

**THE DANISH
INSTITUTE FOR
HUMAN RIGHTS**



WORLD FAITHS
DEVELOPMENT
DIALOGUE

**BERKLEY
CENTER**
*for Religion, Peace
& World Affairs*
**GEORGETOWN
UNIVERSITY**

THE INTERNATIONAL
PROMOTION OF FREEDOM
OF RELIGION OR BELIEF

SKETCHING THE CONTOURS OF
A COMMON FRAMEWORK



THE INTERNATIONAL PROMOTION OF FREEDOM OF RELIGION OR BELIEF

Authors: Marie Juul Petersen and Katherine Marshall

The authors wish to thank the many experts on FoRB who have contributed in various ways to the report. First and foremost, we would like to thank Amy Shepherd, Christian Solidarity Worldwide; Bassem Maher, independent consultant, Egypt; Claire Thomas, Shikha Dilawri and Miriam Puttick, Minority Rights Group International; Ed Brown, Stefanus Alliance International; Elizabeth Cassidy, US Commission on International Religious Freedom; Elizabeth O'Casey, Humanists International (formerly International Humanist and Ethical Union); Eugene Yapp, RFL Partnership; Katherine Cash, Swedish Mission Council/FoRB Learning Platform; Kyaw Win, Burma Human Rights Network; Samy Gerges, Freedom House; Sharon Rosen, Search for Common Ground, as well as various other, anonymous, experts from international NGOs, state institutions and national organisations who generously shared their experiences and provided invaluable insights on the topic in interviews. We would also like to thank Cole Durham, Brigham Young University; Filip Buff Pedersen, Danish Mission Council; John Kinahan, Forum 18; Judd Birdsall, Cambridge Institute on Religion & International Studies; Michael Wiener, OHCHR; Peter Mandaville, Berkley Center, Georgetown University; and Sanna Svensson, Swedish Mission Council who read the report and provided very valuable and insightful comments and suggestions for improvement. Obviously, the authors retain sole responsibility for any errors or omissions in the text.

e-ISBN: 978-87-93605-88-6

Layout: Hedda Bank

Photo: Patrick Brown/Panos Pictures

© 2019 The Danish Institute for Human Rights
Denmark's National Human Rights Institution
Wilders Plads 8K, DK-1403 Copenhagen K
Phone +45 3269 8888
www.humanrights.dk

Provided such reproduction is for non-commercial use, this publication, or parts of it, may be reproduced if author and source are quoted.

At the Danish Institute for Human Rights we aim to make our publications as accessible as possible. We use large font size, short (hyphen-free) lines, left-aligned text and strong contrast for maximum legibility. For further information about accessibility please click www.humanrights.dk/accessibility

CONTENT

EXECUTIVE SUMMARY	5
CHAPTER 1 – INTRODUCTION	8
1.1 THE INTERNATIONAL PROMOTION OF FORB	8
1.2 SKETCHING THE CONTOURS OF A FRAMEWORK FOR INTERNATIONAL FORB PROMOTION	9
1.3 BACKGROUND TO THE REPORT	10
CHAPTER 2 – THE FIELD OF INTERNATIONAL PROMOTION OF FREEDOM OF RELIGION OR BELIEF	11
2.1 A HISTORICAL OVERVIEW AND MAIN POSITIONS	11
2.2 CHALLENGES FROM A HUMAN RIGHTS PERSPECTIVE	14
2.3 A HUMAN RIGHTS APPROACH TO FORB PROMOTION	16
2.4 SUMMING UP: KEY PRINCIPLES OF A HUMAN RIGHTS APPROACH TO FORB PROMOTION	18
CHAPTER 3 – IDENTIFYING AND ASSESSING VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF	20
3.1 MONITORING, DOCUMENTING AND REPORTING ON FORB VIOLATIONS	20
3.2 DEFINING FORB VIOLATIONS	24
3.3 IDENTIFYING PERPETRATORS OF FORB VIOLATIONS	27
3.4 ASSESSING THE PERVASIVENESS OF FORB VIOLATIONS	29
3.4 SUMMING UP: IDENTIFYING AND ASSESSING FORB VIOLATIONS	34
CHAPTER 4 – UNDERSTANDING THE ROOT CAUSES OF VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF	35
4.1 CONFLICT AND VIOLENCE	35
4.2 POVERTY AND INEQUALITY	36
4.3 AUTHORITARIAN OR WEAK STATE STRUCTURES	37
4.4 OFFICIAL STATE RELIGION OR STATE ATHEISM	38
4.5 IDEAS, CULTURES AND IDEOLOGIES OF INTOLERANCE AND EXCLUSION	42
4.6 SUMMING UP: ANALYSING CONTEXTUAL FACTORS	43

CHAPTER 5 – RATIONALES AND MOTIVATIONS FOR VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF	45
5.1 PROTECTION OF RELIGIOUS DOCTRINE AND TRADITIONS	45
5.2 THREATS TO NATIONAL IDENTITY, SOCIETAL HARMONY AND STATE SECURITY	46
5.3 FORB SCEPTICISM	47
5.4 MOTIVATIONS	49
5.5 SUMMING UP: ANALYSING RATIONALES AND MOTIVATIONS	49
CHAPTER 6 – STRATEGIES TO PROMOTE FREEDOM OF RELIGION OR BELIEF INTERNATIONALLY	51
6.1 CHANGING GOVERNMENT BEHAVIOUR, POLICIES AND LEGISLATION	52
6.1.1 External pressure	53
6.1.2 Constructive engagement	57
6.2 CHANGING BEHAVIOUR OF NON-STATE ACTORS AND BROADER SOCIETAL CULTURES	60
6.2.1 External pressure	60
6.2.2 Engagement and cooperation	61
6.3 SUMMING UP: STRATEGIES FOR FORB PROMOTION	67
CHAPTER 7 – FRAMEWORK AND RECOMMENDATIONS	69
7.1 ELEMENTS OF A FRAMEWORK FOR THE INTERNATIONAL PROMOTION OF FORB	69
7.2 RECOMMENDATIONS FOR ACTORS ENGAGED IN INTERNATIONAL FORB PROMOTION	71
BIBLIOGRAPHY	74
APPENDIX A. AN OVERVIEW OF ACTORS IN THE FIELD OF INTERNATIONAL PROMOTION OF FREEDOM OF RELIGION OR BELIEF	88
NOTES	92

EXECUTIVE SUMMARY

For many years, freedom of religion or belief (FoRB) was rarely a high priority in foreign policy and human rights circles. But recent years have witnessed an almost explosive interest in this right and an emerging consensus on the importance of strengthening the international promotion of FoRB. Rising interest is reflected in the appointment of designated envoys in various diplomatic and multilateral organizations as well as growing civil society and business activism. Major actors involved include international organisations (notably within the United Nations and the European Union), Ministries of foreign affairs, NGOs, parliamentary networks, religious leaders, various think tanks, and businesses.

Reasons for growing interest in FoRB include empirical evidence that human rights violations on the grounds of religion or belief are rising globally. The US-based Pew Research Center reports that in 2016, 27 percent of the world's countries are assessed to have 'high' or 'very high' social hostilities relating to religion or belief. The situation of Christians in the Middle East has attracted particular attention in Europe and North America. Concerns about FoRB related issues are sometimes linked to domestic politics, notably around immigration and integration. Some egregious cases of persecution (Rohingya Muslims in Myanmar, Uighurs in China) have shone light on religious dimensions of conflict and rights. Tensions around the priority and significance of women's rights also pose challenges linked to FoRB. More broadly, attention to religious forces in international affairs has increased, linked in part to concerns about violent movements and acts but also to growing awareness that religious institutions and beliefs play large roles in political, economic, and social affairs in most world regions.

While there is considerable consensus among the various actors involved that FoRB is a central facet of human rights, and that it is too often violated, there are significant variations in – and even conflicts between – conceptions of and approaches to FoRB. A shared framework has yet to be established. Systematic analysis of relevant initiatives and actors is needed, especially to achieve empirical knowledge on pathways of change. Key questions turn around what kind of actors and initiatives are most effective in promoting and protecting FoRB in particular contexts, and how best to address specific areas of tension, for example around approaches to gender equality, definitions of blasphemy, the right to promote one's beliefs freely (proselytizing), or to change one's faith affiliation.

This report addresses both tensions and gaps in understandings and approaches. It sketches the contours of a common framework for understanding and approaching international FoRB promotion in order to provide inspiration and basic guidance to support development of pertinent context-specific theories of change and strategies for action.

The report first identifies important principles for a human rights approach to FoRB, including universality and non-discrimination, due attention to collective and individual rights, and indivisibility of human rights. Second, it presents tools to help identify and assess violations of the right to FoRB, distinguishing between state and non-state perpetrators, and including a typology on the intensity of violations, ranging from relatively limited issues of intolerance to problematic issues of discrimination, and severe violations or persecution. It then outlines key contextual factors that contribute to violations, exploring the ways in which factors such as conflict and violence, poverty and inequality, authoritarian or weak state structures, official state religion or state atheism, and broader cultures of intolerance and exclusion may contribute to creating conducive environments for state and non-state actors to engage in violations. Against this background, the report points to some of the common rationales employed by the specific actors that engage in FoRB violations, including protection of religious doctrine and traditions, responses to threats against national identity, societal harmony or state security, as well as, more broadly, lack of legitimacy of FoRB itself. The chapter also briefly discusses some of the motivations driving these actors, including a desire to obtain benefits, routinization and bureaucratization, and basic lack of knowledge and capacities. Finally, the report sketches various strategies for supporting changes in the behaviour of state and non-state actors, distinguishing between those that work through external pressure and those that rely on engagement and cooperation, and providing concrete examples and identifying some of the common conditions needed for success.

The report highlights five overall recommendations for actors engaged in the international promotion of FoRB:

FoRB interventions should be deliberately and centrally anchored in a broader human rights framework. Historically, the international human rights community rarely focused on FoRB, often viewing FoRB as 'a luxury' or 'a lesser right.' In contrast, several organisations, many with conservative and Christian roots, have promoted an understanding of FoRB as 'the first and foremost right'. Neither approach reflects adequately the complex realities on the ground. The role of FoRB needs to be 'right-sized' in the human rights landscape. FoRB advocacy should focus on key human rights principles, notably universality and non-discrimination, due attention to both individual and collective rights, and indivisibility. FoRB cannot be isolated from, for example, freedom of expression and rights related to gender equality.

FoRB interventions should be integrated into broader strategies for democratisation, development and peace-building. The root causes of FoRB violations are complex and multifaceted, and isolated strategies seeking to mend particular violations are rarely successful in the long-term. Key factors in creating conditions that are conducive to violations include e.g. violent conflict, poverty and inequality, weak or authoritarian state institutions, official state religion (or state atheism) as well as broader cultures of intolerance and exclusion. As such, efforts to promote FoRB and contribute to long-term improvements are best conceived as part of broader strategies for democratisation, development, and peace-building, and it is important to find practical ways to enhance synergies and mutual integration in the concrete implementation of initiatives. In this, the Sustainable Development Goals (SDGs) may play an important role.

Broader alliances are needed. Actors promoting FoRB are predominantly based in Western states and among international NGOs. This can foster a perception of FoRB as 'a foreign agenda', especially where FoRB promoters are associated with Christianity. This distinctive constellation shapes how FoRB promotion is perceived and received and has consequences for interventions and the focus and priority given to particular target groups, themes, and geographic areas over others. Deliberate and sustained efforts are thus needed to broaden the field of actors involved, including non-western states and NGOs, secular human rights actors as well as a broader array of religious actors, locally as well as internationally.

Interventions should have strong local anchorage. Context matters, with particular force in this field. Interventions to promote FoRB must be locally relevant and resonant. This requires strong local actors and ownership. In most countries, however, local FoRB leadership is weak, divided and isolated, pointing to the need for active engagement with, and support to, local actors through well-crafted capacity building, training, and networking. Institutionally focused support needs to be coupled with broader efforts to strengthen the local legitimacy of FoRB, e.g. through processes of 'vernacularisation'. Experiences suggest that instead of relying on an explicit FoRB language, it may be more useful to promote FoRB through notions of 'citizenship', 'non-discrimination', and 'co-existence'.

Long-term engagement is key. An experienced FoRB practitioner observed: "You absolutely have to be in for the long haul. We are finding that for real change to happen, you need ten years." Change takes time and persistence. Political pressure is only successful if sustained over extended periods of time; relational diplomacy and constructive engagement need time to cultivate the trust and confidence necessary for changes to happen. Promoting FoRB in varying situations involves long term, often slow-gestating work and deliberate focus on fostering relationships.

CHAPTER 1

INTRODUCTION

1.1 THE INTERNATIONAL PROMOTION OF FoRB¹

In July 2018, the first-ever US Ministerial to Advance Religious Freedom gathered representatives from 80 governments and from international organisations, civil society, and religious communities. Such a gathering would have been unimaginable even quite recently. For many years, freedom of religion or belief (FoRB) was, for various reasons, an overlooked or neglected right in international human rights promotion, development cooperation, and broader foreign policy. But recent years have witnessed an almost explosive interest in this right and an emerging consensus on the importance of strengthening the international promotion of FoRB. Numerous initiatives have been launched, spearheaded by international organisations, governments, NGOs, parliamentary networks, religious leaders, businesses, and other stakeholders.

To mention only a few of these: The EU has appointed a Special Envoy for the Promotion of Freedom of Religion or Belief outside the EU, and several countries, including Norway, UK, Denmark, Germany, and Holland, have established similar offices or functions, while others, including France and Italy, have created observatories to monitor the status of FoRB throughout the world.² A number of networks have been established, including the intergovernmental International Contact Group, the International Panel of Parliamentarians (IPP-FoRB), and the NGO network European Platform against Religious Intolerance and Discrimination. A FoRB Learning Platform has been launched by the Nordic Ecumenical Network on FoRB (NORFORB), but now counting more than 60 members and partners from religious and secular NGOs from across the globe. Earmarked funds have encouraged greater attention to FoRB through concrete projects; DFID, for instance, recently awarded grants totalling GBP 12 million to two consortia of NGOs, academic institutions, and religious organisations working to promote FoRB.³

Different factors have contributed to placing FoRB on the international agenda. First, empirical evidence suggests that human rights violations on the grounds of religion or belief are on the rise globally. The US-based Pew Research Center, which publishes annual overviews of 'restrictions on religion', finds that number countries with 'high' or 'very high' levels of restrictions increased from 20 percent (of reporting countries) in 2007 to 28 percent in 2016. Similarly, 27 percent of the world's countries are assessed to have 'high' or 'very high' social hostilities relating to religion or belief (Pew Research Center 2018). The situation of Christians in the Middle East has attracted particular attention in Europe and North America,

becoming a focus around which more general concerns for FoRB are expressed (Oliver-Dee 2014:30), sometimes connected to domestic politics around immigration and integration. The persecution of Rohingya Muslims in Myanmar has also contributed to placing FoRB more firmly on the agenda, including among actors outside Europe and North America.

Heightened attention to religion in international affairs more broadly has also contributed to increased attention to FoRB in foreign policy. As recent decades have clearly shown, modernization did not – as envisaged in the now infamous secularisation thesis – result in the disappearance of religion from the public sphere; public religion seems if anything to have become even more visible, prompted in part by the global rise of new forms of identity politics. Responding to this situation, policy makers, practitioners, and academics are exploring more directly and explicitly different ways in which religion and religious actors may contribute – positively and negatively – to foreign policy goals and initiatives. Since the early 2000s, we have seen a veritable explosion in initiatives on ‘religious engagement’ linked to, for example, development cooperation, prevention of violent extremism, conflict resolution and peace-building, and women’s rights.⁴

1.2 SKETCHING THE CONTOURS OF A FRAMEWORK FOR INTERNATIONAL FoRB PROMOTION

The present report provides an introduction to the field of international FoRB promotion and presents elements of a common framework that can serve as inspiration and guidance for actors in the field. The field of international FoRB promotion is characterised by a wide variety in – and sometimes even conflicts between – conceptions of and approaches to FoRB. Given the deep complexities and highly context-specific challenges that characterise this field, diversity and pluralism in responses is obviously key – and this is a central point of the present report. As such, the report makes no pretence of presenting a one-size-fits-all strategy or a generic theory of change for international FoRB promotion. Instead, it aims more modestly to sketch the contours of a common framework for understanding and approaching international FoRB promotion and, through this, to provide inspiration and basic guidance to support actors in the development of context-specific theories of change and strategies.⁵

More specifically, the report:

- Identifies important principles for a human rights approach to FoRB
- Presents tools for identifying and assessing FoRB violations
- Outlines key contextual factors that contribute to violations, and some of the main rationales employed by, and motivations driving, perpetrators of FoRB violations
- Sketches different types of strategies for the international promotion of FoRB, providing concrete examples and assessing some conditions for their success.

The study draws on various sources, including academic and 'grey' literature; evaluations, assessments, and reviews of concrete initiatives to promote FoRB; interviews with 15 experts on FoRB, including primarily representatives from international and national NGOs and religious organisations; as well as responses from a basic questionnaire sent to NGOs and religious organisations.⁶

1.3 BACKGROUND TO THE REPORT

The report is based on a two month study, commissioned by the Office of the Special Representative for Freedom of Religion or Belief, Danish Ministry of Foreign Affairs. This office was established by the Danish Government on January 1, 2018, with the mandate to strengthen international cooperation on freedom of religion or belief, based on article 18 in the International Covenant on Civil and Political Rights as well as article 18 in the Universal Declaration of Human Rights. Bilaterally and through strong international partnerships, the Office seeks to:

- promote FoRB throughout the world as a fundamental human right;
- assist vulnerable and marginalized minorities of religion or belief in upholding their rights;
- promote normative development of the interlinkage between FoRB and gender equality as well as FoRB and Responsibility to Protect (R2P);
- engage in regional activities concerning FoRB in the neighbourhood region of the EU;
- promote FoRB through projects in cooperation with four countries (Egypt, Indonesia, Iran and Lebanon);
- help individuals who are being persecuted because of their religion or belief

In commissioning this study, the Office of the Special Representative for Freedom of Religion or Belief wanted to take the first steps towards the development of an evidence-based theory of change in the area of FoRB. The original intention of the Office was to collect examples of successful (as well as less successful) initiatives in the area of international FoRB promotion, and, based on an analysis of these, to draw out a general theory of change, contributing to a more evidence-based approach to the international promotion of FoRB. However, based on an initial assessment of the field, it was concluded that the development of such a theory of change was practically difficult, because of the lack of empirical documentation and, not least, the short time-frame of the study. Furthermore, one might question whether it is possible to conceptualise changes within the field of FoRB promotion in terms of a generic theory, given the highly context-specific nature of the challenges to be addressed. Instead, the present study aims, as noted above, to provide inspiration and basic guidance to support the development of context-specific theories of change and strategies for FoRB promotion.

CHAPTER 2

THE FIELD OF INTERNATIONAL PROMOTION OF FREEDOM OF RELIGION OR BELIEF

This chapter introduces the contemporary field of international FoRB promotion, briefly outlining its history, identifying some key positions among relevant actors, and discussing some challenges involved from a human rights perspective. Against this background, the chapter sketches an understanding of international FoRB promotion that is more in line with international human rights norms.

2.1 A HISTORICAL OVERVIEW AND MAIN POSITIONS

The international human right to freedom of religion or belief as we know it today was first formulated in the Universal Declaration on Human Rights (1948), where it is mentioned in the preamble, proclaiming the “advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want [...] as the highest aspiration of the common people.”⁷ The right to FoRB was explicated in the Declaration’s article 18, and the right to non-discrimination on the grounds of religion or belief in articles 2 and 7. Some twenty years later, the legally binding International Covenant on Civil and Political Rights (1966) reaffirmed these rights, adding a right of persons belonging to religious minorities to profess and practice their own religion (see text box 2A).⁸ Within this framework, FoRB refers to the right of every individual to have, adopt, or change a religion or belief; to manifest and practice this religion or belief; to be free from coercion and discrimination on the grounds of this religion or belief; and to ensure the religious and moral education of their children.

From the outset, the right to FoRB was contested within the international human rights system. In the 1950s and 1960s, discussions around the formulation of article 18 in the ICCPR revealed a deep-seated opposition to different aspects of FoRB, including in particular the right to convert, with opponents arguing that such a right could be abused by missionaries, leading to ‘murderous conflicts’ in the community (Freluh 2010:500).⁹ In the following years, UN member states engaged in work to formulate a legally binding convention on religious discrimination, parallel to the work on a convention on racial discrimination. While the latter materialised as the Convention to Eliminate All Forms of Racial Discrimination (1965), work on the draft convention on religious discrimination became mired in conflicts and disagreements. In particular the right to criticize religion was (and remains) the subject of intense debate. While some countries, including the USSR, wanted an explicit recognition of the right to criticize or disparage religion, others, including Egypt and Libya, argued that ‘criticism of religious beliefs leads

to religious intolerance' (Limon, Ghana and Power 2014:10).¹⁰ The convention has never materialised. Instead, a non-binding declaration was adopted in 1981: the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

TEXT BOX 2A. THE RIGHT TO FORB IN THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Article 2: Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 18: 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. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 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. 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

Article 26: All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 27: In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

TEXT BOX 2B. THE UN SPECIAL RAPPORTEUR ON FORB

The Special Rapporteur on Religious Intolerance was established in 1986, following the 1981 Declaration. The mandate was later renamed: Special Rapporteur on Freedom of Religion or Belief. The Special Rapporteur is an independent expert appointed by the Human Rights Council, mandated to promote the adoption of measures at the national, regional and international levels to ensure the promotion and protection of the right to freedom of religion or belief; to identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief, and present recommendations on ways and means to overcome such obstacles; to continue her/his efforts to examine incidents and governmental actions that are incompatible with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures as appropriate; and to continue to apply a gender perspective, inter alia, through the identification of gender-specific abuses, in the reporting process, including in information collection and in recommendations. Through fact-finding country visits, annual reports to the Human Rights Council and the UN General Assembly, as well as communications to States on cases that represent infringements of or impediments to the exercise of the right to FoRB, the Special Rapporteur contributes in important ways not only to monitoring the state of FoRB, but also to the continuous development and clarification of the contents of this right.

In these discussions, North American and European states and human rights organisations have typically opposed limitations of the right to FoRB, but few have engaged wholeheartedly in promoting more inclusive conceptions and, still more, in action explicitly designed to strengthen FoRB. This lack of engagement has been, at least in part, the result of “an ill-conceived (though sometimes well-intentioned) projection of domestic understanding of secularism into the international arena” (Wilton Park 2015:2). Dominated by an understanding of religion as something whose importance would fade with modernisation, or at least recede to the private sphere, most human rights actors paid little attention to religion, seeing religion as at best essentially irrelevant to human rights, at worst a source of violations of human rights. From this perspective, FoRB came to be seen as ‘a luxury’¹¹ or ‘a lesser right’¹² as some FoRB activists have put it. Obviously, this does not mean that mainstream human rights organisations did not care about religiously based discrimination and conflict, but that they tended to see the topic as being ‘really’ about something other than religion – whether ethnic or racial discrimination, gender inequality, or political oppression – and as such, something tackled more usefully within e.g. frameworks on minority rights, non-discrimination, women’s rights, or freedom of expression than within a FoRB framework.

This detachment from FoRB in the human rights community was arguably strengthened as conservative Christian actors gradually captured the FoRB agenda; for some human rights actors this confirmed their assumption that FoRB represented an inherently conservative topic, protecting what they considered to be patriarchal and discriminatory religious traditions. From the mid-1990s, American evangelicals and other Christian groups worked to raise awareness of FoRB in the American foreign policy machinery, mobilizing grassroots pressure for legislation to address the global persecution of Christians as well as broader FoRB concerns.¹³ Proponents of this broad movement present FoRB as a universal right of all religious individuals and groups, but many contend that today's most pressing concern is persecution of Christians, justified by empirical realities and a religious duty "to strengthen and equip the Body of Christ living under or facing restriction and persecution because of their faith in Jesus Christ, and to encourage their involvement in world evangelism," as noted by Open Doors, which is one of the most active organisations in the field.¹⁴ Initially concerned with Christians and Jews behind the Iron Curtain, focus has gradually shifted towards Christians in the Middle East, North Africa, and South Asia, in broad alliance with conservative Christian-majority states, organisations, and groups, not only in the US, but also in Latin America, and, increasingly, Russia and Eastern Europe (particularly Hungary).¹⁵

Parallel to the emergence of the conservative Christian movement advocating for persecuted Christian minorities, and reflecting the growing influence of what has been termed the 'Islamic revival', certain Muslim organisations began to focus attention on discrimination against Muslim minorities in Europe and North America. In 1999, Pakistan launched the first UN resolution on 'Defamation of religions',¹⁶ on behalf of the Organisation of Islamic Cooperation (OIC), urging the UN and its member states to stand up against "new manifestations of intolerance and misunderstanding, not to say hatred, of Islam and Muslims in various parts of the world," as the Pakistani UN ambassador at the time, Munir Akram, stated. Pointing to e.g. the publication of Salman Rushdie's controversial novel, *The Satanic Verses*, the Danish cartoon controversy, and statements about Islam by personalities like Theo van Gogh and Geert Wilders, as well as broader tendencies of hate speech, restrictions on Islamic symbols and clothing and building of mosques, the OIC argued that Islamophobia – especially in the West – was the most pressing case of religious intolerance and discrimination. Persecution of Rohingya Muslims has recently become a central cause for the OIC (but not, interestingly, the harassment and oppression of the Uighur Muslims in China).

