

Special Module: Freedom of Religion and/or Belief (FoRB)

This module examines Freedom of Religion and Belief (FoRB), beginning with an analysis of the right to FoRB as inscribed in international human rights conventions, to studying FoRB challenges and violations through case studies from around the world. The module recommends an inclusive multi-religious, multilateral and multi-sectoral, approach as the most effective, win-win way to ensure religious freedom for all and to protect an individual's choice not to hold a religious belief. It also discusses the benefits of joint cooperation on FoRB around issues of common concern.

IN THIS MODULE – 130 MINS.

1. Icebreaker // Standing Baseline
2. Introduction to FoRB // Presentation
3. FoRB violations and challenges // Presentation
4. The Common Ground Approach to FoRB // Presentation, Case Study Discussion & Conclusion

KEY TAKEAWAYS

- FoRB is a human right that protects people and communities of all religions and beliefs and of NO belief
- Restrictions on FoRB are at an all-time high - aggravated by the rise of religious nationalism and the Coronavirus pandemic
- FoRB violations can be perpetrated by the state, religious actors, institutions, and the general public and may be part of the day to day culture of a society
- There may be tensions between FoRB and other human rights
- Engaging religious actors is crucial to peacefully advancing FoRB
- **The Common Ground Approach provides a sustainable, locally owned and inclusive way of advancing FoRB**

ACTIVITY 1 – ICEBREAKER // STANDING BASELINE – 15 MINS.

Preparation

- Familiarize yourself with the Standing Baseline statements written in italics below (no. 5)
- Adapt the statements if needed according to the context of the workshop location

Standing Baseline

1. Create an open space in the training room.
2. Ask participants to stand and form a straight line. Explain that you are going to make some statements. After each statement, they are to move to the left or the right of the line according to their viewpoint.
3. Explain that the line they are in is the neutral place between 'disagree' (on the left side of the line) and agree (on the right side of the line). Explain that if they 100% disagree with the statement they stand to the far left. If they 30% disagree, they stand left of center, and so on.
4. Read out each statement below and ask participants to move. Encourage them to share with their neighbor for a couple of minutes after each statement before returning to the 'neutral' line.

FoRB is a human right.

FoRB means that I can practice my religion freely in any location.

FoRB is a human right that protects those who choose not to believe in a religion.

I believe FoRB is protected in my current location.

States need to be sanctioned by other countries for not upholding FoRB.

Respect for FoRB is deteriorating globally.

FoRB means that all religions, large and small, are protected.

Apostasy laws restrict FoRB and need to be removed from a state's law books.

Blasphemy laws are essential to protect religious beliefs.

5. After the last statement has been read, ask the participants to take their seats and discuss their responses to the statements in groups of 2 or 3. Tell the participants to focus on the following question, 'What is FoRB like in your context today?'

ACTIVITY 2 – INTRODUCTION TO FoRB // PRESENTATION & DISCUSSION - 35 MINS.

Preparation

Set up the flip chart and markers at the front of the room.

Materials

- Flipchart
- Markers

1. Present the slide entitled 'What is FoRB?' Ask participants to read the extract from the International Covenant of Civil and Political Rights (ICCPR) printed in the participant handbook or projected on the screen. Mention that these international declarations are examples of multi-lateral collaboration in protecting FoRB.
2. Ask the participants the following questions based on the text, using the question slide.
What aspects of FoRB does this documents protect?
Are there limits to FoRB?
3. Write down the participants' responses on the flipchart.
4. Note that there is also a general comment from the OHCHR. OHCHR's General Comment on no.22 on Article 18 is the Office's interpretation of Article 18 which includes the right not to believe. As this is a General Comment, it is not a treaty that can be signed by countries.
5. Use the question slide to ask the participants, '*What are the main constraints to FoRB in your country?*' and record the answers on the flipchart. Ask the participants to consider all constraints/infringements from government actions and regulations to subtle social discrimination.
6. Present the slide entitled, 'Legal constraints to FoRB - an example'. Explain that apostasy and blasphemy laws are just **one** example of legal constraints to FoRB that can be abused by state and non-state actors. Apostasy by definition restricts FoRB and that blasphemy laws are often poorly defined and instrumentalized by state and non-state actors to target 'others' - often ethnic and religious minorities and political opponents. Blasphemy and apostasy are crimes that carry sentences from fines to capital punishment.
7. Note that it is not just 'religious' countries that have apostasy and blasphemy laws on the books - they also exist in countries that are perceived as secular. For example, New Zealand only repealed its blasphemy laws very recently, in 2019.

