



Statement by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the 20th Session of the Human Rights Council - Item 8: Freedom of Religion
Geneva, 3 July 2012

Madam President,

With deep concern, the Holy See delegation calls attention to the widening gap between the commitment and the stated principles of the international community regarding freedom of religion, conscience, and belief and the right to freedom of assembly, and the implementation of these fundamental human rights. The use of bombs and violent attacks against houses of worship and Christian communities at prayer have recently killed hundreds of innocent people in several countries. The persistence of such crimes and their geographical spread, the support in personnel and resources that fundamentalist groups provide them, their objective of destabilization of peaceful coexistence in mutual respect and collaboration, are as many reasons that should prompt a more effective response both in terms of public awareness and of preventive action.

Religious strife is a danger to social, political, and economic development. Religious conflict in a polarized society breaks the ties that are necessary for social life and commerce to flourish. It produces violence which robs people of the most fundamental right of all: the right to life. It sows the seeds of distrust and bitterness that can be passed down through generations. Strife in one country can spill over and cause serious difficulties in other countries.

In a similar way, disappearances, arrests, detention, death threats and discrimination against converts and against individuals belonging to religious minorities or other faith communities are not uncommon all around the world. Violent attacks, statements and even school manuals inciting violence and killings of members of religious communities and religious minorities are on the news very often. Such threats to religious freedom profoundly affect human dignity. Limitations on the exercise of this right jeopardize personal identity, conscience, and fundamental life choices, and they impair the enjoyment of other human rights.

Pope Benedict XVI has expressed his grave concern about such disturbing situations in various parts of the world as a result of which "it is impossible to profess one's religion freely except at the risk of life and personal liberty. In other areas, we see more subtle and sophisticated forms of prejudice and hostility towards believers and

religious symbols.”¹ Christians represent the religious group that is subjected to religious persecution in the greatest numbers.

The transversal nature of religious freedom demands equal and effective protection under the law without discrimination for any person, but most especially for members of minority groups or persons who might be vulnerable to prejudice or discrimination for a variety of reasons. Thus, the Vienna Declaration and Programme of Action proclaimed that “... persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion ... in private and in public, freely and without interference or any form of discrimination”.²

Several other international human rights texts, General Assembly and Human Rights Council Resolutions³ unambiguously state that “*everyone has the right to freedom of thought, conscience and religion or belief.*” The freedom to manifest one’s religion or belief in teaching, practice, worship and observance is also guaranteed. “*It is inconceivable that believers should have to suppress a part of themselves – their faith – in order to be active citizens. It should never be necessary to deny God in order to enjoy one’s rights.*”⁴

The ideals of religious freedom – in worship, practice, and expression – are enshrined in the constitutions of most democratic States throughout the world. Such freedom is, moreover, a multi-faceted right, related, among others, to the rights to life and liberty.

In accord with the International Covenant on Civil and Political Rights, the Holy See Delegation recognizes that States are obligated to create and support infrastructural measures and favorable conditions to facilitate free and non-discriminatory development of religious communities and their members. Thus, the right to religious freedom is not only an individual right but also constitutes a collective right for religious communities.⁵

Madam President,

My delegation acknowledges the correlation between social stability and recognition of human rights. Due to the unstable economic and political contexts in States throughout the world, it is essential that all human rights, and most especially the right to religious freedom, be protected. States must encourage the formation of collaborative networks that aim toward mutual understanding, promote inter-religious dialogue, and

¹ Pope Benedict XVI, Message for the 2011 World Day of Peace, #1.

² Vienna Declaration and Programme of Action, Part. I. art. 19.

³ General Assembly resolution 36/55 of 25 November 1981, Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; Article 18 of the International Covenant on Civil and Political Rights; Article 18 of the Universal Declaration of Human Rights; Human Rights Council resolution 14/11 of 18 June 2010

⁴ Pope Benedict XVI, *Address to the General Assembly of the United Nations* (18 April 2008).

⁵ In this regard, it entails the right for such communities to govern themselves according to their own norms; the right to public worship; the right to instruct their members in the practice of their faith; the right to select, educate, appoint, and transfer their own spiritual ministers; the right to construct buildings for religious purposes; the right to acquire and use funds or properties; the right to teach and witness to their faith publicly, whether by spoken or written word; and the right to hold meetings and to establish educational, cultural, charitable and social organizations, according to their respective motivations.

strengthen protection of religious groups through adequate and effective guarantees of religious freedom through access to legal systems that provide proportionate and adequate remediation and, when necessary, redress.

In the view of my delegation, religious freedom cannot be restricted merely to freedom of worship. Also included in this fundamental freedom should be the right to preach, educate, receive new adherents, contribute to political discourse, as well as participate in public activities. Most importantly, the right to freedom of conscience must be upheld and protected. Believers should not be forced by governments to choose between conformity to governmental policies or legislation and faithfulness to religious tenets and beliefs. It also is important to respect the right of parents to send their children to schools that reflect their beliefs. Compulsory, “one-size-fits-all” educational systems can constitute a direct attack on the rights and duties of parents to assure the religious and ethical formation of their children. At the same time, all educational systems should promote respect and protection of people without any prejudice toward their respective religious beliefs or practices.

Madam President,

The Holy See Delegation would like to conclude by citing the Vienna Declaration, which calls “upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief...”⁶

Finally, we encourage every State to ensure, protect and promote the legitimate right of people to have, practice and to express their own religion or belief freely and without any type of coercion and violence and without the constant fear of becoming victims of anti-religious attacks that destroy their fundamental human rights.

Thank you, Madam President.

⁶ Vienna Declaration and Programme of Action, Part II. Art. 22. The full citation reads: The Vienna Declaration calls “upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief...”, including practices of discrimination against women and including the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion. The Conference also invites all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.”