2.2 CHALLENGES FROM A HUMAN RIGHTS PERSPECTIVE

The various approaches outlined above all have their merits, and it is important to acknowledge the genuine worries and good intentions behind many initiatives. However, from a human rights perspective they also present some challenges.

First, and most obviously, a narrow focus on specific minorities – whether Christians in the Middle East or Muslims in Europe – is difficult to align with human rights

principles of universality and non-discrimination. Prioritising notions of intra-religious solidarity over ideas of a common humanity, such approaches can lead to particularism and polarisation. A long-time observer and activist in the field notes with regard to the OIC's attention to Muslim minorities in the West: "This is a kind of 'we have some of your people, you have some of our people' approach."¹⁷ Furthermore, it is questionable whether such an approach is pragmatically wise, insofar as it arguably leads to accusations of sectarianism at local levels, potentially damaging the work of religious minorities and FoRB advocates. As noted by a long-time FoRB activist from Sri Lanka: "If we worked only with Christian minorities, we would be seen as sectarian and dangerous."¹⁸

Second, the different positions share an understanding of FoRB as a right that protects religious groups and individuals rather than more broadly as a right that protects both religious and non-religious groups and individuals. When a recent UN Special Rapporteur report emphasised the right to freedom from religion, the Vatican, among others, reacted strongly, disputing that freedom from religion is covered by international human rights law, and noting that the "use of the term freedom from religion [...] reveals a patronising idea of religion, going beyond the mandate of the special rapporteur."¹⁹ While not necessarily using such strong language, or sharing the principled opposition, some FoRB activists are concerned that broadening the coverage of FoRB may result in a thinning of protections for all. Furthermore, in practice, many FoRB activists and organisations do seem to focus primarily on religious minorities in their work. Among secular human rights organisations, conversely, this misperception of FoRB as a right that primarily concerns religious communities and individuals is – in part – to blame for their lack of engagement with FoRB.

Underlying this emphasis on religious groups and individuals is sometimes a very particular understanding of what kinds of religion constitute 'authentic' or 'true' religion, typically prioritizing more conservative orthodoxy over alternative interpretations that challenge such orthodoxies. Conservative Evangelical NGOs, for instance, tend to oppose LGBTI-friendly interpretations of Christianity. Few state this as explicitly as Tony Perkins, president of the US Family Research Council, who, when asked about Christian homosexuals arguing for same-sex marriage from a FoRB perspective noted that: "true religious freedom" applies only to "orthodox religious viewpoints."²⁰ Similarly, it is difficult to imagine the OIC standing up for Muslim women's rights activists who are being harassed by religious leaders for insisting on a feminist reading of the Qur'an.

Finally, some FoRB promoters tend to emphasise an understanding of FoRB as the most important of all human rights. This is understandable, insofar as FoRB was for many years an overlooked right, in dire need of attention. Nonetheless, an understanding of FoRB as 'the first and foremost right' is arguably just as problematic as the understanding of FoRB as 'a luxury' or 'irrelevant', found among certain secular human rights organisations. An overemphasis on the prominence of FoRB can lead to skewed interventions, overlooking other aspects and rights

involved in religiously related discrimination and persecution. A FoRB perspective is not necessarily the sole or most relevant perspective through which to understand and tackle such conflicts. Furthermore, and equally problematic, an understanding of FoRB as the most important right sometimes entails assumptions that this right is potentially at odds with other rights, as hinted at above. Perceptions of a clash between FoRB and rights related to gender equality, sexual orientation, and gender identity are common. Similarly, some actors see freedom of expression as a fundamental threat to FoRB, and as such, as something to be restricted.

2.3 A HUMAN RIGHTS APPROACH TO FORB PROMOTION

Against these tendencies to particularise and – at times – polarise international FoRB promotion, others argue for a more inclusive discourse. This is a discourse that is promoted by international human rights organisations, interparliamentarian networks, and some of the newly established governmental offices and envoys, but also by many faith-based development organisations, interfaith coalitions, and others, some of whom have been working in the field for decades. Among these actors, many continue to focus on religious minorities, but emphasise the rights of all religious minorities over a particularist focus on specific groups. A representative from an international Christian FBO observed: “We started working with Christians behind the Iron Curtain and focusing specifically on Christian persecution, but we gradually evolved into taking a more overarching perspective.”²¹ Similarly, within the Muslim community, recent years have witnessed tendencies towards a more comprehensive understanding of FoRB, as seen e.g. in the 2016 Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Countries, which calls for religious freedom and equal rights for all minorities. Faith for Rights (2017), a declaration formulated by a range of different religious actors, in cooperation with the Office of the High Commissioner for Human Rights, places the promotion of FoRB even more explicitly within a human rights framework. Various other international inter- and intra-faith initiatives also seek to promote broader norms of tolerance, moderation, and co-existence, including the Washington Declaration (2018), and the Interreligious Dialogue for Peace, Promoting Peaceful Coexistence & Common Citizenship (2018).

While many actors remain focused on the collective rights of religious minorities, there is an increasing awareness of the need to emphasise an understanding of FoRB as a right of the individual. As important as collective rights are, FoRB is also a right of the individual to practice or not practice his or her religion or belief in the way he or she chooses, when this goes against the values and doctrines of the religious community of which he or she is a part. Religious communities sometimes engage in discriminatory and oppressive practices against individuals; even persecuted religious minorities themselves may be highly patriarchal with values, practices and traditions that undermine the rights of e.g. women and LGBTI people. An approach that equates FoRB promotion with protection of religious minorities risks overlooking or sidelining such important aspects. FoRB aims to ensure the right of individual women and LGBTI people to interpret and practice their religion

as they want, even when this runs counter to the orthodoxy of the religious group or community of which they are a part. Muslim women's rights organisations such as Musawah and Alliance of Inclusive Muslims, for instance, work consistently to empower women to claim their right to speak for themselves and interpret their religion in a way that is consistent with principles of equality and non-discrimination.

TEXT BOX 2C. FoRB AND WOMEN'S RIGHTS

The intersection between the right to FoRB and women's rights has historically been controversial, and there has – until recently – been few efforts to integrate the two. The advocacy groups, NGOs and even UN agencies promoting these two sets of rights have been largely distinct and sometimes mutually skeptical. At the level of international human rights standards, provisions on FoRB do not specifically mention women's rights or gender equality. Similarly, the Convention on Women's Rights (CEDAW) makes no mention of FoRB, nor does it contain a standard non-discrimination provision calling for no discrimination based on religion (Ghanea 2017:2f). Normatively, however, there is no conflict between FoRB and women's rights. The right to FoRB is about the protection of all individuals and their right to interpret and practice their religion. This includes women's right to interpret and practice their religion as they want. Furthermore, FoRB can never be used to justify discrimination, inequality or violation of other people's rights – including women's rights. Religiously justified discrimination and violence against women is not only a violation of women's rights – it is also a violation of their right to FoRB.²²

This approach is characterised by attempts at 'right-sizing' the role of FoRB in the broader human rights framework. FoRB is not less important than other rights, but neither is it more important. The indivisibility of human rights, and the interconnectedness between FoRB and other rights are essential. To enjoy FoRB fully, several other rights must also be protected, including e.g. freedom of association and assembly, and freedom of expression. To be able to meet for worship, for instance, freedom of association must be respected; to share religious (or non-religious) views, freedom of expression must be respected; and to maintain a place of worship, property laws must be protected (Thames, Seiple and Rowe 2009:9). FoRB is also related to other rights in the sense that discrimination against individuals and groups on the grounds of religion or belief rarely concerns only restrictions of their religious practices and manifestations, but also involves violations of various other rights, such as restrictions on access to living conditions, health and education services, particular jobs, participation in politics, and so on, thus necessitating a broader focus on a wide range of rights in the promotion of FoRB.

TEXT BOX 2D. KEY PRINCIPLES FOR A HUMAN RIGHTS APPROACH TO INTERNATIONAL FoRB PROMOTION

Universality	FoRB is a right of all individuals, regardless of what religion or belief they adhere to, or if they do not adhere to any religion or belief. Religious minorities are often vulnerable to FoRB violations, but violations also affect other groups and individuals, in particular converts, atheists, women, LGBTI people, refugees, and children.
Individual freedom	FoRB entails both collective and individual rights, and due attention should be given to both. Individuals have the right to interpret and practice their religion or belief as they want, as well as the right to criticize or leave their religion or belief, even when this goes against the orthodoxy of their religious or belief community.
Indivisibility	FoRB is closely intertwined with other rights, and to enjoy FoRB fully, several other rights must also be protected, including e.g. freedom of association and freedom of expression. FoRB is also related to other rights in the sense that discrimination on the grounds of religion or belief rarely concerns only restrictions of religious practices and manifestations, but also entails violations of other rights.

2.4 SUMMING UP: KEY PRINCIPLES OF A HUMAN RIGHTS APPROACH TO FoRB PROMOTION

This brief overview of the contemporary history of international FoRB promotion highlights three positions or approaches that have shaped many understandings of FoRB and that need to be addressed. First, the historical scepticism within the secular human rights community towards engaging with FoRB needs to be challenged as it can involve understandings of FoRB as at best irrelevant, at worst an obstacle to the promotion of e.g. women's rights or freedom of expression. Second, centering FoRB promotion (for example among US Evangelical NGOs) on persecuted fellow Christians, whether in the former Soviet Union or in the Middle East is problematic, as is the narrow focus on discrimination and hate speech against Muslims in Europe and North America. Against this background, recent years have witnessed the emergence of positions and approaches that anchor the international FoRB promotion more firmly and broadly within a human rights framework (text box 2E provides an overview of the four different positions). Such promising developments should be encouraged and strengthened, building interventions for FoRB promotion on key human rights principles of universality and non-discrimination, individual rights and the indivisibility of human rights.

TEXT BOX 2E. POSITIONS IN THE FIELD OF INTERNATIONAL FoRB PROMOTION

Position	Description	Examples of actors
'Religious discrimination is really about something else'	Religious discrimination and persecution is best countered through approaches other than FoRB promotion. FoRB is about protection of (conservative) religious groups, their beliefs and practices and as such, runs counter to e.g. the promotion of freedom of expression and rights related to gender equality, sexual orientation and gender identity, or sexual and reproductive health	Some secular human rights organisations and institutions, in particular those concerned with women's rights
'Persecution of Christians is the most pressing concern'	The promotion of FoRB is first and foremost about ensuring protection of persecuted Christians in the Middle East, Africa, and Asia FoRB is about protection of (Christian) religious groups, their beliefs and practices, including in particular the right to convert and proselytise. Restrictions on rights related to gender equality, sexual orientation and gender identity, or sexual and reproductive health are necessary to protect FoRB	Some conservative Christian organisations and institutions, nationalist organisations and movements, Russia, some Eastern and Central European countries
'The real victims of discrimination today are the Muslims'	Islamophobia, especially in North America and Europe, is the most important topic for FoRB promotion FoRB is about protection of (Muslim) religious groups, their beliefs and practices from discrimination, hate speech and blasphemy. Restrictions of freedom of expression are necessary to protect FoRB.	Organisation of Islamic Cooperation and some OIC member states, other conservative Muslim organisations and institutions
A human rights approach to FoRB	FoRB is about the protection of all individuals' right to believe and practice their religion (or not) Key principles in the promotion of FoRB are universality, individual freedom and indivisibility FoRB is not in opposition to e.g. gender equality or freedom of expression	International human rights organisations, faith-based development organisations, interfaith coalitions, interparliamentarian networks, and others.

CHAPTER 3

IDENTIFYING AND ASSESSING VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF

A first step in designing concrete interventions to promote FoRB is to identify the problems such interventions are supposed to address: What do we mean when we talk about FoRB violations? Who are the perpetrators of FoRB violations? What are typical kinds of violations? And how do we distinguish between different degrees of violations? While measuring this is obviously difficult, efforts to do so are an important tool in understanding the context, deciding when and what to focus on in interventions, as well as for tracking developments over time. A sound understanding of the actors, kinds, and degrees of violations is key to formulating appropriate and effective interventions designed to prevent future abuses. This requires in-depth contextual knowledge and timely and credible documentation. The present chapter gives a brief introduction to key actors and approaches in this area and provides basic guidelines to assess the FoRB situation in a given context, setting out an overview of different types of violations, violators, and victims, as well as a typology of the pervasiveness of violations.

3.1 MONITORING, DOCUMENTING AND REPORTING ON FORB VIOLATIONS

A number of actors – including intergovernmental and governmental entities, NGOs and religious communities – engage in systematic, first-hand monitoring and documentation of violations, whether nationally, regionally or globally. Data is collected through a variety of methods, including e.g. fact-finding missions, field visits, interviews, surveys, newspaper monitoring, social media mining and citizen reporting. Based on their monitoring and documentation, actors produce regular reports on the FoRB situation, whether in the form of annual or periodic reports, thematic analyses, or global rankings. Some overviews, such as the US State Department's annual country reports, and the UN Special Rapporteur's country visit reports, monitor, document and report on FoRB violations in relation to all groups and individuals. Others, such as Humanists International's annual Freedom of Thought Report and Shia Rights Watch's monthly updates, focus more narrowly on violations of FoRB in relation to particular belief or religious communities (see text box 3A for examples).

TEXT BOX 3A. MONITORING, DOCUMENTATION AND REPORTING ON FORB VIOLATIONS²³

EXAMPLES OF ACTORS ENGAGED IN MONITORING, DOCUMENTATION AND REPORTING ON FORB FOR ALL

US State Department
UN Special Rapporteur on FoRB
US Commission on International Religious Freedom
US Helsinki Commission/Commission on Security and Cooperation in Europe
Freedom House
Christian Solidarity Worldwide
Minority Rights Group International
Forum 18

EXAMPLES OF ACTORS ENGAGED IN MONITORING, DOCUMENTATION AND REPORTING ON FORB FOR SPECIFIC GROUPS

Humanists International (humanists, atheists and other non-believers)
International Human Rights Committee (Ahmadis)
Jehova's Witnesses International (Jehova's Witnesses)
Middle East Concern (Christians)
Shia Rights Watch (Shia Muslims)
OIC Observatory on Islamophobia (Muslims)
Open Doors (Christians)
World Evangelical Alliance (Christians)

Apart from the actors that engage in reporting based on first-hand monitoring and primary source documentation, some actors produce useful overviews and rankings based mainly on secondary sources. Among these, the most prominent ones are the annual reports of the European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance, and Pew Research Center's annual reports on restrictions on religion. A number of quantitative datasets also include basic information on the status of FoRB in different countries, including e.g. the Cingranelli-Richards Human Rights Data Project, the Association of Religion Data Archives' Religion and State Dataset, and Boston University's World Religion Database. A fuller list of reports and data sets on FORB violations is available in the bibliography.

TEXT BOX 3B. EXAMPLES OF NATIONAL INITIATIVES FOR MONITORING, DOCUMENTATION AND REPORTING ON FORB VIOLATIONS

The Iraqi Ceasefire Centre for Civilian Rights seeks to empower civilians to monitor violations of the rights of ethnic and religious minorities through the development and use of social media data mining.

Citizens against Hate is a coalition of individuals and organisations committed to 'a secular, democratic and caring India' that produces regular thematic reports documenting 'religiously motivated vigilante violence' and 'organised communal violence' in India.

Burma Human Rights Network works for 'human rights, minority rights and religious freedom', and provides periodic reports on the situation of religious minorities, in particular Rohingya Muslims and Christians, in Myanmar

The Norwegian Helsinki Committee's Freedom of Belief Initiative in Turkey (İnanç Özgürlüğü Girişimi) provides periodic information on the FoRB situation in Turkey

The National Christian Evangelical Alliance of Sri Lanka documents incidents of 'violence and intimidation against Christians', publishing annual reports on their findings. The organisation has introduced an app for citizen reporting, using the incoming data to develop a crowd-map of violations.

TEXT BOX 3C. BE CRITICAL! KEY QUESTIONS TO CONSIDER WHEN ASSESSING REPORTS ON FoRB VIOLATIONS²⁴

Does the report focus on FoRB for all or on FoRB for specific groups? There are few – if any – situations in which FoRB violations affect only one religious or belief community, and reports that focus broadly on FoRB for all obviously present a more complete picture of the situation than reports that focus more narrowly on one specific community or group. This does not mean that such reports cannot provide useful or reliable information, but this should be supplemented by other information.²⁵

What are the underlying definitions and conceptions? While some actors monitor and document violations of FoRB as understood in international human rights standards, others focus on slightly different aspects, or they rely on definitions of violations that are different from those outlined in international human rights standards. This work may be valid and useful, but there is a risk that certain parts of FoRB are overlooked or misrepresented.²⁶

What kinds of sources does the report rely on? Are the sources reliable and credible, and has their information been verified by others or backed by material evidence? Ideally, reports should be based on a variety of sources, including not only victims, but also eyewitnesses, community and religious leaders, media, medical personnel, human rights activists, police and others in order to present as accurate and neutral an account as possible.

Has data collection been systematic and wide-ranging? In contexts where serious human rights violations take place, and people become fearful of speaking about such violations, it may be impossible to gain more than a partial picture of the overall situation even if the basic overall assessment is accurate. Issues such as scarcity of resources to carry out wide-ranging and systematic data collection, or lack of access to information, may also result in skewed and anecdotal evidence.

Is there a risk of propaganda and bias? Some actors may have an interest in promoting a particular picture of the situation, downplaying certain challenges and over-emphasising others. Government reporting on their own country situation may be unreliable, but information provided by foreign governments, international NGOs, religious communities and local civil society actors can also be biased or misleading.

3.2 DEFINING FORB VIOLATIONS

A first step in assessing the FORB situation in a given context is to map the different types of violations at play. From a human rights perspective, FoRB violations involve situations where a person or community is prevented from having, adopting, changing, or leaving their religion or belief, is coerced to act in a manner contrary to their religion or belief, is prevented from practicing or manifesting this religion or belief, is discriminated against on the basis of their religion or belief, or is prevented from bringing up their children up in accordance with their beliefs and in a manner that respects the child's evolving capacity to make independent decisions (text box 3D outlines different types of violations).²⁷

Parts of FoRB are absolute rights, meaning that they cannot legitimately be restricted. The right to have, adopt, or change a belief or religion, and the right to be free from coercion are arguably such absolute rights. However, other aspects of FoRB, related to the right to manifest or practice one's belief or religion, can be restricted under certain circumstances. The ICCPR, with further explanation set out in the Human Rights Committee's General Comment no. 22, defines acceptable limitations subject to the following restrictions: they must be proscribed by law; necessary in order to protect public safety, order, health, or morals, or to protect the basic human rights and freedoms of others; and proportionate and non-discriminatory.²⁸

A FoRB violation refers both to restrictions specifically on having and practicing a religion or belief, and to broader violations in which a person's religion or belief (or lack thereof) is a component. However, in the latter case, this is not only – or even solely – a matter of FoRB violations. For instance, if people are being excluded from job markets, discriminated against in the health care system, or persecuted on grounds of their religious or belief identity, a range of other rights are typically also being violated, and the violation of FoRB is not necessarily the most pressing concern for these people. Also, discrimination or persecution against people with a particular religious identity is not necessarily religiously motivated. Even hostility that seem to have a clear religious motivation is rarely only religiously motivated, as conflicts are complex and multifaceted with religion one of many factors, including economic, political, cultural, social, and historical factors. It is vital not to underestimate the role of religion in discrimination and persecution, but also not to overestimate its role.

TEXT BOX 3D. MAPPING THE TYPES OF FORB VIOLATIONS²⁹

Type of violation	Examples of relevant questions to ask
Violations of the right to have, adopt, change, or leave a religion or belief	<p>Are there attempts at extinguishing or eliminating particular religious or belief groups and identities?</p> <p>Are particular beliefs and religions prohibited (including atheism)? Are there social hostilities connected to having a particular belief or religion?</p> <p>Is conversion and apostasy prohibited or restricted? Are there social hostilities connected to changing or leaving a particular religion or belief?</p> <p>Are people required to reveal/register their religion, e.g. on ID cards?</p> <p>Is inter-religious marriage permitted or is one spouse required to convert?</p>
Violations of the right to be free from coercion	<p>Do individuals face coercion to practice or refrain from practicing religion, or to follow religiously motivated codes of conduct?</p>
Violations of the right to practice and manifest a religion or belief	<p>Do religious or belief groups have to register through discriminatory or cumbersome registration procedures?</p> <p>Is unregistered religious or belief activity illegal or restricted?</p> <p>Are religious or belief groups or individuals banned from, restricted in, or prevented from worshipping and assembling, and from establishing and maintaining organisations and places for these purposes?</p> <p>Are religious or belief groups or individuals banned from, restricted in or prevented from teaching, communicating about and disseminating opinions, information and knowledge about their religion or belief?</p> <p>Is proselytization prohibited or restricted? Is proselytization met with societal hostility? Are foreign missionaries banned from or restricted in operating?</p> <p>Is blasphemy and/or criticism of religion prohibited or connected with social hostilities?</p> <p>Is the use of particular religious clothing or symbols obligatory, prohibited or restricted? Is lack of adherence met with societal hostility?</p>

<p>Violations of the right to non-discrimination on the basis of religion or belief</p>	<p>Are particular religious or belief groups or identities favoured in such a manner that other groups or identities are disadvantaged?</p> <p>Are there incidents of religiously based hate speech and incitement to hatred?</p> <p>Is family law discriminatory on the basis of religion or belief?</p> <p>Is there religiously based discrimination against particular groups or individuals in the education system, whether in terms of access, contents of education or otherwise?</p> <p>Is there social and/or economic discrimination on the basis of religion or belief?</p>
<p>Violations of the right to bring up one's children in accordance with one's religion or belief</p>	<p>Are children banned from or restricted in participating in religious activities?</p> <p>Is school teaching on religion or belief confessional? Are exemptions to confessional religious education, or aspects of education that raise religious or other conscientious sensibilities, made available, both in principle and in practice, to all children/parents who object to participation?</p> <p>If one party to a marriage converts are children automatically re-registered (converted) by the state without the permission of the other spouse? Can children refuse to be re-registered? And at what age?</p>

3.3 IDENTIFYING PERPETRATORS OF FORB VIOLATIONS

Assessments of FoRB violations typically distinguish between two overall types of violations, namely:

- state restrictions on FoRB
- non-state hostilities

The **state** is the primary duty-bearer in relation to the promotion, protection, and respect of human rights, including FoRB, and as such is obliged not only to uphold the right to FoRB itself, but to ensure that others do not violate it (see text box 3E). States are, however, common violators of FoRB. State-led violations occur where the state actively discriminates against, harasses, and/or persecutes individuals and groups because of their belief or lack thereof, or when the state passively supports or refrains from responding to violations committed by non-state actors. Examples of state-led violations include e.g. legal restrictions on criticism of religion, conversion, and apostasy; restrictions on the practices and manifestations of particular religious minorities; bureaucratic harassment and burdensome administrative procedures; and discriminatory family laws. Means of violations can be legislation, policies, administrative practices, or violence. Individuals and groups may encounter both state and non-state FoRB violations, whether because the state actively contributes to oppression or because it – due to lack of political will or lack of capacity – avoids interfering with ongoing oppression.

TEXT BOX 3E. STATE RESPONSIBILITY IN RELATION TO FORB

The individual state is the primary duty-bearer in relation to the respect, protection, and promotion of FoRB within the borders of its territory or other places under its jurisdiction. The state is obliged to respect FoRB by refraining from discrimination and violations of FoRB; protect FoRB, by taking an active role in order to prevent violations by non-state actors, for example by having good protection laws in place and by bringing violators to justice; and promote FoRB, by taking positive measures to facilitate the implementation and enjoyment of FoRB, i.e. through encouraging respect of this right and by putting in place appropriate institutions, policies, and procedures (Brown et al 2017:20).

Governments are not homogeneous monoliths, and violations play out at different levels of government. The power to violate FoRB lies not only, or even primarily, with the central government, but also with administrative staff, or with local government: In China, for example, there are large regional differences in approaches to FoRB, with laws and regulations applied and interpreted differently by local authorities. Similarly, different functions of a government may be involved in violations, whether as the driving force or supporting other parts of

government. In Myanmar, for instance, credible reports indicate that the military was the driving force in persecution of Rohingya. In other situations, the courts and law enforcement play a key role in interpreting and applying discriminatory laws. The education system is often an important instigator and disseminator of discriminatory practices, manipulation and even coercion.

Non-state actors engaged in violations of FoRB encompass an even wider range of actors, including terrorist and paramilitary groups, militant vigilante groups, religious organisations and leaders, businesses, media, political parties and groups, and local communities. Hate speech, threats and incitement to violence are among the most common non-state FoRB violations, but some actors also engage in violence, whether in the form of mob violence, kidnappings, rape, destruction of religious property or other means. Obviously, different actors have different leverage and means to engage in violations, and the scope and impact of their actions differ widely. Organized terrorist and paramilitary groups have the means to engage in systematic, widespread violence, while local vigilante groups typically engage in sporadic, non-organised violence. Media, political parties, and religious leaders play important roles in relation to the dissemination of hate speech, incitement to violence, and messages of exclusion. Local communities may contribute to strengthening cultures of exclusion and prejudice, engaging in hate speech, everyday discrimination, and even mob violence (see text box 3F for an overview of different actors). Ostensibly neutral platforms (e.g. Facebook, Youtube) may not actively violate FoRB but may be utilised by those who do and may not have systems in place to limit or react to hate or dangerous speech.