If you have time constraints, and want to focus more on the specifics of the FoRB situation in the participants' context(s), consider jumping from no. 7 above directly to no. 12 - a brief summary of the state of FoRB around the world

8. Present the Pew Research Center slide to discuss the status of religion in countries around the world. Pew Research Center's 2017 report shows that more than one in five

countries (43) has an official state religion (the majority are Muslim) and a further 20% of countries have a favored religion. In 10 countries the state regulates religious institutions and/or is avowedly secular and actively hostile to religion (e.g., China, North Korea, several former Soviet Republics).

9. Explain that citizens in countries that have a 'state religion' i.e., the official religion of the country e.g., the UK (Queen is head of the Church of England) can be highly secular, and citizens in countries that have a clear separation of religion and state (USA) can be highly religious. The majority of Americans report that religion plays a 'very important' role in their lives¹. One main reason for this is that the First Amendment in the U.S. Bill of Rights grants freedom of religion without government interference.
10. Play the Laïcité video in the PowerPoint to present an example of state secularism. Laïcité is a founding pillar of the French republic and is upheld in the First Amendment of the Constitution. In France, religion is a private matter, and the State must be totally neutral regarding religion. <https://www.youtube.com/watch?v=YldBu-WmCsE>.
11. The main point of this slide and the accompanying video, if you choose to use them, is that religion plays different roles in different societies - whether that is officially through the constitution or culturally through culture and social norms. FoRB infringements occur all around the world, also in 'liberal' countries. Sometimes, these infringements may be 'unintended' side effects of legislation that intends to protect FoRB.
12. Present a brief summary of the state of FoRB around the world today using the 'FoRB around the World' slide.

ACTIVITY 3 – FoRB VIOLATIONS & CHALLENGES // PRESENTATION – 20 MINS.

1. Present the 'FoRB violations' slide while referencing the page on the flip chart. Clarify that the word 'violations' encompasses a broad spectrum of infractions that occur, from discrimination to genocide. Explain that FoRB violations can be perpetrated by the State, individuals, and non-state actors. The classification is not always clear cut. For example, a mob may attack a religious minority and the State will turn a blind-eye to the violence. Point to the different examples on the flipchart, as you discuss the different types of FoRB violations.
2. As you discuss the different types of FoRB violations, ask the participants about the drivers behind them. Some examples might be, political drivers such as increasing

¹Pew Research Center, '[Importance of religion in one's life](#)', 2015

religious nationalism, long-standing tensions and competition for resources between different religious or ethnic groups, culture, economic factors etc.

3. Present the slide entitled 'FoRB Challenges' which explains some of the challenges states and peacebuilding practitioners may encounter when advancing FoRB. Remind the participants that Article 18 in the ICCPR does limit the right to religious freedom. The article clearly states that religious freedom is "subject only to such limitations as are prescribed by law and are **necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.**" (International Covenant on Civil and Political Rights, Article 18).

This limit included in the ICCPR immediately presents some tensions between FoRB and other human rights. However, these tensions are not necessarily inevitable. It is possible to work with governments, civil society organizations,, and religious actors to interpret religious positions differently, potentially resolving the perceived issues and building trust, so that religious actors do not feel their beliefs are being attacked. This is a prerequisite to finding common ground . Examples include FoRB and gender rights, FoRB and child's rights among others..

