement the US believed that more free speech rather than less was the best response. When a member of the Hungarian parliament made alarming anti-Semitic comments the response of the Hungarian government was a firm rebuttal rather than criminal prosecution. In the wake of an inflammatory film depicting Islam in an offensive manner the response was political condemnation rather than legislation. Violence would never be an appropriate response to free speech.
62. The Global Movement of Moderates Foundation sought to engage mainstream groups and their multi-ethnic, pluralistic constituencies. They were trying to wrest the debate away from fringe groups who were pursuing their own agenda. Engagement with civil society towards this goal was obligatory as was an emphasis on human rights. Malaysia, where the Foundation is based, was not a secular society and many religious figures played active roles in the political process. Incidents and incitement could provoke adverse reactions and there was a need for sensitivity for the feelings of those offended by insults against religions. There were also differences of opinion over individual rights and community rights. While the established religious minority communities, whether Buddhist or Christian, had been seen to support the overall stability of the nation, there were concerns that individualistic legal campaigns threatened to undermine the social fabric of the country. There was a plea to understand that not all societies were coming from the same perspective on individual and community rights.
63. Another perspective was that intolerance and discrimination are an attitudinal challenge, a mindset which needs correcting. An effective response requires a multi-tier approach which differentiates between ignorance, fear and genuine grievances. The

State needs to distinguish between its responsibility to protect individuals and the role of religious or belief communities to determine their own orthodoxy.

64. Selective engagement within communities tended to differentiate between those the government can interact with (“moderates”) and those which it cannot - “extremists”. This could over simplify the diversity of belief within a religion. It also overlooked the fact that for many belief communities the word “moderate” was not something to be desired as it implied a lukewarm commitment to the faith.
65. There was also a challenge for the faith communities themselves to tackle religious illiteracy. In some cases there was a cultural connection with religion to the extent that many members of religious groups had limited knowledge about being a person of that faith. In that scenario they were more susceptible to selective divisive interpretations of foundational texts. The more people understand the fundamentals of their own faith, the more likely they are to be open to debate and the less extreme they are likely to be.
66. The Conference of European Churches had spent four years working on a human rights training manual enabling churches to be the voice of the voiceless and stand up for other faiths too. The training manual has been tested in the Balkans.
67. In Indonesia a network of "peace provocateurs" had been set up to deal with religious conflicts. They investigated incidents and ensured accurate reporting was circulated through social media. They arrange home stays for children so that they can learn about other faiths from a family of another faith.
68. While inter-faith dialogue was welcome, there was also a danger that it only papered over the cracks and did not face the fundamental problems that needed to be addressed. “It’s like having a discussion on the top floor of a six-storey building, while the ground floor is burning”. Instead we have to risk getting our hands burnt and facing the more fundamental differences and problems.
69. Civil society partnerships had the capacity to tackle incidents of incitement and helped to explain why in some cities in the same country violence arose over a given event while it did not elsewhere. Often local councils managed to contain communal tensions and avoid a cycle of violence and retaliation.

With regards to the resolution 16/18 there is a danger of textual fundamentalism; endless conversations and debate on what the text means need to be avoided. Instead it is not the letter of the law that matters but its spirit of mutual agreement.

70. There were other initiatives which were brought to the attention of the conference participants. In Canada there was the Global Centre for Pluralism and the Race Relations Foundation which was working on strengthening participation from Canadian society on inter-faith issues.
71. In Turkey there was dialogue between religious minorities and the domestic Ministries on foundations, education and property issues. The minority faith leaders were encouraged to discuss issues with their respective communities first before bringing their problems to the government. In the process of active engagement and consideration of issues raised by more vulnerable minority groups there was an opportunity to build trust and to encourage action.
72. In France religious leaders from the Abrahamic faiths had initiated a project (an observatory) sharing, checking for accuracy and publishing information on religious freedom violations. The government provided supportive messages through a Presidential visit and sought to defend the universal framework to believe or not to believe and to change one’s religion, but left the development of the observatory to civil society itself.
73. In the wake of the Charlie Hebdo cartoons there had been a condemnation of the provocation but no recourse to violence. Following the murders of Jewish school

children, their teacher, and Muslim soldiers in Toulouse communities of all faiths had denounced the violence and all forms of intolerance.

74. Faith communities needed to be comfortable in their own religion so that they would not perceive everything as an attack. Only when a person was confident in what they believed would they be prepared to accept, not merely tolerate, differences of opinion and questioning. Where one faith community encountered difficulties, other communities were not likely to be far behind.

Governments are encouraged to hold regular round table meetings with civil society groups and to ensure that these networks translate discussion into action. This engagement with civil society needs to be legitimate, sincere and balanced so that both sides are learning and moving the process together, not in parallel. Selective engagement risks encouraging the divisiveness of opportunism. Instead governments need to recognise those who have real constituency amongst their communities.

**Jamie Mason**

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