Countries with high levels of social hostilities rarely rank low on government restrictions, and vice versa (Grim 2012:254). Among the few countries that display significantly higher government than social restrictions (such as China, Vietnam, Uzbekistan, and Burma), a communist or authoritarian background is a common factor; these states often have a deeply engrained view of religion as a threat to state authority. Countries where the level of social hostilities is higher than that of government restrictions (e.g. Sri Lanka, Nepal, Bangladesh and Ethiopia) may have large segments of the population favoring a particular religion (Buddhism in Sri Lanka, Hinduism in Nepal, Islam in Bangladesh, Orthodox Christianity in Ethiopia) (Grim 2012:254), or, more precisely, particular, and often strongly conservative and exclusionary, interpretations of this religion.

TEXT BOX 3F. OVERVIEW OF STATE AND NON-STATE ACTORS

<p>State actors</p> <p>Central government</p> <p>Local government</p> <p>Military</p> <p>Courts, including religious courts</p> <p>Law enforcement (police, prisons)</p> <p>Education system</p>	<p>Non-state actors</p> <p>Terrorist groups</p> <p>Militant vigilante groups</p> <p>Political parties and organisations</p> <p>Businesses</p> <p>Media (print, radio, TV, internet)</p> <p>Religious leaders</p> <p>Local communities</p> <p>Independent educational institutions</p>
---	--

3.4 ASSESSING THE PERVASIVENESS OF FoRB VIOLATIONS

A full understanding of FoRB violations entails not only attention to the types and actors involved, but also to the pervasiveness, or intensity, of violations. Based on an analysis of the methodologies underlying the various overviews in the field, and bearing in mind international FoRB standards, several common indicators for assessing the pervasiveness of violations can be identified:

- Is there violence?
- Is the right to have, adopt, change or leave religion and to be free from coercion restricted?
- Is the right to manifest or practice religion or belief restricted? Is the right to bring up one's child in accordance with one's belief restricted?
- Is there discrimination?
- Are instances of violence, restrictions, and discrimination systematic or occasional? Are they widespread or sporadic?
- Are violations justified by national law? Or is there resort to law?

Based on these indicators, we can draw a typology of the pervasiveness of violations, ranging from intolerance and exclusion to discrimination and severe violations or persecution (see also text box 3H for a summary of the typology). The typology outlined here, and the terminology applied, is based primarily on the methodology outlined in the European Parliament Intergroup on FoRB & RT's recent report, developed by Gatti, Annicchino, Birdsall, Fabretti and Ventura (2018). Some terms are used in ways that are distinct from existing international agreed definitions and usages.³⁰

Intolerance and exclusion: At the lowest level, we find instances of intolerance against (particular) religious or belief communities. Such intolerance exists, to varying degrees, in most societies, and does not in itself entail a violation of FoRB. Situations of intolerance are difficult to quantify, insofar as this is not about legal restrictions, or about widespread or systematic state discrimination, but about the

existence of a more intangible societal culture in which some religious or belief identities and practices are felt to be unwanted and stigmatized.

Intolerance refers to a situation in which there may be sporadic acts of violence against particular religious or belief communities by non-state actors, but victims have recourse to the law and the state responds to these acts. State responses may, however, be characterised by delays or inefficiency. Key elements of FoRB, including the right to adopt, change, or abandon a religion or belief, are not legally prohibited or punished, and individuals and groups are free to express views based on their religion or belief, including through religious insult and criticism, or proselytization. However, (certain) religious or belief communities or individuals may encounter administrative difficulties, e.g. in relation to conversion from one religion to another, or in publicly expressing criticism of religion, and may be met with widespread criticism and social control from non-state actors. Individuals and groups may engage in self-censorship because of fear of crossing 'red lines'.

Similarly, there may be no legal restrictions on individuals' or communities' freedom to manifest and practice their religion or belief in public or privately, but they may encounter occasional administrative obstacles, and non-state actors may engage in the spread and promotion of intolerance against individuals or groups because of their religious or belief identity and practices. The state does not engage in discrimination based on religion or belief but does not actively or consistently respond to societal discrimination and intolerance either, which can in the long run strengthen or encourage further hate speech and incitement to violence. School teaching may be confessional. Exemptions are made available in principle, but in practice it may be difficult to make use of such exemptions, as societal pressure to conform may be strong.

Discrimination: Situations of intolerance in themselves do not constitute a violation of FoRB, but they may prepare the ground for more systematic discrimination and violations of FoRB. Key here is the degree to which intolerance is openly shown and uncontested by government and other relevant authorities, and the degree to which victims refrain from reporting acts of intolerance (Szymanski 2018:3). In other words, when intolerance goes unchecked, it can lead to discrimination and, as such, a more problematic situation in terms of FoRB violations.

Discrimination refers to a situation in which there may be occasional non-state violence against particular religious or belief communities or individuals, and the state fails to prevent or respond to these acts of violence. More importantly, the state also engages actively in violations of FoRB. The hallmark of 'discrimination' is a law – or established practice – which entrenches a treatment of, or a distinction against, a person based on the particular religious or belief community to which that person belongs. As such, discrimination denotes situations in which the state is not only passively but also actively contributing to violations (Szymanski 2018:3). Core elements of FoRB, including the adoption, change, or abandonment

of religion or belief, are punished, just as certain expressions of views or opinions based on religion or belief are punished through e.g. laws against blasphemy, apostasy, or proselytization. Punishments are, however, relatively weak, including e.g. shorter imprisonment or the payment of fines. Non-state actors occasionally attack individuals or groups because they adopt, change, or abandon a religion or belief, because they express what is considered to be blasphemous views or engage in religious insult and criticism, or because they engage in proselytization.

While the state does not in general prevent individuals and communities from manifesting their religion or belief, it does apply disproportionate or unmotivated restrictions in specific contexts, e.g. in relation to the education system where school teaching may be confessional with no exemptions made available, or in relation to the publication and distribution of information related to religion or belief which may be censored. Non-state actors occasionally or in specific contexts interfere with individuals' or groups' freedom to manifest their religion or belief, to the extent that it prevents individuals and groups from practicing their religion or belief (or forces them to practice if they do not wish to). The state occasionally engages in broader discrimination based on religion or belief against one or more groups or their individual members, e.g. in relation to access to particular job functions, or the use of particular symbols and dress codes (Szymanski 2018:3). Non-state actors engage in frequent, but not systematic, discrimination based on religion or belief against one or more groups or their individual members, e.g. in relation to employment, housing or otherwise.

Severe violations: Discrimination may develop into a situation of severe violations – what some term 'persecution'. This denotes a situation in which there is systematic, organised violence, with the intent to drive away or subjugate particular religious or belief communities and individuals. Situations in which the state commits, sponsors, or tolerates religion-related acts of violence (including attacks against persons and property), or where the state fails to prevent or respond to systematic religion-related acts of violence, committed e.g. by a terrorist group, constitute 'severe violations'. At this stage, key aspects of FoRB are severely punished by government. Adopting, changing, or abandoning a particular religion or belief is punished with death, forced labour or longer imprisonment. Similarly, harsh laws are in place to prevent blasphemy, religious insult/criticism, or proselytization. Non-state actors systematically and violently attack individuals or groups because of such practices. They may also engage in coercive measures, including forced marriage or forced conversion.

The manifestation of particular religious or belief practices is severely restricted through laws and administrative practices. The state systematically applies disproportionate or unmotivated restrictions, to the extent that it prevents individuals and groups from practicing their religion or belief (or forces them to practice if they do not wish to). The state routinely censors publication and distribution of information related to religion or belief. Similarly, non-state

actors systematically interfere with individuals' or groups' freedom to manifest their religion or belief, to the extent that it prevents individuals and groups from practicing their religion or belief. The state engages systematically in broader discrimination based on religion or belief against one or more groups or their individual members, to the extent that it prevents these groups and their members from practicing their religion or belief. Children are subject to religious indoctrination in schools, and/or may be banned from participation in religious activities. Similarly, non-state actors also engage in systematic discrimination. This includes the promotion of hate speech and incitement to violence.

TEXT BOX 3G. GENOCIDE

The ultimate expression of persecution is genocide. This is when the state commits, sponsors, or tolerates acts with intent to destroy a group, in whole or in part, or when non-state actors commit acts with intent to destroy a group, in whole or in part. This can include killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group.³¹

TEXT BOX 3H. A TYPOLOGY OF THE PERVASIVENESS OF VIOLATIONS

State	Non-state
Severe violations (persecution)	
<p>The state commits, sponsors, or tolerates religion-related acts of violence, or fails to prevent or respond to such acts</p> <p>The state punishes the adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism, with death, forced labour, or longer imprisonment</p> <p>The state systematically applies restrictions on individuals' or groups' freedom to manifest or practice their religion or belief</p> <p>The state engages in systematic discrimination based on religion or belief against one or more groups or their individual members</p>	<p>Non-state actors systematically attack individuals or groups for adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism</p> <p>Non-state actors systematically interfere with individuals' or groups' freedom to manifest or practice their religion or belief</p> <p>Non-state actors engage in systematic discrimination based on religion or belief against one or more groups or their individual members</p>
Discrimination	
<p>The state fails to prevent or respond to occasional religion-related acts of violence by non-state actors</p> <p>The state punishes the adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism with shorter imprisonment or the payment of fines</p> <p>The state applies restrictions in specific contexts, without generally preventing individuals and groups from practicing their religion or belief</p> <p>The state engages in occasional discrimination based on religion or belief against one or more groups or their individual members</p>	<p>Non-state actors occasionally attack individuals or groups for adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism</p> <p>Non-state actors occasionally or in specific contexts interfere with individuals' or groups' freedom to manifest religion or belief</p> <p>Non-state actors engage in frequent, but not systematic, discrimination based on religion or belief against one or more groups or their individual members</p>

Intolerance and exclusion	
The state responds to acts of occasional religion-related acts of violence by non-state actors, but with delays or inefficiency	Non-state actors engage in sporadic religion-related acts of violence
The adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism are not legally prohibited or punished, but administratively difficult	The adoption, changing, or abandoning a religion or belief, blasphemy, religious insult and criticism are met with widespread criticism and social control
There are no legal restrictions on individuals' or groups' freedom to manifest religion or belief, but occasional administrative obstacles	Non-state actors engage in the intolerant and discriminatory practices against individuals or groups because of their religious or belief identity and practices
The state does not engage in discrimination based on religion or belief but does not actively respond to societal discrimination and intolerance	

3.4 SUMMING UP: IDENTIFYING AND ASSESSING FORB VIOLATIONS

Violations of FoRB are widespread, and diverse evidence indicates that they are increasing throughout the world. FoRB violations involve situations where a person or community is prevented from having, adopting, changing, or leaving their religion or belief, is coerced to act in a manner contrary to their religion or belief, is prevented from practicing or manifesting this religion or belief, is discriminated against on the basis of their religion or belief, or is prevented from bringing up their children up in accordance with their beliefs and in a manner that respects the child's evolving capacity to make independent decisions. Common FoRB violations include legal limitations in the form of e.g. blasphemy and apostasy laws, restrictions or bans of certain religious groups or individuals (as well as favoritism towards specific groups at the expense of others), societal discrimination and exclusion, destruction of property, or mob violence.

Key perpetrators of FoRB violations are states (with different institutions and levels of governments involved) and a range of non-state actors that include terrorist movements and militant vigilante groups, political parties, media, businesses, religious leaders and organisations, as well as loosely organized local communities. In the case of non-state actors, indifference or tacit support by governments often plays a role, so that discrimination and repression can be mutually reinforcing. In focusing on those states and situations of greatest concern, analysis of the intensity of violations and their interlinkages is useful. A scale of violations ranges from relatively limited patterns of intolerance and exclusion to systemic discrimination and outright restrictions, and culminates in severe forms of violations and persecution, and ultimately "religious cleansing" and genocide.

CHAPTER 4

UNDERSTANDING THE ROOT CAUSES OF VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF

A sound understanding of the kinds and degrees of violations taking place in a particular context, and the identification of key actors involved in these violations, is a first step towards a comprehensive strategy for FoRB promotion. In order to formulate an adequate response to these violations, we need to understand the underlying root causes and rationales. This chapter explores some of the factors that are typically assumed to create or contribute to situations conducive to FoRB violations, including:

- conflict and violence
- poverty and inequality
- authoritarian or weak state structures
- official state religion, and
- broader cultures of intolerance

As political scientist Jonathan Fox (2016:33) notes, it is “far easier to uncover and measure the extent, nature, and consequences of religious discrimination than it is to do the same for its causes”; the different contexts in which FoRB violations take place are notoriously complex, shaped by their distinct histories, politics, economies, and cultures. This chapter’s relatively modest aim is to help guide individual analyses of particular contexts, by highlighting relevant areas for attention in such analyses, based on available research and experience from FoRB experts.

4.1 CONFLICT AND VIOLENCE

War and other forms of violent, systemic conflict are commonly acknowledged as significant predictors of human rights violations, generally and for FoRB. Quantitative research on FoRB violations shows strong correlations between a country’s level of conflict and violence and the level of FoRB violations (Grim and Finke 2010).³² Countries which rank low on the Global Peace Index and high on the Global Terrorism Index, for instance, tend to have ‘very high’ government restrictions and/or social hostilities in the Pew Research Center’s ranking and other global rankings on FoRB. Conflicts that have a religious element, or are framed or perceived as having a religious element – e.g. conflicts between different religious groups, or if one part in the conflict has a strong religious identity – can be particularly damaging for FoRB. Countries with high levels of religiously related violence score high on restrictions and hostilities while countries with low violence related to religion tend to score low (Finke and Martin 2012:16).³³

Various reasons account for this link: First, conflict situations may legitimize governmental restrictions and even violence against particular groups or individuals perceived to be drivers of the conflict, seemingly justified as an unfortunate necessity – even a noble action – that protects the greater good of ‘security’, ‘national unity’ or ‘harmony’. In religiously related conflicts, governments tend to impose restrictions on the religion to which opponent belong, ‘taming religion’ in order to maintain social order (Henne and Klocek 2019:112). Second, conflict creates cycles of human rights abuse that are difficult to interrupt: “Terror, especially when administered by the state, can incite civilians to openly challenge the government and generate dissident violence. Once people are mobilized in dissent and willing to engage in violence, the state is likely to respond with yet more violence” (Hafner-Burton 2014:274f).³⁴ In a FoRB context, restrictions may engender resentment and mistrust towards perpetrators, contributing to disenfranchisement, alienation, and eventually resistance, thus contributing to – and even fostering – violent dissent (Saiya 2015:372; Finke and Harris 2011). Data shows that countries with low FoRB protections have experienced more than 13.5 times as many religious terrorist attacks as their religiously free counterparts. The vast majority of international religious terrorist groups (88 percent) originated from religiously repressive settings and very few (three percent) from religiously free settings (Saiya 2015:376). As such, the relationship between conflict and violations of FoRB is not one-directional; conflict can lead to violations, but violations can also accentuate conflict and violence. This also involves the emergence or strengthening of broader societal cultures of violence. Violent conflict can teach and breed cycles of aggression in society, eroding social ties and normal social control mechanisms in individuals and groups (Hafner-Burton 2013:22), leading them to engage e.g. in mob violence and destruction of property.

4.2 POVERTY AND INEQUALITY

Poverty and inequality are also widely acknowledged as key in creating conducive conditions for human rights violations. Several studies link poverty and high income inequality with various human rights violations.³⁵ Some researchers document similar correlations for FoRB, arguing that lower human development and economic inequality is associated with lack of FoRB protections.³⁶

Economic inequality can generate societal discontent and instability (Hafner-Burton 2013:26). Groups compete for resources, awakening or reinforcing hostile attitudes among them. When a minority group threatens – or is perceived to threaten – the majority group in a competition for resources, negative reactions from majority group members are likely to emerge (Hafner-Burton 2013:2).³⁷ If this minority group belongs to a particular religious community, reactions may take the form of religiously based discrimination, hate speech, and even violence. Bielefeldt (2016:12), for instance, points to land-grabbing as a significant factor accounting for violations of FoRB in some regions: “Freedom of religion or belief issues enter the picture, for example, if land disputes affect the real estate on which religious institutions, such as churches, temples, mosques, pagodas or graveyards, have been erected.”

Situations of economic crisis and poverty also lend themselves easily to 'scapegoating' and stigmatization on the part of government. Governments may seek to divert attention away from their performance in a dire economic situation by looking for scapegoats. Religious minorities, who are often already stigmatised and discriminated against, may be easy targets in such situations.

TEXT BOX 4A. 'RICE CHRISTIANITY'

In contexts of poverty, conflicts often arise over what are perceived to be coercive or inappropriately enticing campaigns directed at poor or vulnerable minority groups, notably if benefits are conditioned on conversion. In Sierra Leone, for instance, religious leaders have contested "aggressive proselytization." The derogatory term "rice Christianity" refers to attempts by missionaries to attract converts with the promise of material benefits, in this instance rice. Conflicts over proselytization can lead to broader social hostilities against missionaries and other people belonging to the same religion, and they are commonly used to justify restrictions on proselytization and foreign missionaries. Proselytization is restricted in 77 countries; the activities of foreign missionaries are restricted in 66 countries, and they are banned in 10 countries (Pew Research Center 2018).

4.3 AUTHORITARIAN OR WEAK STATE STRUCTURES

A third key factor in creating conditions for FoRB violations is the type of government. This is widely assumed to affect the human rights situation in general, with democracies better at protecting human rights than authoritarian regimes and weak or failed states. In a democracy, abuse is more difficult to hide and more costly than in an authoritarian regime which lack checks and balances (Sikkink 2017:186). "In functioning democracies, ordinary people have information about government behavior and can sanction their rulers for inappropriate or undesirable behavior by voting them out of office." (Hafner-Burton 2013:23). Furthermore, democracies ensure space for civic engagement and organisation, including of religious actors.³⁸ Much quantitative research supports these assumptions, demonstrating that democracies show lower levels of human rights violations in general.³⁹

Several studies link lack of FoRB protections and authoritarian rule. The more authoritarian a government is, the more excessive its control obsessions usually are, including in the field of religion (Bielefeldt 2016:11).⁴⁰ Insofar as authoritarian regimes are not based on popular support, they have to rely on strong control and often oppression in order to maintain power. As such, authoritarian regimes are often characterised by "hostility toward dissent, pluralism, independent media, and active civil society" (USCIRF 2018:x); in short anything that may threaten the power and control of the regime. In such situations, religion can be an important source of dissent, presenting narratives, motivation and – not least – an organisational

infrastructure for rebellion. Thus, many authoritarian governments have an interest in “prevent[ing] religious communities from running their own affairs independently for fear that this might in the long run erode the control of the state over society” (Bielefeldt 2016:11).

Weak or failed states characterized by systemic political mismanagement and endemic corruption are also typically associated with massive violations of FoRB, though these are commonly committed by non-state actors: “When public institutions fall apart, societal groups typically fill the vacuum, including mafia organisations, self-appointed vigilante groups and even terrorist organisations, some of which commit violence in the name of religion” (Bielefeldt 2016:12). A weak government is not capable of responding adequately to this and lacks the resources to ensure protection.

In both authoritarian and weak states, there is a lack of independent and well-functioning public institutions to respond to violations; something which further undermines conditions for FoRB. Research suggests that a weak or dependent judiciary plays an especially important role in contributing to FoRB violations. Finke, Martin and Fox (2017:402) find that independent judiciaries are negatively associated with discrimination against religious minorities. A judiciary controlled by religious or political institutions and leaders is compromised in its ability to protect FoRB, even if this right is clearly protected in the constitution; conversely, an impartial and independent judiciary can ensure that constitutionally guaranteed rights of minorities are upheld, even where there are government restrictions and social hostilities (Finke and Martin 2012:16).⁴¹

4.4 OFFICIAL STATE RELIGION OR STATE ATHEISM

Apart from authoritarianism and weak state institutions, the relationship between the state and religion is a key institutional factor in creating conditions for FoRB violations, perhaps more so than other factors.⁴² Ahmed Shaheed (2018:4), the UN Special Rapporteur on FoRB, noted in a recent report: “[T]he degree to which States are entangled with various religions or beliefs has far-reaching implications for their disposition and ability to guarantee human rights, especially those rights exercised by persons belonging to religious or belief minorities.” Shaheed distinguishes between four overall types of state-religion relationships, namely: states with an official religion; states with a favoured religion (or more favoured religions); states that do not identify with any religion; and states that have a negative view of the role of religion in public life (see text box 4E for an overview and brief description of the different types). Among these, states with an official religion are the most prone to FoRB violations. These are states that confer official status to one religion or one particular denomination of a religion in their constitution or other founding documents. Among the world’s countries today, Islam is the most common official religion, with Christianity and Buddhism second and third most common (see text box below).

TEXT BOX 4B. STATES WITH OFFICIAL RELIGION⁴³

Number of states in which Islam is the official religion: 25

Number of states in which Christianity is the official religion: 13

Number of states in which Buddhism is the official religion: 3

Various studies explore the implications of these relationships in terms of FoRB violations. No governance model for the relationship between state and religion is immune to FoRB violations. Even in states that do not identify with a religion and have explicit commitments to FoRB, we find examples of increasing restrictions; for instance among religiously 'neutral' states in Europe, recent years have witnessed a sharp increase in restrictions on e.g. the wearing of religious symbols or dress codes. Nonetheless, compared to others, these states "appear best positioned to respect a range of human rights, including the right to freedom of religion or belief" insofar as the separation between religion and politics gives them a greater space "to fulfil their role as impartial guarantors of freedom of religion or belief for all" (Shaheed 2018:14). In contrast, states with an official religion seem to be most conducive to creating environments of violations.

In states with an official religion, followers of this religion typically enjoy special privileges, whether political, legal, or financial, while followers of other religions are implicitly or explicitly discriminated against with their freedom to practice and manifest their religion or belief severely restricted (Shaheed 2018:9). States with an official religion are statistically associated with more discrimination against minority religions (Finke, Martin and Fox 2017:391). For instance, Muslim-majority states that have Islam as their official religion engage in higher levels of discrimination against minorities than Muslim-majority states that do not have an official religion. The same pattern is found among Christian-majority states (Fox 2016:201). States with an official religion are also more likely to interfere with and restrict practices and manifestations of religion or belief. The state has an interest in preserving and propagating a particular religion, or, more precisely, a particular interpretation of a particular religion. This means that alternative religions, or alternative interpretations of the state religion, must be controlled and, if necessary, oppressed. Certain religious groups may be banned; apostasy and conversion from the official religion is often restricted or even prohibited; and criticism of the state religion is punished through blasphemy laws (Shaheed 2018:13).

TEXT BOX 4C. LAWS ON BLASPHEMY

About a quarter of the world's countries have anti-blasphemy laws or policies. Countries with the harshest penalties for blasphemy or apostasy are Iran and Pakistan, which explicitly enshrine the death penalty in law; however, there have also been cases of people being sentenced to death in Saudi Arabia, Afghanistan, Nigeria, and Somalia (IHEU 2018). Elsewhere, offenders risk corporal punishment, compulsory labour or long prison sentences. Blasphemy laws are commonly used as a means to control and limit criticism of religion or other dissenting voices in the public sphere. In Saudi Arabia, the human rights activist Raif Badawi was sentenced to prison and 1,000 lashes for insulting Islam in 2013. In Indonesia, the Christian governor of Jakarta was sentenced to two years in prison in 2017. In Sudan, the notorious “teddy bear” case involved imprisonment of a teacher whose class named their mascot Mohammed. Cases of mentally disturbed citizens being attacked on grounds of blasphemy are not uncommon.⁴⁴

Such restrictions obviously target religious minorities and non-believers, but very often also have implications for followers of the state religion who interpret their religion in ways that are deemed ‘heretic’ or ‘deviant’. The state monopoly on defining religious orthodoxy means that people are not free to interpret their religion in other ways. In Saudi Arabia and Iran, for instance, women are not free to advance feminist interpretations of Islam. In Malaysia, a man was charged with ‘mocking, ridiculing or insulting Quranic or hadith texts’ for asking questions about the origins of the shahadah (the Muslim declaration of faith) to a number of religious leaders.⁴⁵

TEXT BOX 4D. RELIGIOUS FAMILY LAWS

Family law in various countries, including in particular countries with an official state religion, is based on or legitimized with reference to religion (and may be directly and formally administered by religious authorities). Many cases involve clear discrimination between men and women or minorities justified in religious terms in relation to custody, marriage, divorce, inheritance, and property.). In Jordan, Muslims and Christians are governed by distinct family laws; Christian women who marry Muslim men often find it difficult to exercise rights such as obtaining a divorce. In Malaysia, a series of law reforms to end discrimination against women in marriage and in the family apply only to non-Muslims, so Muslims are governed under the Islamic legal system (Musawah 2017, 2018).