However, it is essential to remember that FoRB violations often occur within a wider conflict context and political dynamic. FoRB violations generally do not occur in a vacuum. They are almost always accompanied by other forms of discrimination, violence, longstanding tension between groups within a society, and human rights violations. FoRB infringements are often exploited to achieve a political goal. **It is impossible to advance FoRB without considering the root causes/drivers of these violations and how to resolve them.**

A recent example are tensions between FoRB and public health and safety during the COVID-19 pandemic. Many governments have instituted measures such as restricting public worship and religious burial rituals in order to protect public health. Yet these measures walk a fine line between religious freedom on the one hand and healthcare on the other and need to be monitored carefully to ensure - they are not weaponized to discriminate against vulnerable religions.

ACTIVITY 4 // THE COMMON GROUND APPROACH TO FoRB // PRESENTATION, CASE STUDY DISCUSSION & CONCLUSION – 60 MINS.

1. Present the two slides entitled 'Common Ground Approach to FoRB' and 'How does Search Advance FoRB?'
2. Explain that the Common Ground Approach to FoRB is built around Search's five key values: collaboration, audacity, tenacity, empathy and results. After presenting these slides, we will look at three case studies that demonstrate Search's CGA to FoRB in action.
3. If you have more than eight participants, divide them into two groups. Each group will focus on one written case study either the [Universal Code of Conduct on Holy Sites case](#)

- [study](#) or the [Kyrgyzstan case study](#). If the exercise is taking place with only one group of eight participants or less, choose the case study that seems most relevant to their context. The group should read the case study and answer the following questions.
- a. What FoRB infringements does this project address?
 - b. Who were the different actors involved in this project?
 - c. How do you see the CGA to FoRB in this project?
 - d. Was this FoRB project a 'direct' FoRB project or an 'indirect' FoRB project? Why?
4. After 30 minutes, return the groups to the plenary. Ask each group for one key takeaway that they learned about the CGA to FoRB from their case study.
 5. After a representative from each group has answered, present the final question slide.
 6. *In light of what you have learned in this training, how would you seek to address FoRB violations and advocate respect for FoRB in your own country?* As participants answer, refer back to the flip chart page that you used at the beginning of the module.
 7. Conclude the FoRB module by presenting the slide entitled, 'Key Takeaways'.

KEY TAKEAWAYS

- FoRB is a human right that protects people and communities of all religions and beliefs and of NO belief
- Restrictions on FoRB are at an all-time high - aggravated by the rise of religious nationalism and the Coronavirus pandemic
- FoRB violations can be perpetrated by the state, religious actors, institutions, and the general public and may be part of the day to day culture of a society
- There may be tensions between FoRB and other human rights
- Engaging religious actors is crucial to peacefully advancing FoRB
- **The Common Ground Approach provides a sustainable, locally owned and inclusive way of advancing FoRB**

FURTHER READING

[Kirsten Lavery, Legislation Factsheet Blasphemy, United States Commission on International Religious Freedom, April 2020](#)

[Samirah Majumdar & Virginia Villa, In 2018, Government Restrictions on Religion Reach Highest Level Globally in More Than a Decade, Pew Research Center, November 2020](#)

[Emily McFarlan Miller, Religion News Service, Open Doors' 2021 watch list highlights impact of COVID-19 on religious persecution worldwide, 2021](#)

[Marie Juul Petersen & Katherine Marshall, Promoting freedom of religion or belief – key lesson, Open Global Rights, December 2019](#)

[Fabio Petito, Stephani Berry & Maria Mancinelli, Interreligious engagement strategies: a policy tool to advance freedom of religion or belief. FoRB & Foreign Policy Initiative, 2018.](#)

[Office of the High Commissioner for Human Rights, #Faith4Rights Toolkit, 2019](#)

[United States Commission on International Religious Freedom, Annual Report 2020, April 2020](#)

[United States Commission on International Religious Freedom, Freedom of Religion or Belief Victims List](#)

[United States Commission on International Religious Freedom, USCIRF Hearing on Blasphemy Laws and the Violation of International Religious Freedom, December 2020](#)

[Pew Research Center, Many Countries Favor Specific Religions, Officially or Unofficially, 2017](#)

MATERIALS INCLUDED IN THIS MODULE

International Covenant on Civil and Political Rights, Article 18

“1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.”

