With the proliferation of UN initiatives addressing human rights, religious intolerance and discrimination, hate speech, violent extremism and terrorism, is there a risk that we can no longer ‘see the wood for the trees’?

Lunch meeting on Friday 2\textsuperscript{nd} February 2018 at 13h00-15h00, Restaurant Vieux-Bois

Concept note

From the very founding of the UN after the Second World War, and against a backdrop of deep religious division, intolerance and hostility in many parts of the world, including anti-Semitism in Europe; combatting religious (as well as racial) intolerance, discrimination and persecution, and protecting religious minorities, were top-level human rights priorities for the international community. Indeed, the very first international human rights convention was initially meant to address the elimination of racial 	extit{and} religious discrimination.

However, the deeply sensitive nature of the subject matter (religion) meant that progress was difficult and slow. Thus it was that when the UN’s first human rights treaty was adopted in 1965, it only covered racial discrimination (the Convention on the Elimination of Racial Discrimination – CERD). Religious discrimination and intolerance became the ‘forgotten discrimination’ or, as one writer has called it: ‘the Lost Covenant.’

After another 16 years of divisive debate, in 1981 the UN eventually decided to adopt a soft law (and soon forgotten) ‘Declaration on the elimination of intolerance and discrimination based on religion or belief,’ and some years created the mandate of the Special Rapporteur on religious intolerance and discrimination to promote its implementation. (At the turn of the century, the EU changed the name and focus of this mandate to ‘freedom of religion or belief.’

It is perhaps because of this historic neglect, and the related fact that there is no international human rights treaty on religious discrimination and intolerance, that the international community appears, today, to be struggling to come up with a coherent, comprehensible and effective
approach to addressing such intolerance and discrimination, and to preventing some of its consequences, such as violent religious extremism. Indeed, a cursory glance at the programme of work of the UN Human Rights Council and the wider UN, reveals a plethora of related and frequently overlapping initiatives. These include:

- Annual resolutions at the Human Rights Council and the GA on freedom of religion or belief.
- Annual resolutions at the Council and the GA on combatting religious intolerance, discrimination and incitement based on religion or belief (and the related implementation process – the Istanbul Process).
- An international effort to provide guidance to States on how to confront incitement and hate speech – which became the Rabat Plan of Action.
- Countering or preventing violent extremism (including a Council resolution, and numerous meetings and reports, in Geneva and New York).
- Regular resolutions, in Geneva and New York, on protecting human rights while countering terrorism, which, *inter alia*, call on States to ‘respect the rights of ethnic and religious minorities.’
- The launch by the UN Secretary-General, in 2017, of a new action plan designed to enable religious leaders to prevent and counter incitement to violence.
- The Marrakesh Declaration on the protection of religious minorities.
- UNDP’s report on ‘Journey to extremism in Africa,’ which tries to identify drivers of radicalization, including religious radicalization.
- Statement at HRC34 on the power of social inclusion and diversity, including in the context of different religions and faiths.
- OHCHR’s initiative (launched in 2017) on ‘Faith for Rights.’

At the same time, international surveys of religious discrimination and hostility, such as that conducted by the Pew Research Centre, reveal increasingly high levels of religious discrimination, hate and violence in nearly all parts of the world.

With the above in mind, a number of questions might be considered:
1. Does this plethora of related and overlapping initiatives suggest a lack of international policy coherence, or is it perhaps a good thing (e.g. showing the international community’s determination to address the relevant issues)?

2. Has the UN’s failure to agree on a specific human rights convention on combatting religious discrimination and incitement had negative consequences for the international community’s to eliminate such intolerance?

3. Do the many declarations, action plans, resolutions and reports present a clearly understandable, accessible and implementable set of international norms, actionable by States?

4. Is there a need for the UN, led by the Human Rights Council, to rethink its approach to these vital issues and challenges, for example, by:
   a. Simplifying and clarifying the universal norms that States should pursue and realize domestically?
   b. Being clearer as to exactly what it is trying to achieve, and what it can and cannot do. For example, is the UN’s job to promote freedom of religion; to protect people from religious persecution, intolerance and discrimination; to prevent such violations and injustices contributing to the radicalization of individuals and to violent extremism; or all of the above?
   c. Putting in place a clear, distinct and realizable strategy for each?
   d. Emphasizing domestic actions to implementation international human rights norms, to share experiences and good practices in terms of what works and what does not, to understand on the ground reality of religious discrimination, intolerance and incitement, and how it drives radicalization and violent extremism, (e.g. the UNDP report).

5. How can the international drive progress in these areas, by building on / revitalizing the existing initiatives mentioned above, and thus not by ‘reinventing the wheel’? (For example, how can the Human Rights Council bring coherence to and revitalize its work on freedom of religion; religious intolerance and discrimination (resolution 16/18 and the Istanbul Process; and the Rabat Plan of Action on incitement?)