States with a negative view on religion, or official atheism, share many of these characteristics, and also present serious challenges to FoRB. Like states with an official religion, they define a particular state ideology as superior to others and which other ideologies cannot challenge or rival. To protect the state ideology, restrictions, repression, and coercion become important tools. Sixteen states throughout the world have an explicitly negative view on religion and actively seek to restrict the role of religion in the public, and sometimes also the private, sphere. As in states with an official religion, discrimination against religious communities and individuals is widespread, and restrictions on religious manifestations and practices are high. There may be no blasphemy laws, but proselytization and religious education is commonly banned, certain religious practices such as fasting or religious dress may be prohibited or severely restricted, and administrative registration practices for religious communities may be burdensome and discriminatory. China is an obvious example of a state with a negative view on religion. Consistent reports from various human rights organisations tell of millions of Uighur Muslims who have been sent to re-education camps, where they are forced to renounce their religion and recite Communist Party propaganda for hours each day. There have been reports of forced labour, torture, and death.⁴⁶

TEXT BOX 4E. TYPOLOGY OF STATE-RELIGION RELATIONS⁴⁷

Religion-state relation	Description	Number of states
States with official religion	A particular religion is declared the official religion of the state. Followers of the official religion typically enjoy certain political, legal, or financial privileges, while religious minorities and non-believers are implicitly or explicitly discriminated against and their religious or belief practices and manifestations are restricted.	41 states (23,2 percent)
States with favoured religion(s)	There is no formally declared official religion, but legally and/or in practice the state favours one or more religions, granting their followers privileges not granted to others, resulting in implicit or explicit discrimination of certain religious minorities and non-believers, just as their practices and manifestations of religion or belief may be restricted.	77 states (43,5 percent)
States that do not identify with a religion	There is a formal separation of religion and state, and a formal commitment to FoRB, but in practice diverging degrees of restrictions and discrimination.	43 states (24,3 percent)

States with a negative view of the role of religion in public life	The state is explicitly anti-religious, legally and/or in practice. Religious groups and individuals are discriminated against, and their practices and manifestations of religion or belief are restricted for the purpose of limiting the role of religion in public and, at times, private life.	16 states (9 percent)
--	---	-----------------------

4.5 IDEAS, CULTURES AND IDEOLOGIES OF INTOLERANCE AND EXCLUSION

Just as particular government ‘cultures’ – in terms of authoritarianism, weak state institutions, or official religion – can contribute to creating conditions that encourage violations, broader societal cultures, ideas, and ideologies also play an important role in undermining human rights. Religious fundamentalism, racism, political factionalism, nationalism, and other exclusionary ideas can dehumanize people, stripping them of their dignity or individuality, and making them seem less worthy of respect and protection. As such, these ideas can encourage and justify abuse, inspiring even otherwise-reasonable citizens to violate basic human rights (Hafner-Burton 2013:27; Sikkink 2017:201). This is obviously hard to explore quantitatively – ideas are notoriously difficult to measure. But various qualitative case studies explore these dynamics, analyzing the ways in which intolerant ideas can justify, and thus pave the way for, discrimination, harassment, and even general persecution. Many studies of genocide and mass atrocities, for instance, demonstrate that such events are often the culmination of a gradual process of increasing dehumanization of particular groups.⁴⁸ Those who observe the suffering of innocent victims tend both to denigrate and blame victims for their suffering, prompting a cycle of increasing discrimination and exclusion.⁴⁹

Such cultures of intolerance and exclusion not only encourage societal hostilities against particular religious or belief communities; they can be a significant precursor and cause of governmental restrictions on FoRB.⁵⁰ Government laws, policies and practices can reflect or reinforce such exclusionary ideas and cultures, whether because these are seen to be useful to the government, because they feel pressured to do so, or as an attempt to maintain popular support. This is particularly evident at the local level, where administrative units are close to, and as such vulnerable to, cultural and societal pressure (Finke and Martin 2012:14); local government restrictions often precede national ones (Fox 2016:199). An example is the contemporary concern about rising restrictions against minority religious communities driven through local governments in Indonesia.

Religion can play an important role in encouraging, legitimizing or even creating such cultures of discrimination and exclusion. A recent report by scholars Fabio Petito, Stephanie Berry and Maria Mancinelli (2018:4) notes that: “[s]tereotyping, stigmatization, hate speech, intolerance and discrimination based on religion or belief are part of a worrying growing social trend throughout the world, thriving

on the crises of established collective identities, and concerns about social cohesion exacerbated by other social conditions including economic insecurity.” There seems to be a higher risk of such discriminatory cultures in countries with a very homogeneous religious population. Some research thus documents some correlations between countries in which more than 70 percent of the population belongs to the same religion and high levels of both legal restrictions and social hostilities (Scharffs 2016).⁵¹ Conversely, countries with a high level of religious diversity seem to fare better in terms of lower levels of discrimination against minorities (Finke, Martin and Fox 2017:403; Fox 2016:178).⁵²

In public debates, it is sometimes argued that some religions, due to their particular theological doctrines, are inherently more prone to intolerance and violence than others, thus explaining higher incidence of human rights violations in general, and FoRB violations in particular, in these contexts.⁵³ This is typically an argument that is extended as an explanation of the seemingly high level of FoRB violations in Muslim-majority countries compared to other countries. Addressing this argument, Fox confirms that in general, levels of discrimination against religious minorities are far higher in Muslim majority countries than in Christian majority countries (Fox 2016:161). However, he finds that religion (or, more specifically, Islam) alone cannot explain these differences, given wide differences among Muslim majority states. Muslim majority states include both some of the world’s most and least discriminatory states, with high levels of discrimination in the Persian Gulf, mid-levels in other Middle Eastern states; and levels in Sub-Saharan African states similar to those of Western democracies (Fox 2016:196).⁵⁴

That particular religions are in themselves a poor predictor of FoRB violations also does not mean that particular religious interpretations do not play a role in creating conditions that are conducive to FoRB violations. Most of the world’s religions are open to a multitude of different interpretations. While religious beliefs can obviously be as a strong source for reconciliation, encouraging peaceful co-existence, forgiveness, and tolerance, as documented e.g. in the involvement of religious actors in peace-building and conflict resolution throughout history, religious doctrines, traditions and norms also present powerful narratives and framings that encourage and justify discrimination and exclusion.⁵⁵ In many Muslim majority contexts, both state and societal interpretations of Islam have in recent decades been dominated by strongly dogmatic currents, with Islam being used to justify severe restrictions on FoRB. But we also see tendencies towards more restrictive, exclusionary interpretations in many other religious contexts, whether among Hindu nationalists in India, Orthodox Christians in Russia, or Buddhists in Myanmar (see also the discussion of rationales for FoRB violations below).

4.6 SUMMING UP: ANALYSING CONTEXTUAL FACTORS

The above review of some of the key contextual factors that can contribute to creating conducive conditions for FoRB violations does not suggest any generic explanation of the causes of FoRB violations. No single factor or even combinations

of factors can consistently explain why and when some countries and communities violate FoRB and to what degree. FoRB violations – like broader human rights violations – rarely have a simple, straightforward cause, but are shaped by complex webs of interrelated and intertwined factors, distinct in each particular context. One FoRB expert observed: “We all like simple solutions. When we talk about FoRB, we think that it can only be about religion, that there cannot be other reasons. But discrimination and persecution is also about economy, social factors, politics, culture, history. The world is complex.”⁵⁶ In-depth context analysis is needed to begin to understand these complexities. The above review offers a guide, pointing to factors that may be relevant to creating conditions for FoRB violations and as such, useful to explore in particular contexts.

Apart from contributing to context analysis and understanding of FoRB violations, this analysis points to insights that are relevant to the design of strategies for FoRB promotion. If FoRB violations are most likely to occur in contexts of conflict, poverty, authoritarianism, and state religion, initiatives to promote FoRB should ideally be conceived as part of, and integrated into, broad-based strategies for peace-building, economic development, humanitarian aid, democratization and good governance, aimed at tackling the root causes of violations. FoRB is often, explicitly or implicitly, an integral part of the numerous policies and strategies that focus on efforts for prevention of violent extremism and counter-terrorism, but there is far less focus on FoRB issues in the areas of peace-building, economic development, humanitarian aid, democratization and good governance, despite obvious overlaps and synergies.

It is important to find practical ways to integrate interventions to strengthen FoRB into these broader efforts, enhancing synergies and identifying linkages among issues and possible alignments. This needs to take place at various levels. In concrete terms, raising awareness and understanding of FoRB in UN agencies like UN Women, UNDP, WFP, and UNHCR is important. Efforts to promote and implement the SDGs also need to integrate due attention to FoRB, in particular in relation to Goals 5 on gender equality, and 16 on inclusive societies and access to justice for all. Governments that seek to promote FoRB should ensure that attention to FoRB is mainstreamed in all foreign policy and strategies. In countries of intervention, concrete FoRB initiatives should be linked explicitly to national priorities and strategies around democratisation, development, and peace-building. And finally, at the level of concrete programmes and projects, efforts can encourage knowledge-exchange and sharing of experiences among different sectors. The education specialist who does not appreciate the harm that curriculum components that denigrate different religious traditions can cause, may benefit from insights that FoRB specialists can provide – and the other way around, the FoRB specialist may gain a fuller understanding of the consequences of discriminatory family laws by engaging with women’s rights experts, to mention just one example.

CHAPTER 5

RATIONALES AND MOTIVATIONS FOR VIOLATIONS OF FREEDOM OF RELIGION OR BELIEF

Contextual factors such as poverty and inequality, war and conflict, illiberalism, state religion, and broader cultures of intolerance may produce environments that are conducive to FoRB violations, creating situations and perceptions that allow for state and non-state actors to engage in such violations (Hafner-Burton 2013:28). But they do not directly cause individual actors to engage in violations. Why then does this occur? What convinces actors that such actions are acceptable and even necessary? This chapter provides an overview of common rationales employed by actors that engage in FoRB violations. Some of these have been hinted at above; the following provides a fuller description, focusing on:

- Protection of religious doctrine and traditions
- Responding to threats against national identity, societal harmony or state security
- Lack of FoRB legitimacy

The chapter also briefly discusses some of the motivations driving these actors, including

- A desire to obtain benefits
- Routinization and bureaucratization
- Lack of knowledge and capacities

5.1 PROTECTION OF RELIGIOUS DOCTRINE AND TRADITIONS

Some justify FoRB violations with reference to religious doctrines. While religious intolerance, discrimination, and persecution rarely originate directly from religious teachings, particular interpretations of religions may serve as the justification. Although “there may be differences between inclinations towards open-mindedness and tolerance in various [religious] traditions, there is scope for interpretation in all of them” (Bielefeldt 2016:9), and these interpretations can go in many different directions. Some religious actors seek actively to formulate theological defences for the right to FoRB, while many others find justification for restrictions of FoRB in the very same theological doctrines. In their perspective, restrictions on FoRB are necessary and legitimate in order to uphold and protect religious doctrines. While there can be no doubt that some actors use religion strategically to advance their agenda, for many others these beliefs are genuine and heartfelt.

Different actors employ religious rationales. Governments may rely on such rationales to justify various restrictions on the manifestation and practice of religion or belief, in particular when they have an official state religion. There (as noted above), government is the ultimate interpreter and defender of religious orthodoxy, and their legitimacy rests on their ability to protect this orthodoxy. Laws restricting or discriminating against particular religions or beliefs are often based on religious sources; in particular laws against blasphemy, apostasy, and conversion are commonly justified with reference to religion (see text box 4C above). In other contexts, local vigilante groups or international terrorist movements may see themselves as ‘guardians of the purity of religious doctrines’ against ‘infidels’, ‘heretics’ and others, demonstrating what is seen to be a religiously deviant behaviour. Islamic State is an obvious example; other examples are Boko Haram and Lord’s Resistance Army. Finally, social hostilities emerging from local communities and popular movements are very often justified with reference to religious doctrine. Expressions of blasphemy and religious criticism are generally viewed as deeply problematic and offensive in many countries, and many people will explain their opposition to such expressions with reference to religious doctrine. The strong popular reactions against Asia Bibi in Pakistan is an example of social hostilities justified with reference to conservative religious doctrines, as are the attacks on religious buildings following the blasphemy case against a Buddhist woman, Meiliana, in Indonesia.

5.2 THREATS TO NATIONAL IDENTITY, SOCIETAL HARMONY AND STATE SECURITY

Another set of rationales turn on perceptions of threats – whether to national identity, societal harmony or state security. Governments that feel threatened may engage in acts that oppress individuals and groups perceived as sources of these threats (Hafner-Burton 2013:25; Sikkink 2017:186). The same arguably goes for non-state actors and broader communities. As is the case with the religious doctrine rationale, some actors may obviously use this rationale strategically to advance other agendas, but for others, their perception of a threat may be genuine, growing out of very real experiences of conflict and insecurity.

In some contexts, particular religions or beliefs, or particular manifestations or practices related to them, are seen as a threat to national culture, unity, or identity (Sarkissian 2015:21); restrictions are thus justified as necessary to protect a national culture.⁵⁷ This is particularly common in countries with an official state religion, where nation and religion overlap and are almost synonymous. But it is also found in other states, where religion plays an important role, whether formally or informally, in defining and demarking national identity. In fact, such religious/nationalist justifications for restrictions seem more common “than governmental aspirations to protect the ‘purity’ of specific truth claims” (Bielefeldt 2016:10). Restrictions often target religious minorities that are seen as ‘new’ or ‘foreign’ to the national (religious) culture and identity, and as such, potentially dangerous or destructive to national cohesion, while those perceived as ‘indigenous’, ‘authentic’

or 'traditional' parts of this national history, culture, and identity are protected or at least accepted (Fox 2016:203). This coupling of religion and nationalism also underlies rationales employed by non-state actors engaged in social hostilities against particular religious or belief communities. Pew Research Center (2018), for instance, documents a rise in nationalist rhetoric against religious minorities, highlighting the roles of nationalist groups and organisations as an increasingly important actor.

A related rationale turns on notions of 'societal harmony' and 'co-existence'. Specific religious expressions and practices, especially those related to criticism of religion, are seen as contributing to social unrest and conflict; restrictions on FoRB and other human rights are thus presented as necessary to protect harmony, security, and peace. In Oman, for instance, while religious communities and groups enjoy a certain degree of freedom to practice and manifest their religion, criticism of religion, or committing "an affront to religions and faiths,"⁵⁸ is not allowed, on the grounds that this may disturb 'the religious peace.' This rationale also underlies many arguments for restrictive laws on proselytisation and missionary activities, by many seen as a disruption of 'societal cohesion' (see text box 4A above on 'rice Christianity').

A third version of this rationale turns on state security and stability. This is primarily a government rationale. If state security is seen to be at risk, 'exceptional circumstances' are invoked to justify violations to the broader public and to the perpetrators themselves: "Torturing a terrorist might seem entirely justified if it produces information that can boost national security or save lives. Crushing a political protest might seem defensible, even desirable, if it lowers the threat of social unrest and political instability" (Hafner-Burton 2013:33). This rationale is obviously most common in situations of war and conflict; the more imminent the threat of violence, the more likely the government will engage in violations.⁵⁹ Some governments restrict what they consider 'cults', as threats to security and public order. With the surge of Islamic extremism and the 'War on Terror', recent years have witnessed the increasing use of this rationale in wider contexts. Under the pretext of 'counter-terrorism' and 'prevention of violent extremism', governments have banned or severely restricted specific religious communities and individuals on the grounds that they pose a threat to security. In China, for instance, the government argues that repressive action against the Uighurs responds to security concerns. Iran offers similar explanations for its harsh treatment of Baha'is. In Myanmar, combatting terrorism is the central pretext for the ethnic cleansing of Rohingya Muslims. In Uzbekistan, an estimated 15,000 people are imprisoned because of their alleged membership of 'extremist' religious groups (Evans et al 2017:19).

5.3 FORB SCEPTICISM

The above rationales are often coupled with sceptical attitudes towards human rights in general, and of FoRB in particular. Notwithstanding official support for

international human rights norms, significant numbers of people in practice view human rights, broadly, as lacking local legitimacy and resonance; the foreign governments and international organisations that transmit these norms are seen as alien or disingenuous (Hafner-Burton 2013:152).⁶⁰ FoRB can be seen as ‘an imported agenda’, associated with notions of ‘Western imperialism’ and ‘Christian mission’. A FoRB activist in an Asian country observed: “The majority thinks it is a Western, colonial concept. They think that we [a national Christian organisation] talk about this, because we want to take over.”⁶¹

This scepticism is arguably nourished in some contexts by the particular constellation of the field of international FoRB promotion, heavily dominated by Christian and/or Western actors. Even if these actors base their work on an explicitly universalist and non-discriminatory approach – which many do – they can find it difficult to convince a broader public that they are not ‘crusading Christians’ (Meral 2012:29), or working to promote ‘sectarian agendas of particular groups’ as one activist put it.⁶² A common dissonance between some governments’ foreign policy and their domestic agendas accentuates the perception. While the countries that engage actively in the international promotion of FoRB typically belong to the group of countries with the highest levels of domestic FoRB protection, there are nonetheless tendencies towards more restrictions even in these countries, prompting criticisms of hypocrisy and double standards. “You need to practice what you preach,” a FoRB advocate from Asia noted in an interview.⁶³

Such doubts about the validity, relevance and importance of FoRB in themselves obviously do not lead actors to engage in violations, but they can contribute in real ways to making the promotion and protection of FoRB difficult, in particular when coupled with other powerful rationales, whether based on religious doctrine or perceived threats to national identity, societal harmony, or state security.

TEXT BOX 5A. PUBLIC OPINIONS ON FORB⁶⁴

How important do you think it is for people of different religions to be treated equally?

64 percent state ‘very’ important and 25 percent state ‘somewhat’ important

Do you think followers of any religion should be allowed to assemble and practice in your country or that there are some religions that people should not be allowed to practice?

61 percent state all should be allowed, while 32 percent state that some should not be allowed to practice.

People of any religion should be free to try to convert members of other religions to join theirs

41 percent agree, while 51 percent disagree

How important is it for people to have the right to express any opinion, including criticism of the government or religious leaders?

66 percent state that it is 'very important' and 22 percent that it is 'somewhat important'

5.4 MOTIVATIONS

The rationales outlined above are all framed in a normative language, positing a necessity to restrict FoRB in order to protect a 'greater good' – whether 'authentic' religious doctrines, national identity, societal harmony or state security. Perpetrators of violations are obviously also driven by more mundane motivations and reasons when violating FoRB. The desire for various benefits; routinization and bureaucratization; as well as basic lack of knowledge and capacities are important factors to take into consideration when trying to understand and explain the actions of perpetrators.

Perpetrators may, like any other actor, be driven by a desire to obtain certain benefits for themselves, whether political, economic, or psychological. They may want to maintain political power or societal status, get revenge for past injustices, gain support and admiration, or secure economic gains for themselves and their peers (Hafner-Burton 2013:36). Routinization and bureaucratization are important motivations for violations. In fact, a common predictor of human rights violations is earlier behaviour (Hafner-Burton 2013:35): actors engage in violations because this is what they have always done and it is what everybody else does; it is an ingrained part of the governmental institutions and societal cultures of which they are a part.⁶⁵ Finally, we also have to make room for the simple possibility that actors engage in violations because they simply do not know what else to do; they lack knowledge, capacities and not least resources to act and react in more appropriate ways.

5.5 SUMMING UP: ANALYSING RATIONALES AND MOTIVATIONS

This analysis of actors' rationales and motivations for engaging in violations highlights the different rationales and motivations that may be at play in justifying violations. It points to common types of rationales and motivations, directing attention to the widely varying ways in which actors justify their violations of FoRB. Context-specific analyses of the ways in which specific actors in specific contexts justify their involvement in FoRB violations is essential to effective response and action.

Analysis of actors' rationales and motivations has implications for the concrete design of strategies to promote FoRB. As noted by Hafner-Burton (2013:29), it is often extremely difficult to change the contextual factors that lead to human rights violations: "war, illiberal government, poverty and inequality, intolerance, and other such contextual factors don't change overnight." Thus broader strategies for democratization, peace-building and economic development must be

coupled with strategies that seek more specifically to encourage changes in the behaviour of individual actors engaging in violations, whether governments or non-governmental actors and broader communities. In designing such strategies, a nuanced understanding of the rationales and motivations employed by these actors is needed to ensure adequate and relevant responses.

CHAPTER 6

STRATEGIES TO PROMOTE FREEDOM OF RELIGION OR BELIEF INTERNATIONALLY

The foregoing chapters have outlined a set of overall principles for a human rights approach to FoRB promotion, presented tools to identify FoRB violations and measure their intensity, and highlighted some of the contextual factors, rationales and motivations that should be taken into consideration in understanding and responding to FoRB violations. As emphasised in the above, interventions to promote FoRB should be anchored within broader efforts for democratisation, development and peace-building, addressing the root causes of violations in a holistic and comprehensive manner. At the same time, there is also a need for interventions that seek more specifically to contribute to changes in the behaviour of state and non-state actors. The following chapter seeks to identify some overall strategies and approaches in this regard, and provide concrete examples of common modalities or tools applied within each.

TEXT BOX 6A. STRENGTHENING FORB LITERACY

Knowledge and understanding of FoRB is a prerequisite for any sound strategy on FoRB promotion, and many initiatives on FoRB promotion center on the strengthening of 'FoRB literacy', whether among diplomats, international NGOs, government representatives, judges and lawyers, local NGOs or religious leaders. A prominent example of an initiative focusing on this is the FoRB Learning Platform, which seeks to provide resources "to help individuals, communities and decision-makers learn, reflect upon and promote freedom of religion or belief for all." The platform provides audio-visual, and written materials, group exercises for educators/facilitators and e-learning course. The Platform was established by the Nordic Ecumenical Network on Freedom of Religion or Belief, in partnership with a range of secular and faith-based NGOs (www.forb-learning.org).

The overarching, long-term goal of international FoRB promotion from a human rights perspective will always be to improve the protection of FoRB and decrease the number of violations committed, whether generally or in a particular context. One – but certainly not the only – way to categorise different strategies is to distinguish between strategies that seek to change government behaviour, policies and legislation, and strategies that seek to change the behaviour of non-

governmental actors and broader societal cultures. This is primarily an analytical distinction as in practice the two are often, and have to be, intertwined, with interventions simultaneously addressing both government and non-governmental actors: governmental behaviour affects societal cultures and the other way around. Furthermore, various strategies arguably fall outside the scope of the two mentioned here. Initiatives to document and measure violations of FoRB, for instance, are an integral part of both strategic approaches, but could also be seen as stand-alone strategies. Similarly, providing direct aid to victims of FoRB violations – whether in the form of humanitarian aid, legal assistance, financial support, or otherwise – can be a tool to indirectly pressure governments, raise public awareness, or build capacities among victims to claim their rights. However, direct aid can also be conceived as a distinct strategy, with the overall goal to provide immediate relief rather than long-term change (see text box 6B). For the sake of analytical clarity, the present chapter focuses on the two strategies outlined above, describing the different approaches taken, presenting concrete examples of relevant modalities, and identifying some of the conditions for their success.

TEXT BOX 6B. DIRECT SUPPORT TO VICTIMS OF FoRB VIOLATIONS

Providing direct aid to victims of FoRB violations is an important tool in efforts to promote and protect FoRB, but not easily categorized in terms of the two overall strategies. While direct aid may contribute to raise public awareness, or to indirectly shame a government, the primary goal of the intervention is immediate relief to the victim, whether in the form of humanitarian aid, legal aid, or religious support. In cases of large scale displacement linked to violations of FoRB, classic humanitarian assistance in the form of emergency relief, food, tents, etc. may be seen as part of a FoRB strategy. Support to victims of Boko Haram or victims of IS in the Plain of Nineveh are cases in point. Governments or individuals may channel support to victims – building schools, offering scholarships, and small scale loans. Programmes offering legal aid to contest discrimination are also common. There are many cases, though they are poorly inventoried, of church to church aid that range from construction and infrastructure to international adoption of children. A related form of aid addresses spiritual needs of victims and might involve providing or translating religious books, rebuilding religious sites that have been destroyed, or even providing direct pastoral care.

6.1 CHANGING GOVERNMENT BEHAVIOUR, POLICIES AND LEGISLATION

Supporting changes in government behaviour, policies, and legislation, to improve protection of FoRB for all, is a strategic option. Government is the main duty-bearer in relation to respecting, protecting, and promoting FoRB, and is also responsible for some of the severest violations throughout the world. Various state actors may be engaged in violations, including central government, local administration,

law enforcement, military, courts, and the education system. Contexts of conflict, violence, and poverty contribute to situations in which governments are likely to engage in violations. Authoritarian or weak regimes are particularly prone to engage in FoRB violations, and so are regimes with an official religion or state atheism. Governments employ a variety of different rationales and motivations to justify violations.

