

Study Consultation on Freedom of Religion and Rights of Religious Minorities

WCC Commission of the Churches on International Affairs

Istanbul, Turkey, 28 November to 2 December 2011

A communiqué adopted at a World Council of Churches (WCC) consultation in Turkey advocates international standards of protecting religious minorities' rights to freedom of religious expression. The communiqué was drafted at the International Study Consultation on Freedom of Religion and the Rights of Religious Minorities organized by the WCC Commission of the Churches on International Affairs (CCIA) and hosted by the Ecumenical Patriarchate of Constantinople.

The communiqué was prepared by participants of the consultation representing churches, Christian organizations, academia, civil society, human rights organizations and legal professionals from 23 countries in Africa, Asia, Middle East, the Americas and Europe.

Since the last study on the subject of freedom of religion by CCIA in 1981, there have been several political developments following the cold war and the rise of religious extremism. Dr Mathews George Chunakara, director of the CCIA, says, "Taking account of these factors and building on the outcomes of the Istanbul consultation, WCC will be analyzing these emerging trends in other countries."

The consultation was mandated by the CCIA's 50th meeting in 2010, and follows the International Ecumenical Peace Convocation, which took place in Kingston, Jamaica in May of this year.

The final report prepared in early 2012 by a CCIA working group will be presented at the CCIA meeting in China in June 2012 seeking a mandate for further follow-up actions. A WCC statement is to be presented on "freedom of religion and rights of religious minorities" at the upcoming 10th Assembly of the WCC at Busan, Korea in 2013. The final report adopted at the CCIA meeting in China will be shared with the WCC's constituency.⁹

Communiqué¹⁰

We, the participants of the *International Study Consultation on Freedom of Religion and the Rights of Religious Minorities* - drawn from churches, church

⁹ For the full press release see: <http://www.oikoumene.org/en/news/news-management/eng/a/article/1634/wcc-consultation-promotes.html>.

¹⁰ URL: www.oikoumene.org/en/resources/documents/wcc-commissions/international-affairs/human-rights-and-impunity/religious-minorities-and-rights-for-religious-freedom.html.

related organisations, academia, civil society and human rights organisations and the legal profession in 23 countries in Africa, Asia, the Middle East, the Americas and Europe - met in Istanbul, Turkey as part of an international study consultation organised by *the Commission of the Churches on International Affairs of the World Council of Churches*. The Consultation analysed the situations of rights of religious minorities and freedom of religion in various contexts.

We wish to express our deep gratitude to His All Holiness, the Ecumenical Patriarch Bartholomew I for welcoming us and addressing the participants, and express our joy in sharing in an audience with Him and in attending the Holy Liturgy for the Feast of St. Andrew, Patron Saint of the Ecumenical Patriarchate.

During the Study Consultation we received reports on the position of religious freedom and the rights of religious minorities in 27 countries. These furthered our common understanding of the rights to which all people are entitled, highlighted many human rights concerns and enabled us to identify a number of steps to be taken to ensure freedom of religion and belief and the rights of religious minorities in various contexts.

We recognise that respect for freedom of religion or belief is a common good and a prerequisite for the democratic and peaceful progress of human society. Widespread and grievous violations of this freedom affect the stability, security and development of many states and severely impact upon the daily lives of individuals, families and communities, especially their peaceful coexistence.

We affirm that all people are endowed with inherent dignity. We recognise and reiterate the significance of international human rights standards relating to religion and belief and to religious minorities. In relation to matters of religion or belief the international human rights framework provides all persons with the right to:

- have or adopt the religion or belief of one's choice, including the right to change one's religion;
- manifest religion both privately and publicly, alone or with others, in worship, teaching, observance and practice;
- protection from discrimination in any sphere of life on the basis of religion or belief; coercion in matters of religion or belief;
- bring up children in accordance with their own beliefs;
- conscientious objection.

It is the duty of states and governing authorities to respect, protect and promote the freedom of religion or belief, in all its dimensions, for all individuals under their jurisdiction or control without regard to their religion or belief.

We recognise and welcome positive steps taken towards a fuller respect for freedom of religion or belief in a number of contexts. However, we also witness serious violations of these rights with grave concern.

During the study consultation several examples regarding the non-fulfilment of the right to religious freedom have been highlighted. In several contexts practices exist to limit the right to change one's religious status that can result in the separation of families, material and social deprivation or even criminal prosecution, imprisonment or the death penalty. Anti-conversion provisions found in a number of countries, are open to misuse, and contribute to negative public perceptions of and violence towards religious minority communities.

Many individuals are facing serious difficulties in freely professing and practicing their religion or belief as they see appropriate in the face of state or religious compulsion. In certain cases there is also state interference in the decision making processes of a religious group, while in other cases religious law and jurisprudence is imposed by state sanction. At the same time, existing blasphemy laws have a chilling effect on public discourse and on the right to profess religion or belief, and impact disproportionately on members of minority religions.

Numerous religious communities encounter problems in obtaining the legal status necessary to function; in acquiring, building or maintaining of properties such as places of worship and burial grounds or facilities; and in providing religious and theological training. These difficulties seriously impact on their ability to manifest religious faith.

Discrimination on the basis of religion or belief is also seriously affecting the ability of religious minorities to access their rights to education, healthcare and employment and to participate in the democratic process. Discriminatory legislation and state practices provide a legitimising framework for wider discrimination in society. Deprivation, social exclusion and violence towards minorities are the inevitable results of systematic discrimination and threaten the social fabric of society.

In many instances, educational syllabuses and text books portray negatively or under-represent the role of religious minority groups in society and serve to affirm existing societal prejudices and promote intolerance and discrimination. Moreover, obligatory religious education of children of minority religious backgrounds in the majority faith, violates the rights of parents and children. Furthermore, existing legislation and state practice with regard to mixed marriages in certain countries can also impact negatively on the right to religious freedom with regard to the bringing up of children of such marriages.

Also the media in many countries are responsible for the negative portrayal of religious groups, thus perpetuating false stereotypes and exacerbating discrimination.

Lastly, the failure of states to protect religious minorities from violence, threatens, in some cases, the very survival of communities and is in violation of states' international obligations. The culture of impunity created by failures to investigate and prosecute crimes against members of minority communities is a threat to the long-term stability of nations.

In moving forwards, the participants in the Study Consultation:

- urge states to strengthen the existing protection mechanisms and devise effective safeguards against violations of national and international law relating to religious freedom;
- call for concerted and coordinated efforts on the part of religious, civil society and state actors in order to address violations of this right;
- invite the Commission of Churches of International Affairs (CCIA) of the World Council of Churches (WCC) to do a follow up to this Consultation and elaborate an action plan which can address among others the relationship between secularism and religion, the issue of growing nationalism and politicization of religion, the rights and obligations of religious minorities and awareness raising and education for the promotion and protection of the right to freedom of religion or belief;
- propose as possible follow up, the organisation of thematic and region-specific Consultations and the exploration of the possibility for the creation of an ecumenical Forum on religious freedom and human rights;

The promotion and protection of freedom of religion or belief should be the concern and work of all. The participants recalled the statement by the Ecumenical Patriarch, "we are called to be prophetic societies of transformation in a world that has reached a deadlock. Prophetic societies of peace in a global society threatened by war, prophetic societies of dialogue in a civilization characterized by ambivalence and hostility and prophetic societies of reconciliation with the creation of God in an era, that the future of the earth is at risk".



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