



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 46th Session of the Human Rights Council
Item 3 – Report of the Special Rapporteur on Freedom of Religion or Belief

Geneva, 4 March 2021

Madam President,

The Delegation of Holy See acknowledges the Report of the Special Rapporteur on the freedom of religion or belief, an issue which the Holy See follows and is actively engaged.

The Holy See recognizes the significant work presented in the Report outlining situations of discrimination, stigmatization, acts of violence and restrictions on the right to manifest one's religion both individually and in community, often experienced by Muslim persons.

In the current scenario, where religious freedom is being increasingly eroded by the need to protect human lives from the spread of the Covid-19 pandemic, it is of paramount importance that the civil authorities commit themselves to respect, protect and defend the freedom of religion or belief, as the innermost dimension of the dignity of the human person, in his or her conscience.¹

Nevertheless, my Delegation notes with concern the narrow scope of the Report presented by the Special Rapporteur on the theme "Anti-Muslim hatred/Islamophobia". The Holy See cannot but lament that the Report does not adequately consider the overall context of persecution of all people of faith (or of no faith). Certainly, all acts of religious hatred, discrimination and persecution are to be vehemently condemned, including against Muslims.

Nevertheless, bearing in mind the universality of religious freedom enshrined in the UDHR and reiterated in the original HRC Resolution that established the mandate of the Special Rapporteur,² the decision to limit the topic to one particular religious group

¹ Cfr., Statement by His Excellency Archbishop Paul Richard Gallagher, Secretary for Relations with States of the Holy See, at the High-Level Segment of the 46th Session of the Human Rights Council, 22-24 February 2021.

² This can be deduced from the original resolution of the HRC that instituted the mandate of the Special Rapporteur A/HRC/RES/6/37, of 14 December 2007. The only reference to "Islamophobia" is to be found in operative paragraph 2, which states "[The Human Rights Council] recognizes with deep concern the overall rise in instances of intolerance and violence directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia". It is clear from this context that the focus is on the elimination of instances of intolerance and violence against religious groups as

without reference to the numerous others could represent a substantial change in the methodological approach.

Such a change, rather than reducing the negative-profiling and stigmatization of such groups, presents a real risk of being divisive, of facilitating a “we” vs. “them” mentality, abundantly documented in the Report. Indeed, any legislation or practice that would single out a specific group based, at least in part, on religious criteria, represents a subtle form of discrimination, regardless of the intended effects or the real outcome of such laws or practices.

It is deeply concerning, therefore, that the present Report, which should defend the fundamental and universal human right of freedom of religion or belief, has been focused on a single religious group to the exclusion of others with the risk of polarizing the international community and creating more conflict that may further endanger the rights this Council should promote and protect.

Thank you, Madam President.