The following distinguishes between two different approaches: external pressure and constructive engagement. The two approaches rely on distinct rationales. In short: The former assumes that changes in government behaviour are best encouraged through actions that inflict pain in various forms or offer negative incentives, pressuring governments to revise their cost-benefit analysis of violating FoRB. In contrast, the latter assumes that changes are best obtained through long-term engagement, dialogue, and cooperation, seeking to convince perpetrators to change their underlying rationales (Seiple 2012). In practice, actors involved in FoRB promotion often rely on a mixture of the two, simultaneously engaging in dialogue and applying external pressure. Similarly, the concrete modalities used may serve different purposes simultaneously: Documentation and monitoring of violations, for instance, can be an effective tool to pressure and incentivise, but can also serve as a starting point for dialogue and engagement. Likewise, strategic litigation may serve to pressure government, but it may also contribute to raising awareness more broadly in the population, potentially influencing broader cultures and perceptions of FoRB. A Malaysian FoRB activist recounts how the so-called Allah-case, in which the Catholic Church sued the government for banning use of the term 'Allah' in Christian religious material, was simultaneously used to expose governmental violations of FoRB and educate the broader population on FoRB: "We stretched the case, not because we were looking for victory, but we were using the case for awareness-raising and education, as a way to engineer religious sentiments."⁶⁶

6.1.1 EXTERNAL PRESSURE

Approaches that emphasise external pressure, whether in the form of punishments or rewards, assume that governments change behaviour if the cost of continuing violations is too great, or, conversely, if the gains from changing behaviour are greater than the benefits from continuing violations (Hafner-Burton 2013:139). Military action is the ultimate form of external pressure; political and economic pressure are more common and, in most cases, more appropriate. Political pressure assumes that governments care about their international reputation; being seen as a human rights pariah in the international community can have dire consequences, also economically. A goal is to make continued repression so costly that governments revamp their calculus on abuse; presenting incentives that are so attractive that governments are motivated to change behaviour is also possible. Modalities include various diplomatic tools (UN or EU resolutions, recommendations, demarches, designations); economic sanctions and rewards; as well as strategic litigation and public campaigns to draw attention to violations.

Pressure can include highly confrontational, visible, and public pressure, as well as more ‘constructive pressure’ through quiet diplomacy, back-door dialogue, and peer review. Pressure strategies can evolve from low-level, back-door diplomatic pressure into confrontational, public pressure in an accelerating spiral. Economic sanctions may be the culmination of a process of accelerated pressure. A robust (and rare) example of such sanctions are the 2018 US sanctions against selected Turkish officials, specifically linked to the imprisonment of a pastor. The officials were barred from obtaining US visas and any assets they had in the US were frozen. Sanctions were lifted after the pastor was released.

Applying political and economic pressure is primarily the domain of intergovernmental organizations and governments, insofar as it requires a certain amount of resources and leverage to engage in many of the modalities mentioned above. However, various non-governmental actors also have an important role to play, in particular international and national NGOs, interparliamentary networks, and religious minority groups. Through lobbying, advocacy and campaigning, they can engage in the ‘naming-and-shaming’ of FoRB violators, contributing to the pressure (see text box 6C for an example). International companies such as Facebook and Google are also increasingly – albeit reluctantly – getting involved. In response to criticism of Facebook’s role in disseminating hate speech and incitement to violence in Myanmar, the company has closed a number of Facebook pages and accounts, including those of central military leaders.

TEXT BOX 6C. MUSAWAH’S LOBBYING AND ADVOCACY ACTIVITIES

Musawah, an international Muslim women’s rights organisation, works for equality and justice in Islam. Through research, capacity-building, and advocacy, Musawah seeks to build the capacity of women’s rights leaders and human rights institutions to engage and advocate more critically on how Islam is used as a source of law and public policy in Muslim-majority countries. An important part of their work consists in lobbying and advocacy at the UN, in particular in relation to the Committee on the Elimination of Discrimination against Women. Musawah presents shadow reports to the Committee, providing members of the Committee with Islam based arguments to counter conservative attempts at restricting women’s rights, in particular in relation to the so-called sharia reservations to the Convention on Elimination of All Forms of Discrimination Against Women and broader issues around discriminatory religious family laws (see www.musawah.org).

The US government’s use of designations of ‘countries of particular concern’ illustrates the ‘pressure’ approach, including both punishments and incentives. As outlined in the International Religious Freedom Act (1998), the US President, supported by the Ambassador at large for International Religious Freedom, each

year reviews the status of FoRB in the world's countries, designating countries that engage in or tolerate particularly severe violations of the international right to FoRB. Upon designating a country, the US President must then either enter into a binding agreement with the concerned country to end violations, or choose from a number of remedies outlined in the Act, including: the withdrawing, limitation, or suspension of some forms of U.S. aid; direction to public and private international institutions to deny assistance; and ultimately sanctions prohibiting the U.S. government from entering into import or export agreements with the designated governments. Designations, or more precisely the promise and prospect of lifting designations, can also serve as an incentive for governments to change their behaviour. In 2017, for instance, the US government reportedly engaged in conversations with the government of Uzbekistan, promising to lift its status of 'Country of Particular Concern' if the government initiated certain improvements in the field of FoRB protection. In 2018, then, the status of Uzbekistan was changed from 'Country of Particular Concern' to the 'Special Watch List', due to "substantial changes" according to US Ambassador at Large for International Religious Freedom.⁶⁷

Pressure approaches take various forms and involve a wide range of different modalities, and as such it is difficult to draw any definitive conclusions as to what works, how, and when. However, based on available research and experiences from FoRB experts, we may sketch a number of general considerations as to the conditions for success. First, pressure must be applied where it matters. Punishments and sanctions work best when target states have no other option than to comply, or when rewards are large. In practice, this means that pressure approaches work best with smaller states that have a weak economy and are dependent on the sanctioning state(s). Strong states that have a solid economy and ample opportunities to find ways to lessen the stings are obviously less susceptible to pressure. It also means that punishments need to be carried out by broad-based alliances, or very significant economies (Hafner-Burton 2013:144).

TEXT BOX 6D. DO ECONOMIC SANCTIONS WORK?

The question of economic sanctions' influence on human rights is contested and research provides no clear answers. Some argue that sanctions have a positive impact on human rights protection, in particular narrow sanctions targeting economically vulnerable states that depend on the sanctioner (Hafner-Burton 2013:144), while others maintain that economic sanctions in fact contribute to human rights violations, in particular when directed against dictatorships (Peksen 2009:59; Careniero and Elden 2009:969).

Second, those applying the pressure need to be seen as legitimate actors by the population (Hafner-Burton 2013:145). Punishments from foreign governments that are seen as illegitimate can antagonize public sentiment and encourage greater support to the government, in turn discouraging the government from changing its behaviour (Ackerman 2018:18). Shaming campaigns that are carried out in coordination with strong local actors with a high degree of legitimacy in the community are most likely to be successful (Kinzelbach and Lehmann 2015:5).

Pressure also seems to be more effective if coming from friends and allies of the state in question. A study by Terman and Voeten (2018) explored the impact of recommendations made in the context of the UPR process, concluding that while states may be less likely to criticize their friends and allies, the criticism they do offer is more influential precisely because of this relationship: “[S]tates are more lenient towards their strategic partners in the peer-review process. Yet when they do criticize, their recommendations are accepted more often than substantially identical recommendations emanating from other states with fewer strategic ties” (Terman and Voeten 2018:3).⁶⁸ A concrete example of this was international pressure campaign on Iran to stop the stoning and execution of minors. According to some, the success of this campaign was, at least in part, due to the involvement of a broad coalition of countries: “Countries like Russia were able to speak to [Iran] directly and they cared more about what the global south was saying” (Ackerman 2018:18).

Finally, pressure needs to be consistent and sustained. Political pressure can lead to changes in government human rights practices, but such changes are often short-lived. Hafner-Burton (2008), studied human rights criticism and governments’ human rights practices in 145 countries from 1975 to 2000, finding that governments named and shamed as human rights violators by the UN, international NGOs, and media often improved protections for political rights after public criticism but rarely followed up with ceasing violations; paradoxically, sometimes violations increased.⁶⁹ Anecdotal evidence from experts and evaluations supports this conclusion. A US expert brings up the example of US designations of countries of particular concern as an example, pointing out that first-time designations or, alternatively, prospects of getting off the list may encourage immediate changes, but such changes are rarely followed by more sustained action.⁷⁰ Similar conclusions emerge around initiatives focusing on particular legal cases: a case may be won in court but implementation flags. High-profile cases focus advocates on visible short-term success, but without sustained, proactive work, the root causes of problems go unaddressed (Meral 2012:28) and underlying rationales remain unchallenged.

TEXT BOX 6E. FORB RECOMMENDATIONS IN THE UNIVERSAL PERIODIC REVIEW

The presentation of recommendations on FoRB in the UN's Universal Periodic Review (UPR) can be a way to apply pressure and raise awareness of FoRB violations in particular states. However, research suggests that recommendations on FoRB are few, often vaguely worded and not necessarily raised in relation to all relevant states. Furthermore, the acceptance rate of FoRB recommendations seems to be substantially lower than the acceptance rate for recommendations in general.⁷¹

6.1.2 CONSTRUCTIVE ENGAGEMENT

Chris Seiple, a long-time FoRB activist and former president of the US Institute for Global Engagement, contends that approaches that rely on external pressure may, at best, generate public awareness of FoRB violations and encourage governments to make (often limited or short-lived) improvements to that protect FoRB; at worst they 'name, blame and shame' a particular government to absolutely no effect "since it is partly natural to not listen to those who would publicly embarrass you" (Seiple 2012:98). Contrary to such approaches, Seiple – and others with him – propose an approach that seeks to strengthen FoRB protection through more private processes of engagement with government officials, religious leaders and other relevant stakeholders in the country of concern. Such an approach assumes that long-term engagement and gradual persuasion are needed to convince governments to change course and encourage broader, long-term changes in behaviour, policies, and legislation rather than the relief of individual prisoners and short-lived changes (Seiple 2012:98). Such efforts may not be visible or appear in news media but experienced advocates and observers suggest that these longer term efforts are most likely to result in change. Modalities are varied and include e.g. international norm deliberation; bilateral dialogues; technical assistance to governments in drafting and implementing constitutions and other legislation; training of judiciaries, ministry staff and other government representatives; and the facilitation of consultations between state and civil society, including with minorities and other groups that are vulnerable to violations.

Governments and intergovernmental organisations can play an important role in such processes of engagement. The OSCE's Office for Democratic Institutions and Human Rights, for instance, has for decades been engaged in the development of guidelines, provision of expert opinions, and review of legislation through its Panel of Experts on FoRB, always upon request from and in close cooperation with the concerned member states. Some years ago, the Dutch Ministry of Foreign Affairs launched a series of 'pilot projects' in ten countries, including focused dialogues on FoRB issues with governments in the respective countries.⁷² Certain international and national NGOs may also have the leverage to engage; the above-mentioned Institute for Global Engagement being a case in point.

The US NGO Search for Common Ground (SFCCG) is another international NGO involved in political engagement initiatives. The organisation's project Promoting Freedom of Religion or Belief in Kyrgyzstan illustrates this approach. Through this project, the SFCCG engaged with a range of governmental stakeholders, as well as religious leaders and civil society organizations, providing training, capacity-building, and advice on FoRB legislation. Among other things, SFCCG assisted the State Commission on Religious Affairs in drafting new legislation, successfully revising a number of controversial articles on e.g. religious education and registration of religious organisations. In parallel, SFCCG engaged with various actors in the justice sector to increase the knowledge and understanding of national and international legislation on FoRB. In cooperation with the High School of Justice, Training Center for Lawyers, the Training Center for Prosecutor, and the Ministry of internal Affairs, a guidebook on FoRB legislation was developed and a series of training sessions were conducted for judges, prosecutors, advocates, and investigators. Finally, the organisation provided capacity-building for the Ombudsman institution to strengthen capacities to monitor FoRB violations and conduct court monitoring (Asilbekova and Jailobaeva 2017).

TEXT BOX 6F. RESOLUTION 16/18 – AN EXAMPLE OF SUCCESSFUL INTERNATIONAL NORM DELIBERATION?

Between 1999 and 2010, the OIC presented annual resolutions on the 'defamation of religions' to the Human Rights Council. A large majority of countries from the non-Western world supported them, but critics from especially the US and Northern European countries argued that the OIC was undermining the right to freedom of expression through attempts to internationalise OIC member states' draconian blasphemy laws (Skorini and Petersen 2017:44). In 2011, with declining support, a consensus resolution was presented, the product of negotiations and cooperation between the US, EU, and the OIC. It abandoned the term 'defamation of religion', focusing instead on "combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion and belief." An intergovernmental forum was established to ensure the resolution's implementation, the so-called Istanbul Process. On one hand, Resolution 16/18 shows that constructive engagement can lead to positive change. A US expert involved in the process observed that: "Resolution 16/18 shows that you can get positive change [...] states can get together and change a bad resolution into something better."⁷³ On the other hand, it also demonstrates how difficult it is to change underlying perceptions and attitudes. The OIC may no longer argue for religious censorship based on Islamic law or doctrines, but still considers the criminalization of certain expressions as "a matter of vital concern" and the 'lynchpin' of resolution 16/18. According to the OIC, what is to be criminalised is not only "incitement to imminent violence," as outlined in the resolution's paragraph 5(f), but a much broader category of expressions, effectively calling for international blasphemy legislation.⁷⁴

Research and experience point to various conditions that may encourage successful political engagement. First and foremost is establishing trust and long-term commitment. Relational diplomacy takes time, especially when it comes to sensitive issues like FoRB. An internal assessment of the abovementioned Dutch pilot projects on FoRB promotion observes: “Freedom of religion and belief is a very sensitive subject in all pilot countries that requires a lot of tact and knowledge to discuss or to be able to achieve successful interventions. The experience in all pilot countries is that improving freedom of religion and belief is a matter of the long term.”⁷⁵ Not every government or NGO has the will, capacity, or resources for such long-term dialogue and political engagement. Furthermore, not all governments or NGOs have the legitimacy and clout to do so.

Second, and closely related, identification of and engagement with relevant change agents is imperative. This entails understanding the dynamics of power, decision-making, and implementation in relation to FoRB violations. Who in government is responsible for violations? Who has the will and leverage to initiate changes? Who has the power to decide to implement such changes? Who might obstruct the process? In this, relevant institutions are not necessarily central government, but rather local authorities, courts, law enforcement agencies, or the military. The identification of change agents also demands an ability to build relations with individual change agents within these institutions, identifying those individuals who are capable of and willing to bring about change. Sometimes, engagement with the right individual is more important than engagement with the right institution. There is, however, obviously also a risk of relying too much on individuals; changes in the political environment may lead to the replacement of key partners, bringing the process at a halt.

A significant challenge is to consider and curb the risk of embeddedness. With trust and long-term relations comes the risk of being associated with, and even legitimizing, a violating government. At best, engagement strategies can contribute to steady transformation of restrictive environments; at worst, those working for FoRB may be “used by the government as propaganda pieces to create the impression that there are no problems” (Seiple 2012:99). There is a risk, for instance, that high-publicity interreligious dialogues are high-jacked by governments as an official public relations exercise to respond to criticisms of its FoRB violations (Petito et al 2018:17). An expert on FoRB in Eurasia notes that:

Some states, such as Kazakhstan, Azerbaijan and Russia, arrange meetings claiming to be religious dialogues but whose real purposes are to both deceive foreigners about the reality of human rights including FoRB violations, as well as to coerce local people who experience FoRB violations into silence or making regime-favourable statements. In such cases non-participation may be a wise choice for foreign invitees, as their presence is used to add credibility to the regime’s claims that it does not commit FoRB and other human rights violations. In certain cases, even senior foreign guests

have found that they have been quoted by government controlled media out of context, or even stated to have made statements which they did not make.⁷⁶

A particularly challenging task is to know when to take seriously a government's perceived and stated view of security threats as they explain and justify repressive actions. These sometimes – though clearly far from always – reflect legitimate concerns. The balance between listening, understanding, and sympathy versus objective and robust analysis of different perspectives, sticking to core principles, is a continuing challenge for diplomats as well as for NGOs, think tanks, and academics.

6.2 CHANGING BEHAVIOUR OF NON-STATE ACTORS AND BROADER SOCIETAL CULTURES

Governments are not the only perpetrators of FoRB violations; in the vast majority of countries with challenges of government discrimination and severe FoRB violations, societal hostilities against particular religious or belief communities are widespread. A wide range of non-state actors engage in different kinds of hostilities, including illegal terrorist movements and paramilitary groups, media, local and international businesses, religious leaders, loosely organised popular movements, and local communities. Contexts of conflict, violence and poverty may encourage societal hostilities; authoritarian or weak regimes provide fertile ground for violent religious dissent or self-proclaimed guardians of 'the truth', in particular when these are coupled with an official state religion. Broader cultures of intolerance and exclusion contribute to dehumanization and stigmatization, often legitimised with reference to religious doctrine and norms.

Strategies to change non-state hostilities and broader cultures of intolerance and exclusion are, to an even larger degree than those aimed at changing state behaviour, policies, and legislation, extremely diverse, and generalizing about the multitudes of modalities employed runs the risk of grossly oversimplifying realities on the ground. The following sections present some overall considerations and concrete examples, serving as paradigmatic illustrations of different approaches and modalities.

6.2.1 EXTERNAL PRESSURE

As in the case of government-focused strategies, we can – at least theoretically – distinguish between strategies that rely on pressure as the main approach to changing behaviour, and strategies that focus on engagement and cooperation. In practice, however, confrontational approaches based on punishment and incentives are rarely applied in relation to non-state actors, and therefore they merit less focus. It is difficult to imagine, for instance, how governments and NGOs engaged in international FoRB promotion could apply direct pressure to, say, local communities engaged in discrimination, hate speech, and incitement to violence in order to motivate them to change their behaviour. Research shows that the use of

shaming techniques in broader awareness-raising campaigns, for instance, has little effect in terms of behavioural change.⁷⁷

Direct pressure may nonetheless be relevant in relation to certain actors or situations. In relation to terrorist movements and other illegal non-state groups engaging in systematic violations, for instance, economic means of pressure may be relevant. In the context of counter-terrorism, a wide range of tools have been applied to prevent funding of such groups, including the freezing of accounts and closing down of intermediary organisations suspected of funding or channelling funds to terrorist organisations.

Similarly, pressure may be an option in relation to international or large national companies involved in, or actively supporting, FoRB violations. This has been the case in relation to Facebook's alleged role in the dissemination of hate speech and incitement to violence in Myanmar and elsewhere. Various intergovernmental organisations, governments and NGOs have publicly criticised the company; the report of the UN Fact Finding Mission on Myanmar, for instance, explicitly pointed to Facebook's role in stoking tensions in Myanmar. The NGO Burma Campaign UK published a list of corporations accused of involvement in human rights violations in Myanmar, including Facebook, for having "consistently allowed its platform to be used to incite hatred and violence [against] minorities in Burma, in particular the Rohingya Muslim minority and Muslims in general".⁷⁸

Furthermore, actors engaged promoting FoRB may indirectly pressure non-state actors through their engagement with government and other influential actors. Initiatives to strengthen law enforcement and court capacities to deal more effectively with violations of FoRB in weak states, for instance, can be considered a way to pressure non-state actors to comply with human rights. Similarly, cooperation with local religious leaders to develop counter-narratives to extremist religious ideologies can be seen as an attempt to put pressure on terrorist groups and other violent religious groups by publicly ridiculing them and exposing their erroneous interpretations of religious doctrine; it is, however, highly doubtful whether such initiatives have much effect in terms of motivating terrorist groups to change their behaviour.

6.2.2 ENGAGEMENT AND COOPERATION

A more common approach aims to change the behavior of non-state actors and broader societal cultures of intolerance and hostility through constructive engagement and cooperation. The various initiatives in this field share the overall assumption that, given the right knowledge, tools, and resources, individuals and groups will change perceptions, attitudes, and behaviour, in the long term contributing to changing societal institutions, communities and broader cultures and, eventually, politics and legislation around FoRB. Modalities include peace-building and mediation; capacity-building and training; education; and broader awareness-raising campaigns. Many initiatives include a strong focus on interreligious dialogue and engagement with religious actors (see text box 6G below).

TEXT BOX 6G. INTERRELIGIOUS DIALOGUE AND ENGAGEMENT WITH RELIGIOUS ACTORS

Engagement of religious leaders and organisations play an important role in many initiatives, often through various forms of interreligious dialogue and encounters. There is a growing consensus that these actors, through their religious identity, enjoy a high degree of leverage, legitimacy and authority in society, and as such are important change agents that can play a role in de-escalating violence, building peace, and combatting intolerance and discrimination (Petito et al 2018:7). Interreligious initiatives can take a variety of different forms, ranging from theological exchanges among formal religious leaders to day-to-day socializing and common social action, or diapraxis, involving not only religious leaders but also, and perhaps primarily, broader religious groups and individual believers (Petito et al 2018:14). Central to the various initiatives is an assumption that the encounter between different religious groups can contribute to changing perceptions, attitudes, and behaviour, dismantling stereotypes and prejudices and pointing to common values and interests that can form the basis for future interreligious collaboration.⁷⁹

Intergovernmental organisations and governments can play a role in the implementation of strategies for changing the behaviour of non-state actors and broader societal cultures, e.g. through facilitation of high-level dialogues and various other public diplomacy efforts (Danan 2012), but they primarily engage indirectly through funding to non-governmental actors that implement projects and programmes on the ground. International NGOs, many of them with a Christian or interfaith identity; human rights organisations; religious leaders; and other civil society actors are often the main drivers of strategies aiming to change the behaviour of non-state actors and broader societal cultures, working in partnership with local counterparts.

Some initiatives focus primarily on religious communities, organisations and leaders, while others engage a broader range of different societal actors, including also secular human rights organisations, media, academia, and other relevant stakeholders. Some focus on high-level, elite representatives and processes, while others centre on grass-roots and community efforts. While most initiatives are relatively small in terms of scope and reach, a few are large-scale interventions, involving thousands of people: The International Center for Religion and Diplomacy, for instance, provided training for 2.600 leaders and faculty from Pakistani madrasas on religious tolerance and human rights from an Islamic perspective. Similarly, the Lebanese NGO Adyan, in cooperation with the Danish NGO Danmission, successfully managed to upscale its educational project on citizenship and co-existence, developing a curriculum that was eventually integrated into national education plans and programmes (for more examples, see text box 6H).

'Stories of individual transformation' are common across very different initiatives, from capacity-building of madrasa teachers to educational programmes on open-mindedness and tolerance.⁸⁰ Sarvodaya and the Karuna Center for Peacebuilding's project, Interreligious Cooperation for Community Development and Social Empowerment in Sri Lanka, offers an illustrative example. A self-evaluation of the project documents a sharp decrease in participants who blamed other religious groups for problems in their communities, and an increase in people interacting with (or claiming to interact with) other religious communities and participating in inter-faith activities following the dialogue (Karuna Center for Peacebuilding 2013:5). The evaluation quotes a Buddhist monk participating in the course:

We were full of our religion, our concepts only. We had no occasion to work with people of other religions, nor did we have any idea about their attitudes and work... We started discussing, arguing and working together and the gap between us started narrowing down. At the early stages it was our race, our religion, but the experience received from the program made us think of other religions and ethnic groups in the same way we thought of our race and religion, and that there should be unity and co-existence among all religious and ethnic groups. Now we are a dedicated group, keenly interested to achieve this goal, shouldering responsibility at the highest level. Already, 30 religious leaders from all religions in Trincomalee, because of this program alone, work in unity, extending goodwill, inculcating peace, harmony and wholesome attitudes in the minds of people.

Some organisations claim broader effects of their projects, for example when participants engage in new activities and networks resulting directly from involvement in interfaith dialogue, capacity-building, and training. Examples of the means employed range from encouraging interfaith councils, the launch of interfaith advocacy campaigns, and other activities aiming to influence political processes and structures, to diffusing counter-narratives in sermons and teaching, and organising sports tournaments, plays, and other socio-cultural activities to promote positive messages in the broader community. Networks and relationships between participants are an important outcome of capacity-building and training initiatives, sometimes serving as informal mechanisms of early warning and mutual assistance. There is however little conclusive evidence of broader ripple effects, and few concrete examples of long-term impact in reducing societal discrimination and hostilities in the wider society – in the Karuna project and as well as in other projects.⁸¹

TEXT BOX 6H. EXAMPLES OF ENGAGEMENT AND COOPERATION⁸²**Peace-building and mediation**

Search for Common Ground's project, Window on Mount Zion facilitated dialogue and practical collaboration among different religious leaders, resolving conflicts around ownership and religious rights on Mount Zion

The Network of Religious and Traditional Peacemakers has provided training to religious leaders in Nigeria and Central African Republic, exploring Islamic concepts of peacebuilding, dialogue and tolerance

Capacity-building and training

Through the project Minority Voices, Minority Rights Group International built capacities of minority organisations in the South to engage with EU-based media, raising awareness of minority rights issues

Christian Solidarity Worldwide has provided advocacy training to human rights defender with religious background in their project Defending the Defenders.

