



Statement by His Excellency Archbishop Ivan Jurkovič
Permanent Observer of the Holy See to the United Nations
and Other International Organizations in Geneva
at the 37th Session of the Human Rights Council
Item 3 – Report of the Special Rapporteur on Freedom of Religion or Belief

Geneva, 2 March 2018

Mr. President,

In a world that is every day more interconnected, where persons and communities, who order their lives on the compass of different worldviews, find themselves living side by side, the right to enjoy freedom of religion and belief opens unprecedented opportunities and, at the same time, raises complex organisational and legal difficulties for States.

Many societies around the world seem to adopt an attitude of rejection towards religious freedom, marginalizing and at times openly persecuting religious minorities, whether they are a traditional part of the social landscape or they are just recently established in it.

Laws or policies that discriminate against religious minorities and limit freedom of religion and belief (like so-called blasphemy or anti-conversion laws) are unfortunately still all too present in our world. As was demonstrated during the Universal Periodic Review, some States forfeit their responsibility to protect actively their citizens belonging to religious minorities, when targeted by non-state actors, *inter alia*, by hindering access to justice or not ensuring fair trials in case of mob violence.

On the other hand, in those States that permit and cultivate a radical secularistic ideology which denies the religious sentiments of their citizens, “more subtle and sophisticated forms of prejudice and hostility towards believers and religious symbols”¹ are occurring, especially in the education of youth and conscientious objection.

Experience and reason, however, indicate that a society which is based on the respect of the freedom of religion and belief is stronger, not weaker.

Respecting the deepest convictions of members of a given society is, in fact, the prerequisite on which an authentic culture of human rights can be built. Among other and deeper causes, in fact, this is the condition by which the common good can be determined and achieved by a wider, inclusive participation of people and a broader basis of wisdom and values.

The common good is the aim to which all States, and by extension the international community, aspire. It can be determined and achieved only through an inclusive process of dialogue and in seeking the true meaning of the fundamental rights and freedoms of every

¹ Pope Benedict XVI, *Message for the celebration of the World Day of Peace*, 1 January 2011, n.1.

human person, whose intimate nature is to seek the truth and celebrate it in the religious experience.

“Society as an expression of the person and of all his or her constitutive dimensions, must live and organize itself in a way that favours openness to transcendence. Precisely for this reason, the laws and institutions of a society cannot be shaped in such a way as to ignore the religious dimension of its citizens or to prescind completely from it.”²

Mr. President,

Unfortunately, this reductive attitude is at times perceived also in some quarters of international agencies and organisations, when ideologies and controversial notions which are not in line with international instruments or religious wisdom and the sentiments of the greatest part of humanity are promoted or even imposed; in the words of Pope Francis: “somewhat paradoxically, there is a risk that, in the very name of human rights, we will see the rise of modern forms of ideological colonization by the stronger and the wealthier, to the detriment of the poorer and the most vulnerable.”³

Such a posture, all but rare, cannot but weaken these institutions, leading to a state of irrelevance of the multilateral human rights system, which is already frequently criticized.

In this perspective, of the utmost concern for my Delegation is the use of the expression “freedom from religion”.⁴ Apart from the fact that it is not contemplated in international instruments, it reveals a patronising idea of religion, going beyond the mandate of the Special Rapporteur.

Once again, the Holy See reiterates, in the words of Pope Francis, that “...religion itself, the religious dimension, is not a subculture; it is part of the culture of every people and every nation.”⁵

To overlook the importance and wisdom of religions or to “deny or arbitrarily restrict the freedom [of religion] is to foster a reductive vision of the human person...” and in the ultimate analysis “it is to stifle the growth of the authentic and lasting peace of the whole human family.”⁶

On the contrary, “in a globalized world marked by increasing multi-ethnic and multi-religious societies, the great religions can serve as an important factor of unity and peace for the human family.”⁷

Thank you, Mr. President.

² *Ibid.*, 8.

³ Pope Francis, *Address to the Members of the Diplomatic Corp accredited to the Holy See*, 8 January 2018.

⁴ A/HRC/37/49.

⁵ Pope Francis, *Meeting for religious liberty with the Hispanic community and other immigrants*, 26 September 2016.

⁶ Pope Benedict XVI, *Message for the celebration of the World Day of Peace*, 1 January 2011, n. 1.

⁷ *Ibid.*, n.10.