OHCHR General Comment No. 22 on Article 18

“Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason,

including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community.”

Universal Code of Conduct on Holy Sites Case Study

The Universal Code of Conduct on Holy Sites (Universal Code) was launched in 2011, by four non-governmental organizations (NGOs), Search for Common Ground, the Oslo Center for Peace and Human Rights, One World in Dialogue, and Religions for Peace. It was a three-year process and senior leaders from different religions and faiths worldwide were consulted.

The Universal Code maps out a practical code of conduct and policies for holy sites globally, seeking to preserve sacred places, ensure the safety of believers and stimulate interreligious cooperation. Since its launch, the Universal Code has matured into a dynamic initiative with projects in various parts of the world and has proven to be a useful tool that naturally adapts to the needs of the local context. Field projects have ranged from educational and training activities to monitoring and research.

In the context of the Arab-Israeli conflict and frequent violence around holy sites, Search for Common Ground’s Jerusalem office, together with the Jerusalem Intercultural Center, and with the endorsement of the Council of Religious Institutions of the Holy Land, began a field project in 2015 entitled *Window on Mount Zion*. Working with religious actors, relevant authorities and local NGOs, the goal was to reduce interreligious tensions, build cooperation, and safeguard holy sites to ensure freedom of worship.

Located on Mount Zion, just outside Jerusalem’s Old City walls, lies a building that houses two world renowned sites of worship for Jews, Christians and Muslims. The building includes the Tomb of King David – known to Muslims as Nabi Daud – and the Room of the Last Supper. Centuries long conflict over ownership and religious rights on Mount Zion, fueled by rivalry and intolerance, and recent religiously motivated hate crimes, had resulted in an atmosphere of mistrust, suspicion and violence. The *Window on Mount Zion* initiative set out to promote interreligious dialogue and collaboration by: (1) recruiting local religious leaders, identifying their shared goals and concerns, and using a multi-sectoral approach, to find collaborative solutions; (2) establishing a body of volunteers to help maintain a harmonious atmosphere on site; and (3) organizing workshops and visits for police officers and youth to increase interreligious sensitivity and understanding.

Specifically, this entailed quarterly tenants’ meetings of representatives from the various religious institutions with relevant government ministries, the municipality and the police as observers, at which residents explored shared issues and took collective action. These meetings have resulted in a joint condemnation of hate crimes, the enlistment of authorities to repair safety hazards, improved police security as well as discussion of a common vision for Mount Zion, which would have been inconceivable prior to the project.

In addition, *Window on Mount Zion* actively recruited and utilized volunteers to reduce tensions at religious events by offering guidance and explanations to visitors and pilgrims and a sense of safety through their presence. Furthermore, the Old City Police Force, comprising 250 officers,

took part in workshops on religious sensitivities and the attachments of the different religions to the shared holy site.

In 2016 for the first time ever, religious leaders on Mount Zion jointly denounced the desecration of the Dormition Abbey located on Mount Zion. As the initiative also focuses on youth education, between 2016-2018 over 1,000 Israeli high school and pre-army students participated in experiential tours of the shared holy site on Mount Zion while exploring the rich heritage of the Abrahamic religions at the location. Additionally, hundreds of Palestinian youth have taken part in tours of Jerusalem's Old City to expand understanding of the religious attachments of the different religions to their sacred spaces.

As one project volunteer powerfully put it: 'I was at the entrance of the Room of the Last Supper, guiding the movement of tourists instead of the police. Christians can see that a Jew is trying to help them. They see a good Jewish example' and he was echoed by a similar feedback by an Israeli police officer: "This training should be included in police colleges as basic training for all police who work in the Old City. It is very good and helpful."