AMAR Foundation has facilitated training on FoRB, human rights and tolerance to a range of civil society organisations, religious leaders, teachers and human rights activists

Education

Tony Blair Institute for Global Change reached more than 300,000 students through its Generation Global programme, encouraging tolerance and respect for diversity among young people

Through its programme for Social Action for Conflict Resolution and Radicalization through Religious Institutions, FACES Pakistan trained and mobilized 480,000 young people in Pakistan to promote peace and harmony

Awareness-raising

The Station, supported by Search for Common Ground, is a popular Nigerian TV show which follows a diverse group of reporters, cameramen and producers, as they attempt to set aside their own ethnic and religious differences in order to cover incidents of violence in their neighbourhoods. Similar shows have been produced in other countries

Panzagar Flower Speech is a social media campaign in Myanmar, driven by local human rights activists and former political prisoners, which encourages people to counter hate speech with 'flower speech'

Various factors contribute to, or impede, the success of the many modalities involved. Since each approach is distinctive, the factors explaining success or failure are specific and particular. Nonetheless, research, evaluations, and concrete experiences point to some broad themes, or conditions for success.

First of all, language is important, whether in strategies of interfaith dialogue, capacity-building and training, education, or broader awareness-raising campaigns. As discussed above, the language of human rights, and FoRB in particular, rings hollow and alien in many contexts, and must be adapted and adjusted to local contexts, incorporating local values, knowledge, and practices through processes of translation, vernacularisation, and localisation.⁸³ A study of FoRB initiatives in India and Indonesia notes that: “Rather than continually utilize [a] rights-based language, with specific understandings of religion as individual and a matter of choice, [strategies] could introduce aspects of local language into these broader global discourses, emphasizing interdependence (I am you, you are me, for example), rather than individuality” (Grüll and Wilson 2018:19; see also Berry and Petit 2018:6). Such conclusions resonate broadly with insights from other research as well as many practitioners’ experiences, emphasizing that terms like co-existence, tolerance, dignity, and intercommunal harmony can be more useful than explicit FoRB language. A FoRB activist in an Asian country notes that “the classical wordings say in the UN Declaration on Human Rights [...] have come to be stigmatized and regarded by some as negative. This does not mean that we consider the Declaration as wrong, but it does mean that we need to stir clear of negative perceptions and understandings [and use] a more acceptable and creative language while affirming the principles behind FoRB and its purposes.”⁸⁴ In this, religious narratives can be important tools (see text box below).

TEXT BOX 6I. RELIGIOUS ARGUMENTS FOR FORB⁸⁵

Faith for Rights (2017), an initiative facilitated by the UN Office of the High Commissioner for Human Rights (OHCHR), is a declaration outlining 18 commitments by a diverse group of religious actors to work for human rights, including commitments to prevent the use of the notion of ‘State religion’ to discriminate against any individual or group; to revisit religious interpretations that appear to perpetuate gender inequality and harmful stereotypes or even condone gender-based violence; to stand up for the rights of all persons belonging to minorities; to publicly denounce all instances of advocacy of hatred that incites to violence, discrimination or hostility; to monitor interpretations, determinations or other religious views that manifestly conflict with universal human rights norms and standards; to refrain from oppressing critical voices and to urge States to repeal any existing anti-blasphemy or anti-apostasy laws; to refine the curriculums, teaching materials and textbooks; and to engage with children and youth who are either victims of or vulnerable to incitement to violence in the name of religion.

The Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities (2016) is an initiative spearheaded by the Mauritanian sheikh Abdallah bin Bayyah and the Forum for Promoting Peace in Muslim Societies, supported by more than 300 Muslim religious leaders. The Declaration offers an example of how Islamic concepts and doctrines can advance the vernacularisation of FoRB. Explicitly based on and inspired by the almost 1400 year old Charter of Medina, presented by the Prophet Muhammad in an attempt to make peace among rival tribes in Medina, the declaration calls for the development of an Islamic concept of citizenship based on principles of equal rights, inclusion, and pluralism.

However, risks and dilemmas are involved in processes of vernacularisation. While there are obvious overlaps between FoRB and consensus-oriented notions of co-existence, harmony, and tolerance, they are not the same. FoRB is a right of the individual to practice or not practice his or her religion or belief, even when this leads to disagreement and lack of societal cohesion. An emphasis on co-existence and harmony can downplay or overlook issues that contribute to such disagreement and conflict, including issues around gender equality and criticism of religion, and as such restricting the space for certain aspects of FoRB. Here, notions of citizenship, equality and non-discrimination seem to present more promising avenues.⁸⁶ One person notes:

We talk about citizenship instead. We have developed this approach to suit the Egyptian context. We don't start with the Universal Declaration, we start talking about human needs and move on from there. We try to formulate local declarations of human rights, so people get a sense that this is not something that was done 70 years ago, make them feel that it comes from them. Usually it works very well. We don't impose anything, we try to develop things together. We start with the assumption that we are all humans. That is the only thing that is not disputable.⁸⁷

Second, cooperation based on broad alliances seems to be most conducive for advancing FoRB and avoiding polarisation. Several practitioners and experts argue that building broad alliances involving a broad range of different religious minorities, rather than singling out particular minorities, can minimise the risk of accusations of sectarianism and strengthen the chances of impact. A successful example of such cooperation is the Pakistan National Lobby Delegation, consisting of representatives from various religious minorities. This broad-based alliance launched a campaign for the Pakistan Parliament to pass the Hindu marriage Bill 2017, and was successful in persuading the Punjab government to pass a resolution under article 144 of the constitution relegating power to federal government to enact the uniform Hindu marriage act, which means that, for the first time in Pakistan's history, marriages between Hindus can be registered with

the government (Ackerman 2018:14). Importantly, cooperation should also include non-religious actors, including secular human rights activists and organisations. The current dominance of international and national FBOs, in particular Christian and interfaith, in the field of FoRB promotion carries a risk that interventions focus primarily on religious minorities as victims of FoRB violations, while fewer pay systematic attention to how violations of FoRB affect other vulnerable groups, including women, refugees, or children. Including non-religious actors in broader alliances and coalitions can support a more inclusive agenda, one that more accurately reflects the diverse needs and challenges on the ground.

Finally, continuous and long-term support is key. Change takes time. Importantly, interventions must include follow-up to all activities. That means, for example, post-training activities, assistance in disseminating acquired knowledge and tools among wider audiences, and funding for sustained networking activities. The missing link between meso-level involvement in new activities and broader changes often is lack of follow-up. A concrete example is the International Center for Religion and Diplomacy's training of madrasa teachers in Pakistan. Despite positive signs of changes in attitudes and behavior, the project showed little evidence of long-term, structural changes in the madrasas involved. Participants noted that applying their newly acquired conflict resolution and teaching skills, and incorporating new sciences and others disciplines into the madrasas, was not easy due to lack of funding, books, manuals, or lecture outlines. Participants wanted and needed to have lesson plans, materials, and other tools to take with them to apply what they had gained (Abu-Nimer and Kadayifci-Orellana 2008:6).

6.3 SUMMING UP: STRATEGIES FOR FORB PROMOTION

Strategies for the international promotion of FoRB take various forms and can be categorized in different ways. Overall, we may distinguish between strategies that support changes in the behavior of state actors, and strategies that aim to bring change in the behavior of non-state actors and broader cultures. These can in turn be divided into two overall approaches, namely those that work through external pressure and those that rely on engagement and cooperation, each presenting their particular sets of modalities and tools.

Assessments of concrete initiatives and interventions provide useful insights into some of the conditions, and impediments, for success of each of these strategies and approaches. Assessing impact (and thus judging preferred approaches) is difficult, partly because context is critically important, also because strategies are rarely employed in isolation. Promoting FoRB is a complex endeavour, and no single modality or tool shows consistent promise or results. A few general insights and recommendations, however, can be advanced, presented in the following chapter.

TEXT BOX 6J. STRATEGIES, MODALITIES AND CONDITIONS FOR SUCCESS

Strategies	Modalities	Conditions for success	Possible influence
Changing government behavior, policies and legislation			
Pressure	Military interventions Economic sanctions and conditionalities Diplomacy Naming-and-shaming	Pressure must be applied where it counts Actors involved must be seen as legitimate and/or peers Pressure must be continuous and sustained	Can motivate perpetrators to change their calculus of abuse
Engagement	International norm deliberation Bilateral dialogues Technical assistance and training Consultations between state and civil society	Trust and long-term commitment Identification of individual and institutional change agents Curb risk of embeddedness	Can influence rationales for violations Build knowledge and expertise
Changing non-state behaviour and broader cultures			
Pressure	Military interventions Economic sanctions Advocacy	–	Can motivate perpetrators to change their calculus of abuse
Engagement	Deliberation and dialogue around religious norms Peacebuilding and mediation Capacity-building and training Education Awareness-raising	Vernacularisation of FoRB language Broad alliances and cooperation Long-term support and follow-up	Can influence rationales for violations Build knowledge and expertise

CHAPTER 7

FRAMEWORK AND RECOMMENDATIONS

7.1 ELEMENTS OF A FRAMEWORK FOR THE INTERNATIONAL PROMOTION OF FoRB

This report has sought to sketch out an overall framework for understanding and approaching international FoRB promotion, presenting basic guidance to the analysis of FoRB violations and, subsequently, design of adequate strategies to respond to these, in the hope that this can serve as inspiration and support for actors in the field.

The report has first identified important principles for a human rights approach to FoRB, including universality and non-discrimination, due attention to collective and individual rights, and indivisibility of human rights. Second, it has presented tools to help identify and assess violations of the right to FoRB, distinguishing between state and non-state perpetrators, and including a typology on the intensity of violations, ranging from relatively limited issues of intolerance to problematic issues of discrimination, and severe violations or persecution. It then outlines key contextual factors that contribute to violations, exploring the ways in which factors such as conflict and violence, poverty and inequality, authoritarian or weak state structures, official state religion or state atheism, and broader cultures of intolerance and exclusion may contribute to creating conducive environments for state and non-state actors to engage in violations. Against this background, the report points to some of the common rationales employed by the specific actors that engage in FoRB violations, including protection of religious doctrine and traditions, responses to threats against national identity, societal harmony or state security, as well as, more broadly, lack of legitimacy of FoRB itself. This chapter also briefly discussed some of the motivations driving these actors, including a desire to obtain benefits, routinization and bureaucratization, and basic lack of knowledge and capacities. Finally, the report has sketched various strategies for supporting changes in the behaviour of state and non-state actors, distinguishing between those that work through external pressure and those that rely on engagement and cooperation, and providing concrete examples and identifying some of the common conditions needed for success.

Text box 7A summaries the key elements of the framework.

TEXT BOX 7A. ELEMENTS OF A FRAMEWORK FOR INTERNATIONAL FoRB PROMOTION

Elements	Description of key points
Underlying principles for a human rights approach to the international FoRB promotion	Universality and non-discrimination Due attention to collective and individual rights Indivisibility of human rights
Key perpetrators of FoRB violations	State actors Non-state actors
Types of FoRB violations	Violations of the right to have, adopt, change or leave a religion or belief Violations of the right to be free from coercion Violations of the right to practice and manifest a religion or belief Violations of the right to non-discrimination on the basis of religion or belief Violations of the right to bring up one's children in accordance with one's religion or belief
Degrees of FoRB violations	Intolerance and exclusion Discrimination Severe violations (persecution)
Contextual factors creating conducive conditions for FoRB violations	Conflict and violence Poverty and inequality Authoritarian or weak state structures Official state religion or state atheism Cultures of intolerance and exclusion
Rationales justifying FoRB violations	Protection of religious doctrines Threat to national identity, societal harmony, or state security FoRB scepticism
Motivations driving perpetrators of FoRB violations	Psychological, political or economic benefits Routinization and bureaucratization Lack of knowledge and capacities
Strategies and approaches to the international FoRB promotion	Changing government behaviour, legislation and policies (through external pressure or engagement and cooperation) Changing behaviour of non-state actors and broader cultures (through external pressure or engagement and cooperation)

7.2 RECOMMENDATIONS FOR ACTORS ENGAGED IN INTERNATIONAL FORB PROMOTION

The report highlights the following overall recommendations for actors working to promote FoRB internationally:

FoRB interventions should be deliberately and centrally anchored in a broader human rights framework. Historically, the international human rights community has paid little attention to FoRB, often viewing FoRB as ‘a luxury’ or ‘a lesser right.’ In contrast, several organisations, many with conservative and Christian roots, have promoted an understanding of FoRB as ‘the first and foremost right’. Neither approach reflects adequately the complex realities on the ground. There is thus a need for ‘right-sizing’ the role of FoRB in the human rights landscape. FoRB is neither more, nor less, important than other human rights and it is intricately related to both the whole and its different parts. Clarifying what FoRB entails is needed to link it to key human rights principles, notably universality, non-discrimination, and the primacy of individual rights over collective rights. Greater attention to the indivisibility of FoRB and other rights is needed, in particular in relation to freedom of expression and rights related to gender equality, sexual orientation, and gender identity.

Interventions should be integrated into broader strategies for democratisation, development and peace-building. The root causes of FoRB violations are complex and multifaceted, and isolated strategies seeking to mend particular violations are rarely successful in the long-term. Key factors in creating conditions that are conducive to violations include e.g. violent conflict, poverty and inequality, weak or authoritarian state institutions, official state religion (or state atheism) as well as broader cultures of intolerance and exclusion. As such, efforts to promote FoRB and contribute to long-term improvements are best conceived as part of broader strategies for democratisation, development and peace-building. FoRB is often, explicitly or implicitly, an integral part of the numerous policies and strategies that focus on counter-terrorism and prevention of violent extremism, but there is far less current focus on FoRB issues in the areas of development, democratisation, and peace-building, despite obvious overlaps and synergies. It is important to find practical ways to enhance synergies and mutual integration in the concrete implementation of initiatives. This needs to take place at various levels. There are practical ways to raise awareness and understanding of FoRB at leadership level in UN agencies like UNICEF, WFP, and UNDP. The SDG agenda may also provide a useful framework. Governments involved in FoRB promotion can ensure that attention to FoRB is mainstreamed in all foreign policy and strategies, and that the concrete initiatives of special envoys and offices link up with these goals and objectives. At the level of concrete programmes and projects, efforts can be made to encourage knowledge-exchange and sharing of experiences among different sectors.

There is a need for broader alliances. Actors promoting FoRB are predominantly based in Western states and among international NGOs. This has, in many contexts, fostered perceptions of FoRB as 'a foreign agenda'. Such perceptions are arguably strengthened by the fact that many actors in the field are associated with Christianity, encouraging suspicions of Christian favouritism and even mission. This distinctive constellation of the field not only shapes how FoRB promotion is perceived and received, but also has consequences in terms of the concrete interventions advanced and the focus and priority given to particular target groups, themes, and geographic areas over others. Deliberate and sustained efforts are thus needed to broaden the field of actors involved, including non-western states and NGOs, secular human rights actors as well as a broader array of religious actors, locally as well as internationally. At international level, political pressure on states and non-governmental actors is most effective when applied by a broad range of actors, and sustained efforts are needed to involve non-Western states and NGOs in promoting FoRB internationally. Broader alliances can contribute to more effective sharing of roles and responsibilities. Different actors have different intensity and quality of relationships with violating states, thus offering more diverse channels of influence. At local level, broad coalitions of different religious or belief communities, as well as cooperation with non-religious actors, can support a more inclusive agenda that more accurately reflects the diverse needs and challenges on the ground, as well as minimise the risk of accusations of sectarianism.

Interventions should have strong local anchorage and ownership. Context matters, with particular force in this field. Interventions to promote FoRB must be locally relevant and resonant. This requires strong local actors and ownership. In most countries, however, local FoRB leadership is weak, divided and isolated, pointing to the need for active engagement with, and support to, these actors through well-crafted capacity building, training and networking, as well as – importantly – by listening to them and recognising their work. Institutionally focused support needs to be coupled with broader efforts to strengthen the local legitimacy of FoRB, e.g. through processes of 'vernacularisation'. Experiences suggest that instead of relying on an explicit FoRB language, it may be more useful to promote FoRB through notions of 'citizenship', 'non-discrimination', and 'co-existence'. Reliance on religious narratives can be – and is often – useful in translating the human rights language into something that has broader resonance and legitimacy in local communities. Experiences from FBOs and religious leaders involved in interfaith initiatives, capacity-building, and training show that an emphasis on the religious origins of human rights and identification of common values can go a long way in demystifying FoRB, providing justifications for interreligious collaboration and tolerance among participants. Such approaches, however, may also present certain risks in terms of overlooking or sidelining particular aspects of FoRB, e.g. in relation to non-believers and the right to criticise religion.

Long-term engagement is key. An experienced FoRB practitioner observed: “You absolutely have to be in for the long haul. We are finding that for real change to happen, you need ten years.”⁸⁸ Thus an important – if not the most important – insight about efforts to address FoRB is that change takes time and persistence. Political pressure is only successful if sustained over extended periods of time; relational diplomacy and constructive engagement need time to cultivate the trust and confidence necessary for changes to happen; educational initiatives are worth little without long-term commitments to change curricula and train teachers; capacity-building workshops must be followed up by resources and support to ensure the application of the acquired tools, and so on. In an environment where much action is driven by immediate concerns arising from the news cycle, political turbulence, and short budget horizons, this long term focus is difficult to achieve. It is worth underscoring nonetheless that the efforts to promote FoRB in varying situations commonly involve long term, perhaps slow gestating work and relationships.

A. KEY INTERNATIONAL HUMAN RIGHTS STANDARDS ON FORB

Legally binding conventions

International Covenant on Civil and Political Rights (1966/1976)

International Covenant on Economic, Social and Cultural Rights (1966/1976)

International Convention on the Elimination of All Forms of Racial Discrimination (1965/1969)

Convention on the Rights of the Child (1998/1990)

Convention Relating to the Status of Refugees (1950/1954)

DECLARATIONS AND RESOLUTIONS

Universal Declaration on Human Rights (1948)

General Assembly Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, Resolution 36/55 (1981)

General Assembly Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Declaration 47/135 (1992)

Commission on Human Rights Resolution on Elimination of all forms of intolerance and of discrimination based on religion or belief, Resolution 2005/40 (2005)

Human Rights Council Resolution on Elimination of all forms of intolerance and of discrimination based on religion or belief, Resolution 6/37 (2007)

General Assembly Resolution on Elimination of all forms of intolerance and of discrimination based on religion or belief, Resolution 65/211 (2010)

Human Rights Council Resolution on Combatting intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief, Resolution 16/18 (2011)

GENERAL COMMENTS

Human Rights Committee General Comment No. 22 on The right to freedom of thought, conscience and religion (1993)

Human Rights Committee General Comment No. 28 on Equality of rights between men and women (2000)

Human Rights Committee General Comment no. 34 on Freedom of opinion and expression (2011)

B. ACADEMIC RESEARCH AND ANALYSIS

Alon, I., & Chase, G. (2005) Religious freedom and economic prosperity, **Cato Journal**, vol. 25.

Baumann, Z. (1989) **Modernity and the Holocaust**, Cornell University Press

Bielefeldt, H. (2013a) Misperceptions of freedom of religion or belief, **Human Rights Quarterly**, vol. 35(1)

Bielefeldt, H. (2013b) **Interim report of the Special Rapporteur on freedom of religion or belief, A/68/290, OHCHR, United Nations**

Bielefeldt, H., Ghanea N. and Wiener, M. (2016) **Freedom of Religion Or Belief: An International Law Commentary**, Oxford, Oxford University Press

Boyle, E.; Creamer, C.; Cosimini, A.; Karakaya, Y.; McElrath, S.; Montal, F.; and Wahutu, J. (2017) **Making Human Rights Campaigns Effective While Limiting Unintended Consequences**, Research and Innovation Grants Working Papers Series, USAID and University of Minnesota

Caprioli, M. and Trombore, P. F., 2003, Ethnic Discrimination and Interstate Violence: Testing the International Impact of Domestic Behavior, **Journal of Peace Research**, vol. 40(1).

Careniero, C. and Elden, D. (2009) Economic Sanctions, Leadership Survival and Human Rights, **University of Pennsylvania Journal of International Law** 969

Castelli, E. A. (2007) Theologizing human rights: Christian activism and the limits of religious freedom. In M. Feher with G. Krikorian and Y. McKee (eds.), **Non-Governmental Politics**, Zone Books

Cingranelli, D. L. & Richards, D. L. (1999) Respect for Human Rights after the End of the Cold War, **Journal of Peace Research**, vol. 36(5)

Council on Foreign Relations (2009) **Public Opinion on Global Issues**, Council on Foreign Relations

Davenport, C. (1995) Multi-dimensional threat perception and state repression: An inquiry into why states apply negative sanctions, **American Journal of Political Science**, vol. 39(3)

Davenport, C. & Armstrong, D. A. (2004) Democracy and the Violation of Human Rights: A Statistical Analysis from 1976 to 1996, **American Journal of Political Science**, vol. 48(3)

- De Soysa, I., & Nordås, R. (2007) Islam's bloody innards? Religion and political terror, 1980-2000, **International Studies Quarterly**, 51(4)
- Durham, C.; Ferrari, S.; Cianitto, C. and Thayer, D. (eds) (2013) **Law, Religion, Constitution: Freedom of Religion, Equal Treatment, and the Law**, Asghate 2013
- Finke, R. and Harris, J. (2011) Wars and Rumors of Wars: Explaining Religiously Motivated Violence. In Fox, J. (ed.), **Religion, Politics, Society and the State**, Oxford University Press
- Finke, R. and Martin, R. R. (2012) **Religious Freedom and Conflict: A Review of the Evidence**, ARDA/ASREC Working Paper
- Finke, R. and Martin, R. R. (2014) Ensuring Liberties: Understanding State Restrictions on Religious Freedoms, **Journal for the Scientific Study of Religion**, vol. 53 (4)
- Finke, R., Martin, R. R. and Fox, J. (2017) Explaining Discrimination against Religious Minorities, **Politics and Religion**, vol. 10(2)
- Fiss, J. and Getgen Kestenbaum, J. (2017) **Respecting Rights. Measuring the World's Blasphemy Laws**, US Commission on International Religious Freedom
- Franklin, J. C. (2008) Shame on you: the impact of human rights criticism on political repression in Latin America, **International Studies Quarterly**, vol. 52(1)
- Freljh, D. (2010) Freedom to change religion in UN documents and influence of Islamic states on wording and practice. Search for an unchangeable basis, **Bogoslovni vestnik**, vol. 70(4)
- Friedland, R. (2001) Religious Nationalism and the Problem of Collective Representation, **Annual Review of Sociology**, vol. 27
- Fox, J. (2008) **A World Survey of Religion and the State**, Cambridge University Press
- Fox, J. (2015) **Political Secularism, Religion, and the State: A Time Series Analysis of Worldwide Data**, Cambridge University Press
- Fox, J. (2016) **The Unfree Exercise of Religion: A World Survey of Discrimination Against Religious Minorities**, Cambridge University Press.
- Gatti, M.; Annicchino, P.; Birdsall, J.; Fabretti, V.; and Ventura, M. (2018) **Annual Report Annex**, European Parliament Intergroup on FoRB & RT

- Ghanea, N. (2017) **Women and Religious Freedom. Synergies and Opportunities**, US Commission on International Religious Freedom
- Grim, B. J. and Finke, R. (2010) **The Price of Freedom Denied – Religious Persecution and Conflict in the Twenty-First Century**, Cambridge, Cambridge University Press
- Grim, B. J. (2012) Religion, Law and Social Conflict in the 21st Century: Findings from Sociological Research, **Oxford Journal of Law and Religion**, vol. 1 (1)
- Grim, B. J., Clark, G. and Snyder, E. (2014) Is Religious Freedom Good for Business? **Interdisciplinary Journal for Research on Religion**, vol. 10
- Gurr, T. R. (1993) Why Minorities Rebel: A Global Analysis of Communal Mobilization and Conflict since 1945, **International Political Science Review**, vol. 14(2)
- Gurr, T. R. (2000) **Peoples versus States: Minorities at Risk in the New Century**, United States Institute of Peace Press
- Gurr, T. R., and Will, H. M. (1997) Ethnopolitical Rebellion: A Cross-Sectional Analysis of the 1980s with Risk Assessments for the 1990s, **American Journal of Political Science**, vol. 41(4)
- Hafer, C. L. and Bègue, L. (2005). Experimental research on just-world theory: Problems, developments, and future challenges. **Psychology Bulletin** 131
- Hafner-Burton, E. M. (2008) Sticks and stones: Naming and shaming the human rights enforcement problem, **International Organization**, vol. 62(4)
- Hafner-Burton, E. M. (2013) **Making Human Rights a Reality**, Princeton University Press
- Hafner-Burton, E. M. (2014) A social science of human rights, **Journal of Peace Research**, vol. 51(2)
- Henne, P. (2012) The two swords: Religion–state connections and interstate disputes, **Journal of Peace Research**, vol. 49(6)
- Henne, P. (2013) The Domestic Politics of International Religious Defamation, **Politics and Religion**, vol.6(3)
- Henne, P. S. and Klocek, J. (2019) Taming the Gods: How Religious Conflict Shapes State Repression, **Journal of Conflict Resolution**, vol. 63(1)

- Hertzke, A. D. (2004) **Freeing God's Children: The Unlikely Alliance for Global Human Rights**, Rowman & Littlefield Publishers
- Hertzke, A. (2012) **Lobbying for the Faithful. Religious Advocacy Groups in Washington DC**, Pew Research center
- Human Rights Watch (2018) **'Eradicating Ideological Viruses'. China's Campaign of Repression Against Xinjiang's Muslims**, Human Rights Watch.
- Jensen, S. (2016) The 1967 Convention on Religious Intolerance—the treaty that might have been, **OpenDemocracy**, 16.12.2016
- Kinzelbach, K. and Lehmann, J. (2015) **Can Shaming Promote Human Rights? Publicity in Human Rights Foreign Policy**, European Liberal Forum, the Friedrich Neumann Foundation and the Global Public Policy Institute
- Kolbe, M. and Henne, P. (2014) The Effect of Religious Restrictions on Forced Migration, **Politics and Religion**, vol. 7(4).
- Landman, T and Larizza, M., 2009, Inequality and Human Rights: Who Controls What, When, and How, **International Studies Quarterly**, vol. 53(3)
- Lee, C; Lindström, R; Moore, W. And Turan, K. (2004) Ethnicity and Repression: The Ethnic Composition of Countries and Human Rights Violations. In: Carey, S. and Poe, S (eds), **Understanding Human Rights Violations. New Systematic Studies**, Ashgate
- Lerner, M. J., and Miller, D. T. (1978). Just world research and the attribution process: Looking back and ahead. **Psychological Bulletin**, vol. 85(5)
- Lindholm, Durham and Tahzib-Lie (2004), **Facilitating Freedom of Religion or Belief: A Deskbook**, Springer
- Lindquist, Linde (2017) **Religious Freedom and the Universal Declaration of Human Rights**, Cambridge University Press
- Marshall, K. (2008) Religion and global development: Intersecting paths, in Banchoff, T., **Religious pluralism, globalization, and world politics**, Oxford University Press
- Marshall, K. (2013) Religious freedom in US international development assistance and humanitarian relief: Ideas, practice, and issues, **Review of Faith and International Affairs**, vol. 11(1)
- Masri, Mazen (2017) **The Dynamics of Exclusionary Constitutionalism: Israel as a Jewish and Democratic State**, Hart Publishing

- Meral, Z. (2012) International Religious Freedom Advocacy in the Field: Challenges, Effective Strategies, and the Road ahead, **Review of Faith & international Affairs** vol. 10(3)
- Merry, S. (2006) **Human Rights and Gender Violence**, University of Chicago Press
- Miles, J. (2004) Religion and American Foreign Policy, **Survival, Global Politics and Strategy**, vol. 46(1)
- Mitchell, N. J., and McCormick, J. M. (1988) Economic and Political Explanations of Human Rights Violations, **World Politics**, vol. 40(4)
- Musawah (2017) **Overview Table on Muslim Family Laws and Practices: Jordan**, report for the 66th CEDAW Session, Musawah
- Musawah (2018) **Joint Report on Muslim Family Law and Muslim Women's Rights in Malaysia**, report for the 69th CEDAW Session, Musawah
- Neufeldt, R. C. (2011) Interfaith dialogue: Assessing theories of change, **Peace & Change**, vol. 36(3)
- Orton, A. (2016) Interfaith dialogue: seven key questions for theory, policy and practice, **Religion, State & Society**, vol. 44(4)
- Oliver-Dee, S. (2014) The European Union's Awkward Embrace of Religious Freedom, **The Review of Faith & international Affairs**, vol. 12(3)
- Palmer, V. (2011) Analyzing cultural proximity: Islamic relief worldwide and Rohingya refugees in Bangladesh, **Development in Practice**, vol. 21(1)
- Peksen, D. (2009) Better or worse? The effect of economic sanctions on human rights, **Journal of Peace Research**, vol. 46(1)
- Philpott, D. (2013) Religious Freedom in Islam: A Global Landscape, **Journal of Law**, vol. 2(1)
- Poe, S. C., Tate C. N. and Keith, L. C. (1999) Repression of the Human Right to Personal Integrity Revisited: A Global Cross-National Study Covering the Years 1976–1993, **International Studies Quarterly**, vol. 43(2)
- Richardson, J. T. (2004) **Regulating Religion: Case Studies from Around the Globe**, Springer
- Richardson, J. T. (2006) The Sociology of Religious Freedom: A Structural and Socio-Legal Analysis, **Sociology of Religion**, vol. 67(3)

Ron, J; Golden, S.; Crow, D. and Pandya, A. (2018) **Taking Root. Human Rights and Public Opinion in the Global South**, Oxford University Press

Saiya, N. (2015) The religious freedom peace, **The International Journal of Human Rights**, 19(3)

Sanasarian, E., 2000, **Religious Minorities in Iran**, Cambridge, Cambridge University Press

Sarkissian, A., 2009, Religious Reestablishment in Post-Communist Polities, **Journal of Church and State**, Vol. 51(3), p. 472–501.

Sarkissian, A., 2015, **The Varieties of Religious Repression: Why Governments Restrict Religion**, Oxford University Press

Scharffs, B. (2016) Religious Majorities and Restrictions on Religion, **Notre Dame Law Review**, vol. 91

Schirmmacher, T. (2016) **Plausibility test of Pew reports on restrictions on religion**, International Institute for Religious Freedom

Seiple, C. (2012) Building Religious Freedom: A Theory of Change, **the Review of Faith & International Affairs**, vol. 10(3)

Semujanga, J. (2003) **Origins of the Rwandan Genocide**, Humanity Books

Shaheed, A. (2018) **Report of the Special Rapporteur on Freedom of Religion or Belief (focus: State-religion relationships and their Impact on Freedom of Religion or Belief)**, A/HRC/37/49, OHCHR, United Nations

Shaheed, A. (2017) **Report of the Special Rapporteur on Freedom of Religion or Belief**, A7HRC/34/50, OHCHR, United Nations

Shaver, J.; Troughton, G.; Sibley, C. and Bulbulia, J. (2016) Religion and the Unmaking of Prejudice toward Muslims: Evidence from a Large National Sample, **PLOS One**, vol. 11(3)

Sikkink, K. (2017) **Evidence for Hope: Making Human Rights Work in the 21st Century**, Princeton University Press.

Skorini, H., and Petersen, M. J. (2017). Hate Speech and Holy Prophets: Tracing the OIC's Strategies to Protect Religion at the UN. **Religion, State and the United Nations**.

Sobek, D., Abouharb, M. R. and Ingram, C. G. (2006) The Human Rights Peace: How the Respect for Human Rights at Home Leads to Peace Abroad, **The Journal of Politics**, vol. 68(3)

Stark, R. (2001) Gods, Rituals, and the Moral Order, **Journal for the Scientific Study of Religion**, vol. 40(4)

Szymanski, M. (2018) Methodology and Definitions, in: Aid to the Church in Need, **Religious Freedom in the World 2018**, Aid to the Church in Need International

Taylor, P. M. (2005) **Freedom of Religion: UN and European Human Rights Law and Practice**, Cambridge University Press

Terman, R. and Voeten, E. (2018) The relational politics of shame: Evidence from the universal periodic review, **The Review of International Organizations**, iss.1

Toft, M. D. and Green, M. C. (2018) Progress on Freedom of Religion or Belief? An Analysis of European and North American Government and Parliamentary Initiatives, **The Review of Faith & International Affairs**, vol. 16(4)

Walker, S. and Poe, S. (2002) Does Cultural Diversity Affect Countries' Respect for Human Rights? **Human Rights Quarterly**, vol. 24(1)

Waller, J. (2002) **Becoming Evil. How Ordinary People Commit Genocide and Mass Killing**, Oxford University Press

World Watch Research (2017) **World Watch List Methodology**, Open Doors

Wybraniec, J. and Finke, R. (2001) Religious regulation and the courts: The judiciary's changing role in protecting minority religions from majoritarian rule, **Journal for the Scientific Study of Religion**, vol. 40(3)

C. POLICY REPORTS

Adyan Foundation (2018) **White Paper: Freedom of Religion and Belief in the Framework Civil-Religious and Christian-Muslim Dialogues**, Adyan Foundation with the support of Church of Sweden

Article 19 and Jacob Blaustein Institute for the Advancement of Human Rights (2017) **Protecting the Freedoms of Religion or Belief and Expression for All. Report of Key Points and Conclusions**, Article 19 and Jacob Blaustein Institute for the Advancement of Human Rights

Centre on Religion and Global Affairs (2016) **The Future of Religious Freedom Advocacy**, Centre on Religion and Global Affairs

Danan, L. (2012). A Public Diplomacy Approach to International Religious Freedom, **The Review of Faith & International Affairs**, 10(3)

Evans, Malcolm; Rehman, Javaid; Petito, Fabio; and Thrane, Katherine (2017) **Article 18. From Rhetoric to Reality**, All Party Parliamentary Group for International Freedom of Religion or Belief

Farr, T. and Hoover, D. (2009) **The Future of US International Religious Freedom Policy**, Berkeley Center for Religion, Peace & World Affairs

Foret, F. (2017) **How the European External Action Service Deals with Religion through Religious Freedom**, EU Diplomacy Paper 7/2017

Human Rights First (2012) **How to Promote International Religious Freedom. Blueprint for the Next Administration**, Human Rights First

Hyvärinen, A. and Leino-Nzau, Katri (2013) **Religious Freedom and Foreign Policy. Recommendations for Finland**, Finnish Ecumenical Council

Limon, M., Ghanea, N. & Power, H. (2014) **Combatting Global Religious intolerance - The implementation of Human Rights Council resolution 16/18**, Universal Rights Group.

Petito, F.; Berry, S.; and Mancinelli, M. (2018) **Interreligious engagement strategies: a policy tool to advance freedom of religion or belief**, FoRB & Foreign Policy Initiative.

Petito, F.; Philpoot, D.; Ferrari, S. and Birdsall, J. (2016) **FoRB – Recognising out differences can be our strength: Enhancing transatlantic cooperation on promoting Freedom of Religion or Belief**, Center for Civil & Human Rights, British Council and University of Sussex

Swedish Mission Council (2010) **Faith, Freedom and Change. How Freedom of Religion or Belief can be Integrated into Swedish Foreign Policy**, Swedish Mission Council

Thames, H. K., Seiple, C. & Rowe, A. (2009) **International Religious Freedom Advocacy: A Guide to Organizations, Law, and NGOs**, Baylor University Press

Wilton Park (2015) **Developing a multilateral approach to Freedom of Religion or Belief: a European perspective**, Wilton Park Conference Report

Wilton Park (2012) **Combating intolerance and promoting freedom of religion or belief for all: working on UN Human Rights Council Resolution 16/18**, Wilton Park Conference Report

D. EVALUATIONS, MAPPINGS AND COLLECTIONS OF BEST PRACTICES⁹⁰

Abu Nimer, M. and Kadayifci-Orellana, S. A. (2008) **Evaluation of International Center for Religion and Diplomacy's Madrasa Reform Project in Pakistan: Final Report**, Salam Institute for Peace and Justice

Ackerman, R. (2018) **Theory of Change for Freedom of Religion and Belief**, the Commonwealth Initiative on Freedom of Religion and Belief

Asilbekova, G. and Jailobaeva, K. (2017) **Final Evaluation. Promoting Religious Freedom Through Government and Civil Society Collaboration in the Kyrgyz Republic, Search for Common Ground**

Berry, S. and Petito, F. (2018) **Interreligious Engagement and Sustainable Peace. The Role of Interreligious Dialogue and Collaboration in Combatting Intolerance and Discriminations. Mapping International Initiatives and Best Practices**, FoRB & Foreign Policy Initiative, University of Sussex

Bilandzic, H. and Busselle, R. (no date) **Pilot Study: Audience Perceptions and Effects of The Entertainment-Education Drama 'The Station'**, Search for Common Ground

Bouta, Tsjeard, Kadayifci-Orellana, Aysa and Abu-Nimer, Mohammed (2005) **Faith-Based Peace-Building. Mapping and Analysis of Christian, Muslim and Multi-Faith Actors**, Netherlands Institute of International Relations Clingendael and Salam Institute for Peace and Justice.

Cash, K. and Olofsson, J. (2016) **How is Freedom of Religion or Belief observed in practice? An analysis of how Swedish embassies integrate Freedom of Religion or Belief in their work with special reference to the EU Guidelines from 2013**, Swedish Mission Council

Doney, J. and Wegerif, R. (2016) **Measuring Open-mindedness. An Evaluation of the Impact of our School Dialogue Programme on Students' Open-mindedness and Attitudes to Others**, Tony Blair Institute for Global Change

Faith to Action Network (2017) **Mapping Faith-Based Responses to Sexual and Reproductive Health and Rights in India**. Faith to Action Network and Ministry of Foreign Affairs Netherlands.

Fliert, L. (2013) **Evaluation Report. Minority Rights Group**, Minority Rights Group International and SIDA

Global Affairs Canada (2016) **Evaluation of the Office of Religious Freedom**, Government of Canada

Grüll, C., & Wilson, E. K. (2018) Universal or Particular... or Both? The Right to Freedom of Religion or Belief in Cross-Cultural Perspective. **The Review of Faith & International Affairs**, 16(4)

Karuna Center for Peacebuilding (2013) **Final Evaluation Report: Interreligious Cooperation for Community Development and Social Empowerment in Trincomalee and Batticaloa Districts and Padaviya Division**, Karuna Center for Peacebuilding

Norwegian Church Aid (2018) **Engaging Faith Actors on Gender-Based Violence. Best Practices from the NCA Global GBV programme**. Norwegian Church Aid.

Pedersen, F.; Adelin Jørgensen, J. and Udsholt, L. (2016) **Review: Swedish Mission Council Project 'Pilot Project to enhance cooperating partners' knowledge and skills for the promotion of freedom of religion or belief (FoRB) 2013-2015**, Danish Mission Council

Ross, K. and Lazarus, N. (2016) Tracing the Long-Term Impacts of a Generation of Israeli-Palestinian Youth Encounters, **International Journal of Conflict Engagement and Resolution**, iss. 2

Roux, Elizabeth le (2015) **A scoping study on the role of faith communities and organizations in prevention and response to sexual and gender-based violence: Implications for policy and practice**, Unit for Religion and Development Research, Stellenbosch University.

Tweede Kamer der Staten-Generaal (2012) **Brief van de Minister van Buitenlandse Zaken**, Ministry of Foreign Affairs, Netherlands

UNFPA and the Asia-Pacific Women, Faith and Development Alliance (2013) **A Mapping of Faith-Based Responses to Violence against Women and Girls in the Asia-Pacific Region**, UNFPA and the Asia-Pacific Women, Faith and Development Alliance

US Government Accountability Office (2013) **International Religious Freedom Act. State Department and Commission Are Implementing Responsibilities but Need to Improve Interaction**, US Government Accountability Office

World Evangelical Alliance (2014) **The contribution of the interfaith platform to the reconciliation process in the Central African Republic**, World Evangelical Alliance

E. FORB-RELATED GUIDELINES, TOOLS AND ACTION PLANS

Council of the European Union (2013) **EU Guidelines on the promotion and protection of freedom of religion or belief**, European Union

FoRB Learning Platform/Swedish Mission Council (2018) **Useful questions to consider when evaluating the state of freedom of religion or belief in a country**, FoRB Learning Platform

Norwegian Foreign Service (2014) **Protection and Promotion of the Rights and Freedoms of Persons Belonging to Religious Minorities: Guidelines for the Norwegian Foreign Service**, Foreign Ministry of Norway

Office for Democratic Institutions and Human Rights (2004) **Guidelines for Review of Legislation Pertaining to Religion or Belief**, Organisation for Security and Co-operation in Europe

Office for Democratic Institutions and Human Rights (2007) **Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools**, Organisation for Security and Co-operation in Europe

UK Foreign and Commonwealth Office (2010) **Freedom of Religion or Belief – how the FCO can help promote respect for this right**, UK Foreign and Commonwealth Office

UN Office on Genocide Prevention and the Responsibility to Protect (2018) **Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes**, UN Office on Genocide Prevention and the Responsibility to Protect

UN Office of the High Commissioner for Human Rights (2012) **Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence**, Office of the High Commissioner for Human Rights

F. FORB MONITORING, DOCUMENTATION AND REPORTING⁹¹

REPORTS ON FORB FOR ALL (LISTED ALPHABETICALLY)

Aid to the Church in Need: Annual report with ranking of all countries into three categories

Christian Solidarity Worldwide: Periodic reports on selected countries and themes

European Parliament Intergroup on Freedom of Religion or Belief & Religious Tolerance: Annual report on selected countries and ranking of countries into three categories

Freedom House: Annual reports on political rights and civil liberties, including FoRB, in all countries

Forum 18: Periodic reports on Central Asia, Russia, the South Caucasus, Belarus and Turkey

Human Rights without Frontiers: Annual reports on selected countries and themes

Human Rights Watch: Periodic reports on selected countries and themes

Minority Rights Group International: Online multimedia library, Minority Voices newsroom, where people can share stories online

Pew Research Center: Annual reports on restrictions on religion in all countries and ranking of countries into four categories

UN Special Rapporteur on Freedom of Religion or Belief: Annual reports on themes and trends, and country reports on selected countries

US Commission on International Religious Freedom: Annual reports on selected countries, except the US, and designation of Countries of Particular Concern

US State Department: Annual International Religious Freedom Report on all countries, except the US

REPORTS ON FORB FOR SPECIFIC GROUPS

Burma Human Rights Network: Periodic reports on the situation of Christians and Muslims in Myanmar

Humanist International (former International Humanist and Ethical Union): Annual reports on the situation of secularists, humanists and atheists in all countries

International Human Rights Committee: Periodic reports on the situation of Ahmadis worldwide

Jehova's Witnesses International: Periodic reports on the situation of Jehova's Witnesses worldwide

Middle East Concern: Periodic reports on the situation of Christians in the Middle East

OIC Observatory on Islamophobia: Annual reports on Islamophobia outside OIC member states, with a particular focus on Europe and North America

Open Doors: Annual World Watch List on persecution of Christians and ranking of countries into three categories

Shia Rights Watch: Periodic reports on the situation of Shia Muslims worldwide

World Evangelical Alliance: Periodic reports on the situation of Christians worldwide

G. DATASETS ON FoRB AND RELATED ISSUES

Cingranelli-Richards Human Rights Data Project: Data on 15 human rights, including FoRB, for 202 countries in the period 1981-2011

Civil Liberty Dataset, Aarhus University: Data on freedom of expression, freedom of assembly and association, freedom of movement and FoRB for 207 countries in the period 1976-2010

International Religious Freedom Data, Association of Religion Data Archives: Data on FoRB for 196 countries in 2001, 2003 and 2005

Religion and State – Minorities Dataset, Association of Religion Data Archives: Data on discrimination against religious minorities in 175 countries in the period 1990-2008

World Religion Database, Boston University: Data on religious affiliation and demography for all countries in the period 1900-present

H. RESOURCE COLLECTIONS ON FoRB

FoRB Learning Platform: <https://www.forb-learning.org> (Nordic Ecumenical Network on Freedom of Religion or Belief)

International standards on freedom of religion or belief: <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/Standards.aspx> (UN Office of the High Commissioner for Human Rights)

Religion and Diplomacy: <https://religionanddiplomacy.org.uk/> (Transatlantic Policy Network on Religion and Diplomacy)

Resources and information on freedom of religion or belief: <http://tandis.odihr.pl/> (Office for Democratic Institutions and Human Rights' Tolerance and Non-Discrimination System)

APPENDIX A.

AN OVERVIEW OF ACTORS IN THE FIELD OF INTERNATIONAL PROMOTION OF FREEDOM OF RELIGION OR BELIEF

INTERGOVERNMENTAL ORGANISATIONS

Various intergovernmental organisations provide platforms that deliberate on, affirm, and elaborate international FoRB norms—among states and between states and NGOs—through resolutions, action recommendations, and expert opinions. They play roles in monitoring, documentation, and reporting, develop action plans and guidelines, and advance initiatives, often in cooperation with NGOs, religious leaders and other non-governmental actors. The UN is the key actor here (Chapter 2), notably the UN Special Rapporteur on FoRB; other UN mechanisms and institutions are increasingly involved, notably the Office of the High Commissioner for Human Rights, which spearheaded the 2012 Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and more recently, the Faith for Rights initiative.

At a regional level, the OSCE is an important actor, notably its Office for Democratic Institutions and Human Rights (ODIHR) and the Advisory Panel on Freedom of Religion or Belief. Since the late 1990s, ODIHR has been an important energy center for the freedom of religion or belief, developing guidelines, providing expert opinions, and reviewing legislation as requested by member states.

The EU is increasingly involved in promoting FoRB. With the adoption of the EU Guidelines on the promotion and protection of freedom of religion or belief in 2013, it committed to advancing FoRB in its external action, including through its financial instruments. Promoting FoRB is a funding priority under the European Instrument for Democracy and Human Rights (EIDHR), and more than 40 FoRB projects received support in the period 2007-2016, totalling more than €15 million. In 2016, the European Commission appointed a Special Envoy for Promotion of Freedom of Religion outside the EU, Jan Figel, mandated to support implementation of the guidelines with a special focus on country level action.⁹²

The OIC bears mention, notwithstanding an often markedly different approach from the UN, OSCE, and EU. It is a key actor in UN deliberations on FoRB, involved in annual resolutions on FoRB and in initiatives to combat discrimination against Muslims outside its member states, e.g. through its Independent Permanent Human Rights Commission and the Observatory on Islamophobia.

GOVERNMENTS

Governments play key roles in human rights protection generally and more specifically in promoting FoRB. Foreign ministries and their embassies act in various ways, engaging through international organisations, multilateral cooperation, bilateral engagement, or cooperation with NGOs and other non-governmental actors. Strategies employed include norm deliberation and clarification, economic and political pressure, monitoring and documentation, expert advice and support, dialogue initiatives, and capacity-building.⁹³

Several foreign ministries mandate specific units or special envoys to promote FoRB that engage in international organisations, multilateral cooperation, bilateral engagement, as well as with NGOs and other non-governmental actors. The US established the Office for International Religious Freedom in 1998, Norway appointed a special envoy in 2016, Denmark, Germany, Holland and the UK in 2018. These envoys typically have a mandate to strengthen their country's position and visibility in international efforts to promote FoRB, raising awareness of the topic domestically, and serving as a contact point for relations with civil society. They may also serve as a link between the human rights section and geographic sections and between headquarters and embassies, helping to mainstream FoRB into broader human rights and development policies and initiatives. Canada established an Office of Religious Freedom in 2013, but closed it in 2016, instead integrating FoRB promotion into its new Office of Human Rights, Freedoms and Inclusion.

In 2015, the International Contact Group on Freedom of Religion or Belief was established by Canada to encourage multilateral action beyond traditional regional blocks, and to deepen coordination between like-minded countries on promoting freedom of religion or belief. Members are Australia, Austria, Belgium, Cameroon, Canada, Chile, Colombia, Denmark, the European Union, France, Germany, the Holy See, Indonesia, Italy, Jordan, Lebanon, Mexico, Morocco, Netherlands, Nigeria, Norway, Tunisia, UK, and the U.S. It is an informal body to enhance cooperation between governments seeking to protect and promote FoRB, providing an *ad hoc* forum for states to exchange information and best practices; discuss emerging issues; and facilitate possible joint advocacy, policy, and programming responses to FoRB-related issues where and when they arise.

NGOS AND FBOS

Various non-governmental organisations, especially religiously-inspired NGOs, work internationally, regionally, nationally, and locally on FoRB. They document and monitor violations, advocate for changes in legislation and government behaviour, promote policy reforms, conduct capacity-building, training and education, conduct awareness-raising and media campaigns, and legally represent or counsel victims, among other activities. Some have over a century of experience – the Seventh Day Adventists, for instance, established their Department of Public Affairs and Religious Liberty in 1901 – while others started engaging in the 1990s. The number of NGOs focused on FoRB has grown steadily: from 2000 to 2010, the number of

religious advocacy groups in Washington DC increased from 158 to 215 (Hertzke 2012), and there are indications that this is a broader trend.

International organisations headquartered in a North American or European country dominate among NGOs and most are based in the U.S.⁹⁴ Among national and local organisations, the largest number are located in Asia, while Latin America and – in particular – the Middle East has fewer organisations. Religious, mostly Christian, NGOs make up the vast majority. Several are NGO-wings of religious communities and institutions (Baptist Joint Committee for Religious Liberty, the Bahai International Community). Interfaith and Muslim organisations are the second-largest group. Buddhist, Hindu, Jewish and other religions are poorly represented. Secular organisations are generally explicitly atheist or humanist with few mainstream human rights organisations with no pronounced relation to a particular belief directly involved, although numbers seem to be increasing.

RELIGIOUS LEADERS

Individual religious leaders and other high-level representatives from religious communities are increasingly active in promoting FORB, often through broader efforts to promote conflict resolution, peace-building and interfaith dialogue. Most are associated with the three Abrahamic faiths – Christianity, Islam and Judaism – with fewer Buddhist, Hindu and other religious leaders involved. The Network of Traditional and Religious Peacemakers, supported by the Government of Finland, represents an effort to support the work of religious leaders internationally. Likewise the King Abdullah bin Aziz Center for Interreligious and Intercultural Dialogue (KAICIID), based in Vienna, focuses both on mediation and on developing young leaders. National efforts include as examples the Muslim Christian Mediation Center in Nigeria and platforms emerging in the Central African Republic.