As the Window on Mount Zion initiative is now recognized as a model for religious coexistence, Search for Common Ground is using its learnings to expand the Universal Code's reach to other locations around the world. As Search says, this approach works in improving collaborative actions across faiths and building mutual respect on issues relating to holy sites. Additionally, the quartet of NGOs has, as a goal, to encourage international state organizations such as the UN to develop resolutions in the spirit of the Universal Code for the protection of holy sites world-wide. To learn about the Universal Code of Conduct on Holy Sites, visit <https://www.codeonholysites.org/>

KYRGYZSTAN CASE STUDY

[SUPPORTING THE KYRGYZ GOVERNMENT ON DEVELOPING THE CONCEPT OF THE STATE POLICY OF THE KYRGYZ REPUBLIC IN THE RELIGIOUS SPHERE](#)

Supporting the Kyrgyz Government on Developing the Concept of the State Policy of the Kyrgyz Republic in the Religious Sphere was launched in July 2020 in partnership with the Research Center for Religious Studies (RCRS). It is an eleven-month rapid response project that aims to support the promotion of religious freedoms in the Kyrgyz Republic. The specific objective is *to support the working group under the State Commission on Religious Affairs (SCRA) of the Kyrgyz Republic in developing an evidence-based and inclusive Concept for the State Policy of the Kyrgyz Republic in the Religious Sphere for 2021-2026.*

CONTEXT

The SCRA implemented The Concept of the State Policy of the Kyrgyz Republic in Religious Sphere for 2014-2020 over the past seven years. In 2020 as this policy ended, the SCRA established a working group to draft the new Concept for State Policy of the Kyrgyz Republic in

the Religious Sphere for 2021-2026 (the Concept) for presentation to the Office of the President. This project was designed to support this process to ensure the policy was inclusive, supportive of religious freedoms, and in line with international standards for such state policies. Through a nine-month rapid response initiative, Search, in partnership with RCRS, leveraged existing partnerships and networks to support the SCRA's development of the Concept, provide technical support and expertise, and organize inclusive dialogue platforms and public discussions.

Search played a meaningful role in encouraging progressive developments in regard to the Concept in Kyrgyzstan through consistent and inclusive outreach and dialogue throughout the drafting process. Search's strategies leverage our extensive in-country and regional experience to engage diverse stakeholders in shaping national approaches to religious freedom in the country, including on laws and formal policies.

SEARCH'S ACTIVITIES SUPPORTED DEVELOPMENT OF THE CONCEPT

The following set of activities were implemented to support the project objective guided by the fundamental idea that the development of impactful and inclusive progressive policies requires the active engagement and participation of technical experts, government stakeholders, CSOs, and diverse public stakeholders throughout the policy development and implementation process. In regard to the development of the Concept, Search provided technical and facilitating public outreach support while the State Commission led the process to draft the new Concept.

TECHNICAL SUPPORT

Search provided both expert and technical support to the members of the working group in developing the 2021-2026 Concept. Two local experts with state-religion experience were hired to join the working group and participate in public hearing sessions across the country, as well as the two National Consultative Working Group meetings. These meetings included stakeholders from academia, civil society, government to inform relevant state institutions, experts, and civil society organizations on the key discussions and outcomes from the public hearings integrated into the 2021-2026 Concept draft. Stakeholder feedback primarily focused on issues such as religion and education, the role of media, and the improvement of legislation language as applied to the Concept.

PUBLIC INPUT AND ENGAGEMENT

Search facilitated public hearings to serve as an open forum for local administration, civil sector representatives, and religious experts to engage in dialogue on critical issues such as the creation of local committees for the resolution of religious issues and the terminology to be used in the Concept. The public hearings were essential to support local ownership and development of the Concept, ensuring that the policy was responsive to local concerns and priorities. Search also held press conferences to inform the public on the implementation and messaging of the Concept. Search will also disseminate Kyrgyz and Russian copies of the 2021-

2026 Concept and Action Plan among state institutions, local authorities, and civil society organizations to further support increased public awareness.