Religious leaders are organising around issues more explicitly related to FoRB, in particular protection of religious minorities. This is largely centered at the international and regional level, through high-level interfaith conferences and dialogue initiatives that agree on declarations and statements, and, broadly, seek to change political and societal norms around FoRB. A recent example is the Washington Declaration in February 2018 (which followed the January 2016 Marrakech Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities). Endorsed by more than 400 Muslim, Christian and Jewish religious leaders, it called for protection of religious minorities throughout the world and establishment of an interreligious body of prominent religious leaders to support mediation and reconciliation. Both were spearheaded by Sheikh Abdullah bin Bayyah.

PARLIAMENTARY NETWORKS

Parliamentary networks are relative newcomers to the field but offer significant potential. They promote FoRB through their roles in the legislative process, in holding the executive to account, and shaping political and public debates.

Varying in size, resources, and capacities, the networks typically engage in dialogue between different groups of parliamentarians, capacity-building of parliamentarians, letter writing campaigns to pressure governments, publication of reports, and involvement in national parliamentary processes. The International Panel of Parliamentarians for Freedom of Religion or Belief (IPPFoRB) was established in 2014 when a group of 30 parliamentarians from around the world met in Oslo, launching the Oslo Charter which affirms members' commitment to promoting FoRB as outlined in article 18 of the UDHR.⁹⁵ Several regional and national parliamentary networks have since been established, including the UK All Party Parliamentary Group for International FoRB, IPPFORB Brazil, Pakistani Parliamentarians for Freedom of Religion and Interfaith Harmony, the Norwegian Parliamentary Group for FoRB, the Danish Network of Parliamentarians for FoRB, IPPFoRB Latin America and the European Parliament Intergroup on FoRB & Religious Tolerance.

OTHER ACTORS

Other actors involved include various universities, think tanks, research institutes, and networks of scholars. Most focus on collecting and analysing data, providing context analysis, facilitating networks and knowledge-sharing, and – not least – challenging conventional wisdoms of the field. Prominent examples include the Oslo Coalition (Norway) and the International Center for Law and Religion at BYU (US), which have contributed with guidelines and text books, development of teaching programs, organisation of conferences, and establishing regional networks.

Businesses are emerging as important actors, spearheaded in particular by the Religious Freedom and Business Foundation, founded by Brian Grim. It encourages more active roles for businesses in promoting FoRB; a Corporate Pledge has been signed so far by 20 international companies.⁹⁶ The foundation gives awards to individuals who have made particular efforts to promote FoRB through their business. A 2018 recipient of the award was Bambang Ismawan, founder of the Indonesian business Bina Swadaya, which through its 15 companies and training arms has helped about one million Indonesian community-based organisations become self-reliant: "Working across faith lines, Bambang Ismawan has built the largest network of people and organizations working to eliminate poverty, build interfaith understanding and peace in Indonesia," the nomination reads.⁹⁷

Media institutions and networks can also promote FoRB. The International Association of Religion Journalists, a global network of journalists, encourages and builds journalistic capacities in sound religion reporting, including on FoRB related issues.⁹⁸ However, larger media actors, including in particular social media actors, have yet to embark actively on this agenda. Facebook is – reluctantly – engaging in initiatives to more effectively monitor and regulate online hate speech and incitement to hatred, including on the grounds of religion; however criticism abounds that these mechanisms are ineffective, pointing e.g. to the lack of native speaking moderators as a leading explanation.

NOTES

- 1 This report uses the term 'freedom of religion or belief', the standard term used in international human rights documents. Especially in the US, and in much literature, 'religious freedom' is more common. Religious freedom is sometimes used interchangeably with FoRB, but tends to indicate a focus on the rights of religious individuals and groups, versus a broad conception of freedom of religion or belief for all, including non-believers.
- 2 Canada established an Office for Religious Freedom in 2013, but the office was closed down in 2016. Freedom of religion or belief is now a focus area of the Office of Human Rights, Freedoms and Inclusion under Global Affairs Canada. See Toft and Green (2018) for an analysis of recent European and North American government and parliamentary initiatives on FoRB.
- 3 For a brief description of some of the key actors in the field, see appendix A. See also Thames, Seiple and Rowe (2009) for a useful guide to relevant organisations and institutions.
- 4 While clearly connected to, and sometimes overlapping with, the FoRB agenda, the 'religious engagement agenda' is both broader and narrower: It is broader insofar as engagement with religious actors is relevant to a much broader range of areas than FoRB promotion per se. And it is narrower insofar as FoRB is a right of the religious as well as the non-religious, and as such the promotion of FoRB involves – or should involve – both religious and non-religious actors (see Petito et al 2016 for a brief discussion on the relationship between the two approaches).
- 5 Very recently, a number of other initiatives have been launched with a purpose similar to the present report. Worth mentioning here are e.g. the Commonwealth Initiative for Freedom of Religion or Belief's work to develop a theory of change for FoRB interventions (see Ackerman 2018); the Finnish Evangelical Lutheran Mission's collection of tools to be used in concrete FoRB interventions (under development); and the FoRB Learning Platform's collection of best practices and other material on FoRB promotion (see www.forb-learning.org).
- 6 Interviews were all conducted by phone, some with follow-up communication via e-mail. Given the sensitivity of many of these organisations' work, interviewees have been anonymised. The questionnaire was sent to approx. 100 organisations, of which only 15 responded. Basic information on the remaining organisations was sought through website searches. With regard to evaluations, assessments and reviews, a total of 20 documents were identified, including 14 evaluations

of NGO projects, four of governmental offices and initiatives, and two of intergovernmental offices and initiatives. The evaluations cover such a diverse range of actors and initiatives that it makes little sense to carry out a meta-evaluation; however, insights and conclusions from the individual evaluations have obviously contributed to the analysis in other ways.

- 7 UDHR, preamble (http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf). Obviously, formulations of different kinds of religious freedom go back much earlier than 1948. For a history of conceptions of religious freedom, see Evans (1997).
- 8 Other legally binding conventions address FoRB, notably the International Covenant on Economic, Social and Cultural Rights (1966), the International Convention on the Elimination of All Forms of Racial Discrimination (1969), the Convention on the Rights of the Child (1990), and the Convention Relating to the Status of Refugees (1951). Various soft law documents reaffirm the rights outlined in the conventions and contribute to clarifying their scope, including most importantly the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (1981) and Human Rights Committee General Comment no. 22 (1993), no. 28 (2000) and 34 (2011); Commission on Human Rights Resolution 2005/40 (2005); Human Rights Council Resolution 6/37 (2007); General Assembly Resolution 65/211 (2010); and General Assembly Declaration 47/135 (1992). See OHCHR website for an extensive and systematic overview of international standards on FoRB (<https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/Standards.aspx>).
- 9 However, the history of the adoption of article 18(2) made it clear that the provision was not to be construed to bar religious persuasion or missionary work. See Taylor (2005).
- 10 See Jensen (2016) for a brief account of the process. See also Lindquist (2017) for a general history of FoRB in the international human rights system.
- 11 Interview, independent consultant, Egypt, 23.05.2018
- 12 Interview, representative from Sri Lanka FBO, 06.06.2018
- 13 For an account of the emergence of the international religious freedom movement, see Hertzke (2004).
- 14 Open Doors Canada, website, www.opendoorsca.org
- 15 Recent years have also seen the emergence of nationalist movements in Europe and elsewhere who, albeit for different reasons, share this concern for the persecution of Christians. See e.g. Pew Research Center (2018).
- 16 Resolution E/CN.4/1999/L.40, available at <http://documents-dds-ny.un.org/doc/UNDOC/LTD/G99/124/98/pdf/G9912498.pdf?OpenElement>. This and all the following websites were last accessed 22.01.2016.
- 17 Interview, representative from international FBO, 17.05.2018
- 18 It is important to note, however, that this does not mean that individual organisations should not work with specific minorities. In particular contexts, particular groups are suffering, and it may very well be relevant to prioritise certain groups over others. However, from a human rights perspective, it is vital that such choices are informed by human rights principles of universality

and non-discrimination. It is, in the words of scholar Cole Durham, “vital to universalize the concrete motivating concerns” (e-mail correspondence with authors, 05.02.2019).

- 19 Quoted from International Humanist and Ethical Union’s website, <https://iheu.org/actually-freedom-religion-human-right-iheu-tells-vatican-un/>.
- 20 The interview can be accessed here: <http://www.rightwingwatch.org/post/tony-perkins-arbiter-of-christianity-says-pro-gay-christians-dont-have-same-religious-rights-as-conservatives/>
- 21 Interview, representative from international FBO, 13.07.2018.
- 22 For further analysis of the relationship between FoRB and women’s rights, see Ghanea (2017) and Bielefeldt (2013b).
- 23 The overview is a slightly adjusted version of the overview found on the FoRB Learning Platform, www.forb-learning.org. All examples included in the overview base their reporting on original, primary source, monitoring and documentation. Inclusion in this overview does not necessarily imply the authors’ support, approval or endorsement of the work and publications of the individual actors.
- 24 Some of the advice presented in text box is inspired by the advice provided on the FoRB Learning Platform, www.forb-learning.org
- 25 Actors focusing on a particular community may have good reasons for doing so. A representative from an Asian human rights NGO, for instance, tells that due to resource scarcity, his organisation has had to prioritise monitoring of FoRB violations in relation to two specific religious communities rather than taking a broader approach. Similarly, there may be merit in directing particular attention to communities that have historically been overlooked in overviews of FoRB violations, as is the case with humanists, secularists and atheists.
- 26 An example is Pew Research Center, whose annual reports on ‘restrictions on religion’ are often taken as a robust measure of FoRB violations. However, measuring restrictions on religion is not the same as measuring FoRB violations, and important aspects of FoRB risk being overlooked or downplayed, including in particular the situation of humanists, atheists and other non-believers. For a critique of Pew Research Center’s methodology, see Schirrmacher (2016). Another, very different, example is Open Doors’ annual World Watch List on persecution of Christians, whose overly broad definitions of ‘persecution’ do not necessarily reflect international human rights standards on FoRB. Open Doors defines persecution as “any hostility experienced as a result of one’s identification with Christ. This can include hostile attitudes, words and actions towards Christians” (World Watch Research 2017:3). Definitions of who counts as a Christian are similarly broad, including “anyone who self-identifies as a Christian and/or someone belonging to a Christian community as defined by the church’s historic creeds” (World Watch Research 2017:6). See Sauer (2012) for a discussion and critique of the World Watch List.

- 27 For a thorough legal analysis of the right to FoRB, its relation to other rights, and legitimate limitations, see e.g. Bielefeldt, Ghanea and Wiener (2016) or Lindholm, Durham and Tahzib-Lie (2004).
- 28 Public safety and order is not the same as national security, and national security is not a legitimate legal reason for FoRB restrictions. In its General Comment no. 22 (par. 18), the Human Rights Committee highlights that “restrictions are not allowed on grounds not specified there, even if they would be allowed as restrictions to other rights protected in the Covenant, such as national security.”
- 29 This overview is heavily inspired by the FoRB Learning Platform/Swedish Mission Council’s guide, Useful questions to consider when evaluating the state of freedom of religion or belief in a country, available on the FoRB Learning Platform’s website (www.forb-learning.org).
- 30 The methodology used by Aid to the Church in Need, developed by Marcela Szymanski with input from, among others, the former UN Special Rapporteur on FoRB, Heiner Bielefeldt, has also informed the typology (Szymanski 2018).
- 31 2018 Report of the Independent Fact-finding Mission on Myanmar, (<https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/ReportoftheMyanmarFFM.aspx>).
- 32 See also Henne (2012, 2013), Philpott (2013), Kolbe and Henne (2014).
- 33 See also Grim (2012). Some scholars see similar correlations between FoRB violations and the country’s likelihood of initiating or becoming involved in foreign policy crises with other states, even controlling for democracy (Saiya 2015:375). Miles (2004:32f) argues that “[s]ocieties in which there is freedom of religion do not make religious war on other religiously-free societies,” while states that repress rights at home, are more likely to engage in aggressive interstate behaviour (Sobek, Abouharb and Ingram 2006).
- 34 For further research, see Gurr & Moore (1997), Sikkink (2017), Poe, Tate and Keith (1999); Gurr (2000); Caprioli and Trombore (2003).
- 35 See e.g. Sikkink (2017), Mitchell and McCormick (1988).
- 36 Grim, Clark and Snyder (2014) argue that this is not simply a correlation, but a causal relationship, with FoRB contributing to economic development and prosperity. For economic growth in 173 countries FoRB was one of only three factors significantly associated with economic growth (see also Alon and Chase 2005). Looking specifically at discrimination against religious minorities, Fox (2016:117, 207) finds more mixed results. In Latin America, economically developed states show less discrimination against religious minorities, while wealthier states elsewhere show higher discrimination.
- 37 See also Landman and Larizza (2009).
- 38 The tendencies towards a shrinking civic space across the globe have dire consequences not only for the right to freedom of expression, assembly and association, but also for the promotion and protection of FoRB. See e.g. International IDEA (www.idea.int) for analysis and statistics on this.
- 39 See Poe, Tate and Keith (1999); Cingranelli and Richards (1999), Sikkink (2017).
- 40 See also Fox (2016, 2008) and Gurr (2000). However, relationships are not proportional, with human rights and FoRB protection growing proportionally with the degree of democracy. The relationship is found only in the most liberal

and established democracies (Davenport and Armstrong 2004). And even among these, there are exceptions, at least when it comes to FoRB. For instance, Germany, Greece, Slovakia, and Switzerland are all democracies but engage in moderate to high levels of discrimination against religious minorities (Fox 2016:207).

- 41 See also Finke and Martin (2012), Wybraniec and Finke (2001), Richardson (2006).
- 42 For a comprehensive analysis of the relationship between religion and constitutions, see Durham et al (2013).
- 43 Numbers retrieved from Fox (2015). Israel is not included in his overview; however, it could be argued that this is also a state with an official religion, insofar as several of its laws define Israel as a 'Jewish and democratic state'. The meaning of these terms and their legal implications are subject to intense debate, see e.g. Masri (2017).
- 44 See Fiss and Getgen Kestenbaum (2017) for an overview and ranking of blasphemy laws throughout the world.
- 45 Article in Malay Mail, For seeking answers on Islam, Muslim gets charged with blasphemy, available at: <https://www.malaymail.com/s/905417/for-asking-questions-muslim-gets-charged-with-blasphemy> [accessed 21 Jan 2019]
- 46 See e.g. Human Rights Watch (2018).
- 47 The narrative part of the typology is a summary of Shahed's (2018) report on state-religion relations. Numbers are based on Fox' (2015) study of government legislation, policies and action in 177 countries.
- 48 See e.g. Waller (2002), Semujanga (2003).
- 49 Many explain this with reference to the 'Just World Hypothesis,' suggesting that individuals generally have a need to believe that they live in a world where people get what they deserve and deserve what they get (Lerner and Miller 1978:1030), and as such blame victims in order to maintain their perception of the world as just. See Hafer and Begue (2005).
- 50 See e.g. Grim and Finke (2011), Finke and Martin (2012, 2014), and Fox (2016) for quantitative studies of this relationship. Diverse qualitative studies seem to support these findings, see e.g. Sanasarian (2000), Richardson (2004), Sarkissian (2009), Palmer (2011).
- 51 Interestingly, countries with a majority Catholic population present an exception to this. See Scharffs (2016) for an analysis.
- 52 Studies that look at the relation between religious and ethnic composition and human rights violations in general, however, do not seem to support this. Lee et al (2004), for instance conclude that violence 'most assuredly' erode human rights provision, but that the ethnic or religious composition of societies does not. Similarly, Walker & Poe (2002) find limited support for the proposition that ethnic fractionalization has a negative impact on human rights.
- 53 Some argue that Abrahamic religions – i.e. Christianity, Islam, Judaism – are particularly intolerant of other religions (Stark 2001), while others contend that Islam stands out as particularly intolerant. Buddhism is rarely associated with inherent violent tendencies, but several Buddhist-majority states – Laos, Vietnam, Sri Lanka, and Myanmar – in fact have high FoRB violations, and on

average religious discrimination in Buddhist majority states exceeds the world mean (Fox 2016:201).

54 See De Soysa and Nordas (2007) for similar conclusions.

55 A large number of psychological, sociological and historical studies investigate the relationship between religiosity and prejudice, producing inconclusive results, with some showing a strong relation between religiosity and prejudice, and others demonstrating the opposite. For an overview of this literature, see Shaver et al. (2016).

56 Interview, representative from international NGO, 17.05.2018

57 See e.g. Gurr (1993, 2000), Friedland (2001).

58 Royal Decree 7-1974, al Jarida al Rasmiyya, 26 February 1974, available on the website of the Omani Government, <http://www.rop.gov.om/pdfs/roplaws/arabic/ROPRULE-1.pdf> (in Arabic).

59 See Hafner-Burton (2013), Davenport (1995).

60 See e.g. Castelli (2007). See Ron, Golden, Crow and Pandya (2018) for an overview of literature on human rights perception polls.

61 Interview, representative from Asian FBO, 06.06.2018.

62 Interview, representative from international NGO, 14.05.2018

63 Some people point to recent 'burka bans' in a number of European countries as an example of this trend. It is important to emphasise that even while some European countries have introduced restrictions of FoRB, Europe (together with the Americas) remains the region with the lowest levels of restrictions on FoRB, compared to the rest of the world (Pew Research Center 2018). Furthermore, this dissonance between foreign and domestic policy is obviously not only seen among European countries. The OIC is advocating for the protection of Rohingya Muslims in Myanmar, while remaining silent about the severe restrictions on other religious minorities in its own member states; however, expectations of the OIC in the global human rights community are generally low, and as such, this kind of behaviour comes as less of a disappointment. All that aside, however, the quote above does point to the importance of acknowledging the often complex dynamics shaping the relationship between domestic and foreign policy in this area, and the importance of states' domestic policies in influencing global perceptions of their foreign policies. See Foret (2017) for a discussion of this in an EU context.

64 All numbers are from the World Public Opinion Poll (Council on Foreign Relations 2009). The poll included 24 countries from different continents.

65 See also Baumann (1989) who points to the relationship between violations and bureaucratization, arguing that Holocaust was made possible precisely because of modern processes of bureaucratization and specialization.

66 Interview, FoRB activist, Malaysia, 31.05.2018.

67 Information from briefing on religious freedom designations, December 11, 2018 (transcript available here: <https://www.state.gov/r/pa/prs/ps/2018/12/288021.htm>).

68 A study by Franklin (2008) showed that criticism by NGOs, religious groups, and foreign governments was more effective than criticism from inter-governmental organizations.

- 69 See also Franklin (2008) for a similar study of Latin American countries.
- 70 “In relation to Vietnam, the US made a deal with them on some changes they had to make in order to get off the list. But once they were off the list, they went back to doing the same things. Similarly, there was a case in 2006, with Turkmenistan, where the threat of CPC was used to release some prisoners. But most countries have been on the list for so long, they realise it doesn’t really matter.” Interview, representative from US institution, 09.05.2018.
- 71 In a 2017 report, the UN Special Rapporteur on FoRB estimated that less than 2.5 percent of all UPR recommendations concerned FoRB (Shaheed 2017:5). Based on recent research, World Evangelical Alliance notes that the number has increased slightly during the third UPR cycle, but that very few of these recommendations are specific, measurable and time-bound enough to enable an assessment of implementation (e-mail correspondence with Wissam al-Saliby, World Evangelical Alliance 15.03.2019).
- 72 Pilot projects were implemented in China, Egypt, India, Kazakhstan, and Eritrea from 2009. Five countries were later added, including Pakistan, Sudan, Nigeria, Armenia, and North Korea. Activities included strategic deployment of the ministry’s Human Rights Fund, cooperation with the EU and other multilateral organizations, lobbying and policy influencing, seminars, academic cooperation, and capacity-building for NGOs.
- 73 Interview, representative from US institution, 09.05.2018
- 74 See Limon et al (2014) for a thorough account of Resolution 16/18. See also Article 19 and Jacob Blaustein Institute for the Advancement of Human Rights (2017) and Wilton Park (2012).
- 75 Letter from Minister of Foreign Affairs, Netherlands (unpublished).
- 76 Email correspondence, FoRB expert, 11.03.2019
- 77 See Boyle et al (2017) for an overview of research on human rights awareness-raising campaigns.
- 78 <https://www.theguardian.com/world/2018/dec/12/facebook-among-firms-named-on-myanmar-human-rights-dirty-list>
- 79 For interfaith dialogue, there is a broad consensus that, notwithstanding its importance in soothing tensions among religious individuals and groups, theological dialogue is a less effective approach to bringing about social and legal change than ‘diapaxis’ that involves bringing groups together to work for a common cause. Initiatives that focus on social, political, and structural injustices directly may encourage more sustained activism than initiatives focusing on interpersonal and cultural change. A (rare) study of the long-term effects of peace-building and dialogue projects explored the degree to which 899 Israeli and Palestinian youth participants in three such projects were involved in activities for social change ten years after their participation. The study found that programmes focusing explicitly on core conflict issues or critical approaches to social injustice inspired more long-term activity among alumni than ‘non-political’ programmes (Ross and Lazarus 2016:131). See also Neufeldt (2011), Orton (2016) and Garfinkel (2004) for discussions of different types of and approaches to interfaith dialogue.
- 80 An evaluation of the International Center for Religion and Diplomacy’s work with 2.600 religious leaders and staff from Pakistani madrasas concluded

that 98 percent of participants acquired a better understanding of the role of Islam in promoting religious tolerance and dialogue. One teacher called the ICRD program “the most influential event in his life”, changing his entire views about madrasas and ways of teaching and working with his students. Another stated that: “I used to ignore my wife and not interact with my children. They were afraid of me. They never told me about their lives. After these programs it changed.” (Abu-Nimer and Kadayifci-Orellana 2008:5). An evaluation of the large-scale Face to Faith programme (now Generation Global), implemented by the Tony Blair Institute for Global Change, concluded that “being part of the F2F programme had a modest but statistically significant positive impact on students’ dialogical open-mindedness and knowledge and experience of difference, e.g. their attitudes towards others who are different” (Doney and Wegerif 2016:8f).

81 Others have also noted this lack of solid evidence. Vader’s (2015) meta-review of seven interreligious peacebuilding program evaluations, for instance, concludes that “evaluations [...] lacked strong evidence to support their conclusions and generally suffered from a dearth of valid and reliable information” (Vader 2015:38). For more examples, see Ackerman 2018.

82 See the websites of the individual organisations for further information: Search for Common Ground (www.sfcg.org); Network of Religious and Traditional Peacemakers (www.peacemakersnetwork.org); Minority Rights Group International (www.minorityrights.org); Christian Solidarity Worldwide (www.csw.org.uk); AMAR Foundation (www.amarfoundation.org); Tony Blair Institute for Global Change (<https://institute.global>); FACES Pakistan (www.facespakistan.com); Panzagar Flower Speech Campaign (www.facebook.com/supportflowerspeech).

83 See e.g. Merry (2006) for a discussion of the concept of ‘vernacularisation’.

84 Email correspondence, FoRB activist, Malaysia, 11.03.2018.

85 For the full text of the two declarations, see the websites of respectively the OHCHR (<https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx>) and the Marrakesh Declaration (<http://www.marrakeshdeclaration.org/>).

86 However, as pointed out by FoRB expert Michael Wiener of the OHCHR, focusing on citizens alone risks sidelining or even denying the rights of non-citizens such as stateless persons, refugees, asylum seekers and migrant workers. This is compounded if access to citizenship is arbitrarily denied to certain religious minorities and thus may undermine a human rights based approach (e-mail correspondence, 14.01.2019).

87 Interview, FoRB activist, Egypt, 23.05.2018. See also Adyan (2018) and Pedersen, Adelin Jørgensen and Udsholt (2016) for recommendations as to how to address FoRB in the context of interreligious dialogue.

88 Interview, representative from international NGO, 14.08.2018

89 The bibliography includes literature referenced in the report as well as other material deemed to be of relevance.

90 This includes both publications that focus explicitly on FoRB and publications on related topics

- 91 The list includes only reports with global or regional coverage. It includes both reports based on original, primary source, monitoring and documentation, as well as reports that are based mainly on secondary sources. Inclusion in this list does not necessarily imply the authors' support, approval or endorsement of the work and publications of the individual actors.
- 92 For an analysis of the use of the EU guidelines in Swedish embassies, see Cash and Olofsson (2016).
- 93 For an analysis of recent European and North American government initiatives, see Toft and Green (2018).
- 94 This description is based on a mapping of more than 150 NGOs involved in FoRB promotion, drawing on various sources, including membership of the UN NGO Committee, EPRID, and other FoRB networks; organisations supported under the EIDHR and other funds focusing specifically on FoRB; participants in the CIfORB ToC study; and attendees at major conferences on FoRB. Further organisations were identified through systematic web searches, and mentions in research, policy reports, and evaluations.
- 95 See the website of the IPP-FoRB, <http://ippforb.com/charter-for-freedom-of-religion-or-belief/>
- 96 <https://religiousfreedomandbusiness.org/corporate-pledge>
- 97 <https://religiousfreedomandbusiness.org/bambang-ismawan>
- 98 The European Commission's Lorenzo Natali Media Prize is awarded to amateur and professional journalists for outstanding reporting on development and poverty eradication – since 2016, with a category for outstanding reporting on freedom of religion or belief outside the EU (Foret 2017:20).

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS