#Faith4Rights toolkit



The "Faith for Rights" framework (www.ohchr.org/en/faith-for-rights)

1 … to stand up and act for everyone's right to **free choices**, particularly for everyone's freedom of thought, conscience, religion or belief	2 … to use the declaration on "Faith for Rights" as a common minimum standard of **interaction between theistic, non-theistic, atheistic or other believers**	3 … to promote constructive engagement on the **understanding of religious texts** through critical thinking and debate on religious matters
18 … to use technological means more creatively and consistently in order to **produce capacity-building and outreach tools** and make them available for use at the local level	We commit… Faith for Rights	4 … to prevent the notions of "**State religion**" and "**doctrinal secularism**" from being used to discriminate or reduce the space for diversity of religions and beliefs
17 … to develop **sustained partnerships** with specialised academic institutions to promote interdisciplinary research, programs and tools for implementing the 18 commitments		5 … to ensure non-discrimination and **gender equality**, particularly regarding harmful stereotypes and practices or gender-based violence
16 … to leverage the **spiritual and moral weight** of religions and beliefs in order to strengthen the protection of universal human rights and develop preventative strategies		6 … to stand up for the rights of all persons belonging to **minorities** and to defend their freedom of religion or belief, particularly in cultural, religious, social, economic and public life
15 … not to coerce **people in vulnerable situations** into converting from their religion or belief, while fully respecting everyone's freedom to have, adopt or change a religion or belief		7 … to publicly denounce all instances of advocacy of **hatred that incites** to violence, discrimination or hostility in the name of religion or belief
14 … to ensure that **humanitarian aid** is given regardless of the recipients' creed and that aid will not be used to further a particular religious standpoint		8 … to monitor interpretations, determinations or other **religious views that manifestly conflict** with universal human rights norms and standards
13 … to engage with **children and youth** against violence in the name of religion and to promote their active participation in decision-making		9 … to condemn any **judgemental determination** that disqualifies the religion or belief of another individual or community, exposing them to violence in the name of religion
12 … to **review the curriculums** and teaching materials wherever some religious interpretations seem to encourage or tolerate violence or discrimination	11 … not to oppress **critical voices** on religious matters in the name of "sanctity", and to advocate for repealing any anti-blasphemy and anti-apostasy laws	10 … not to tolerate exclusionary interpretations on religious grounds which **instrumentalize religions**, beliefs or their followers for electoral purposes or political gains

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The Collonges Declaration

19 December 2019



The **"Faith for Rights"** framework facilitates exploring the relationship between religions, beliefs and human rights.

As stressed in the **Rabat Plan of Action** of 2012, religious leaders have a crucial role to play in speaking out firmly and promptly against hate speech. In 2017, the **Beirut Declaration on "Faith for Rights"** added that individual and communal expression of religions or beliefs flourish in environments where human rights, based on the equal worth of all individuals, are protected. Similarly, human rights can benefit from deeply rooted ethical and spiritual foundations provided by religions and beliefs. The Beirut Declaration and its 18 commitments reach out to theistic, non-theistic, atheistic or other believers in all regions of the world to enhance cohesive, peaceful and respectful societies on the basis of a common action-oriented platform.

The **United Nations High Commissioner for Human Rights**, Michelle Bachelet, has emphasized the importance of focussing attention on practical outreach tools, capacity-building programmes and interdisciplinary research on questions related to faith and rights. In this context, her office organized in 2018 and 2019 two workshops in Collonges-sous-Salève with faith-based and civil society actors, Special Rapporteurs and members of United Nations human rights treaty bodies.

The "Collaboration of Collonges" is the follow-up to the normative trajectory of the soft law standards emerging from the Rabat Plan of Action and the Beirut Declaration on "Faith for Rights". It also contributes to implementing related intergovernmental resolutions and action plans, such as the **United Nations Human Rights Council's resolution 16/18** on combating intolerance (2011), the **Sustainable Development Goals** (2015), the **Plan of Action to Prevent Violent Extremism** (2016), the **UN Strategy and Plan of Action on Hate Speech** (2019) and the **UN Plan of Action to Safeguard Religious Sites** (2019).

The expert workshops in Collonges build upon the experience gained from capacity-building and collaborative events organized by the Office of the High Commissioner for Human Rights (OHCHR), including in **Dakar, Rabat, Geneva, Tunis, Marrakesh and Djibouti**. They aim at filling the identified triple gap of education, research and training on faith and human rights, through the **#Faith4Rights toolkit** that is attached to this Collonges Declaration.

The participants at the workshop on the campus of Salève on 18-19 December 2019, including the **Special Rapporteur on freedom of religion or belief** and the **Special Rapporteur on minority issues** as well as several members of **UN treaty bodies**, have refined this #Faith4Rights toolkit. It is a prototype suggested for faith actors, academic institutions and training experts, to be further enriched and adapted to the various inter-faith engagement contexts. This methodology of engagement on faith and rights is designed to be appropriated by faith actors. The toolkit may also be implemented through information technology and social media, with a particular focus on the needs of youth. It is freely available online at **www.ohchr.org/en/faith-for-rights**

This **#Faith4Rights toolkit** contains 18 modules, mirroring each of the commitments on "Faith for Rights". These modules offer concrete ideas for peer-to-peer learning exercises, for example how to unpack the 18 commitments, share personal stories, search for additional faith-based quotes or provide for inspiring examples of artistic expressions. The **annex** proposes several cases to debate, which expand the thematic scope, illustrate the intersectionality of the 18 commitments and enhance the skills of faith actors to manage real life situations towards the shared aims of "Faith for Rights".

The whole concept is interactive, result-oriented and conducive to critical thinking. It is open for adaptation by facilitators in order to tailor the modules to the specific context of the participants. This is the first edition of the #Faith4Rights toolkit, which will be regularly updated.

#Faith4Rights toolkit (18 peer-to-peer learning modules)

Introduction and context

"In recent years, my Office has been working with faith-based actors to conceive the 'Faith for Rights' framework. Its 18 commitments reach out to people of different religions and beliefs in all regions of the world, to promote a common, action-oriented platform. The 'Faith for Rights' framework includes a commitment not to tolerate exclusionary interpretations, which instrumentalize religions, beliefs or their followers for electoral purposes or political gains. In this context, it is vital to protect religious minorities, refugees and migrants, particularly where they have been targeted by incitement to hatred and violence. We look forward to seeing the 'Faith for Rights' framework translated into practical outreach tools and capacity-building programmes. […]

We hope the 'Faith for Rights' framework will also inspire interdisciplinary research on questions related to faith and rights. Deeper exploration of the ethical and spiritual foundations provided by religions and beliefs can help to debunk the myth that human rights are solely Western values. On the contrary: the human rights agenda is rooted in cultures across the world. Respect for human life, and human dignity, wellbeing and justice, are common to us all. 'Faith' can indeed stand up for 'Rights' so that both enhance each other."



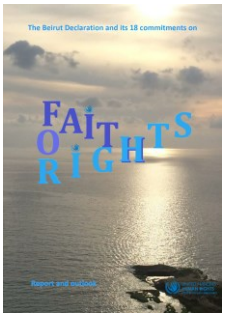
Michelle Bachelet, UN High Commissioner for Human Rights
Statement at the Global Summit on Religion, Peace and Security (April 2019)[1]

This Faith4Rights toolkit, as refined by human rights experts and faith actors in Collonges in December 2019, suggests prototypes of peer-to-peer learning modules, exploring the relationship between religions, beliefs and human rights. It provides approaches that are adapted to faith actors, civil society representatives and educational institutions. It stimulates an interdisciplinary discussion on "faith" and "rights", in relation to 18 key topics that serves a triple purpose: (1) **engaging** to ensure ownership, (2) **thinking** critically to face challenges, and (3) **reinforcing** the mutual enhancement between faith and rights.

Implementing the #Faith4Rights toolkit relies on facilitators who prepare the peer-to-peer learning sessions. The use of this toolkit requires facilitators to familiarize themselves with existing human rights education methodologies prepared by OHCHR and other stakeholders.[2] Facilitators of the #Faith4Rights toolkit should be knowledgeable in both disciplines of faith and rights and have coaching experience. Otherwise, a team of two or more facilitators whose competences complement each other should co-moderate the peer-to-peer learning exercise.

For each of the 18 learning modules, facilitators need to prepare and choose the most relevant learning material among the wide range of resources offered in this toolkit. Even if they take existing material as it stands, facilitators still need to relate it to their respective environments and learning objectives. In addition, facilitators would continue to think through the sessions, taking into account any feedback from participants so as to adapt to the needs of the audience. This would also inspire enhancement of the modules for the benefit of future collective learning exercises.

[1] https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24531&LangID=E
[2] See OHCHR human rights training materials (https://www.ohchr.org/en/resources/educators/human-rights-education-training) and further online tools such as the Freedom of Religion or Belief Learning Platform (https://www.forb-learning.org).



Beyond learning and training purposes, this #Faith4Rights toolkit could be seen as a facilitator's guide for implementing interfaith collaboration projects and enriching the **report and outlook on "Faith for Rights"**.[3] The Beirut Declaration on "Faith for Rights" contains five fundamental principles to guide its implementation: transcending dialogue to action; avoiding theological divides; being introspective; speaking in one voice; and acting in an independent manner. These are cornerstones of the "Faith for Rights" vision and its implementation tool, the #Faith4Rights toolkit.

Facilitators should observe these **five principles** while using this toolkit: *"[…] we pledge as believers (whether theistic, non-theistic, atheistic or other) to fully adhere to **five fundamental principles**:*

a) *Transcending traditional inter-faith dialogues into **concrete action-oriented Faith for Rights (F4R) projects at the local level**. While dialogue is important, it is not an end in itself. Good intentions are of limited value without corresponding action. Change on the ground is the goal and concerted action is its logical means.*
   - *"Faith is grounded in the heart when it is demonstrated by deeds." (Hadith)*

b) ***Avoiding theological and doctrinal divides** in order to act on areas of shared inter-faith and intra-faith vision as defined in the present F4R declaration. This declaration is not conceived to be a tool for dialogue among religions but rather a joint platform for common action in defence of human dignity for all. While we respect freedom of expression and entertain no illusion as to the continuation of a level of controversy at different levels of religious discourse, we are resolved to challenge the manipulation of religions in both politics and conflicts. We intend to be a balancing united voice of solidarity, reason, compassion, moderation, enlightenment and corresponding collective action at the grassroots level.*

c) ***Introspectiveness** is a virtue we cherish. We will all speak up and act first and foremost on our own weaknesses and challenges within our respective communities. We will address more global issues collectively and consistently, after internal and inclusive deliberation that preserves our most precious strength, i.e. integrity.*

d) ***Speaking with one voice**, particularly against any advocacy of hatred that amounts to inciting violence, discrimination or any other violation of the equal dignity that all human beings enjoy regardless of their religion, belief, gender, political or other opinion, national or social origin, or any other status. Denouncing incitement to hatred, injustices, discrimination on religious grounds or any form of religious intolerance is not enough. We have a duty to redress hate speech by remedial compassion and solidarity that heals hearts and societies alike. Our words of redress should transcend religious or belief boundaries. Such boundaries should thus no longer remain a free land for manipulators, xenophobes, populists and violent extremists.*

e) *We are resolved to **act in a fully independent manner**, abiding only by our conscience, while seeking partnerships with religious and secular authorities, relevant governmental bodies and non-State actors wherever Faith for Rights coalitions are freely established in conformity with the present declaration."*[4]

In this vein, the **2021 Forum on Minority Issues** encouraged States, the United Nations, international and regional organizations and civil society to work closely in supporting the positive contributions of faith-based actors, including through the promotion of the Beirut Declaration and the #Faith4Rights toolkit.[5] In 2022, the **Council of Europe's Committee of Ministers** recommended to ensure that human rights education, education for democratic citizenship and media and information literacy are part of the general education curriculum, and in this regard the Council of Europe's **explanatory memorandum** commented that the UN Faith for Rights Framework and Toolkit is a useful tool with its peer-to-peer learning methodology.[6]

[3] https://www.ohchr.org/Documents/Press/Faith4Rights.pdf
[4] https://undocs.org/A/HRC/40/58, Annex I, para. 10.
[5] https://undocs.org/A/HRC/49/81, para. 58. See in this regard also Human Rights Council resolution A/HRC/RES/49/9, para. 22.
[6] Committee of Ministers Recommendation CM/Rec(2022)16 on combating hate speech, para. 47; explanatory memorandum, para. 184.

The overall goal of this #Faith4Rights toolkit, through a human rights-based approach, is to shift from abstract inter-religious dialogues, with little concrete outcomes, into individual and joint positive actions by faith actors in defence of human dignity for all. This peer-to-peer learning methodology focuses on concrete case studies and real-life experiences as witnessed – and often shared – by the participants themselves.

This #Faith4Rights toolkit is not and will never be a final piece of work. It is meant to remain a permanent work in progress through refinement based on cumulative practice and relevant developments. The reason lies at the heart of the "Faith for Rights" framework: challenges to both "faith" and "rights" are moving targets of constantly changing dynamics. Responses thereto should follow the same path. Collective learning from each other's experiences optimises chances of faster and safer progress towards the goals of the "Faith for Rights" framework. It is also worth noting that most of the case studies in this toolkit emanate from the outcomes of international human rights mechanisms, which also requires regular updating.



The **"Faith for Rights" website**[7] will serve as the virtual hub that provides faith actors with these outcomes and other regular updates related to the topics they have been trained on using the #Faith4Rights toolkit. This knowledge management tool will be an open space for free capacity-development opportunities. This would also facilitate interaction within communities of practice to perpetuate the benefits of exchanges among faith actors on related research, standards, initiatives and human rights developments. This collaborative space of continued peer-to-peer learning will also link to OHCHR resources that are useful for faith actors in their endeavour for human dignity, including selected updates on the outcomes of international human rights mechanisms that are of particular relevance to faith actors. Facilitators of "Faith for Rights" peer-to-peer learning are kindly requested to share any feedback, experiences from local training sessions and additional materials they may suggest to enrich the #Faith4Rights toolkit and "social-mediatize" its follow-up activities, by sending an email to: **OHCHR-faith4rights@un.org**

Contextual tips for facilitators

It is important at the outset to draw the attention of facilitators of "Faith for Rights" learning sessions to a number of tips. They are meant to assist both the preparation by facilitators of their peer-to-peer learning sessions as well as for conducting them successfully:

- **The #Faith4Rights modules are flexible** and require adaptation by the facilitators before their use. Case studies related to peer-to-peer exercises in the 18 modules (indicated with the symbol) need to be selected by the facilitators from within the environment where the learning takes place. The #Faith4Rights toolkit is a prototype methodology that requires contextualization, based on the text of the 18 commitments (indicated with), context (indicated with) and additional supporting documents (indicated with).
- **Not all issues raised need to be resolved**. This would be an impossible and even a counterproductive target. The aim is rather to enhance critical thinking and communication skills, admitting that some questions could receive many answers, depending on numerous factors.

[7] https://www.ohchr.org/en/faith-for-rights

- **Tensions may occur during discussions related to "faith" and "rights"**. Most of these tensions are due to human interpretations. Learning sessions are spaces for constructive dialogue in a dynamic process where tensions can be reduced with the help of clear methodologies, including pre-emptive situation analysis and evidence of positive results in areas of intersectionality between faith and rights.
- When preparing the sessions, facilitators need to factor in the **profile, age and backgrounds of participants** (see the article **Tailoring Peer-to-Peer Learning on "Faith for Rights"**).[8] Focused attention on the learning objectives can transform tensions into constructive exploration of new ideas.
- **Meaningful engagement requires democratically pre-established rules**. Facilitators should dedicate time with participants to elaborate these rules together at the outset (see below **module 0**) and acting all along the training as their custodians.
- **The time frames suggested** in this #Faith4Rights toolkit (highlighted with 🕘) **are merely indicative**. Facilitators may adapt them freely to suit the needs of their group of participants. The key balance is between respecting the overall timeframe while not cutting short a positive exchange momentum.
- To ensure optimal and sustainable benefit, **facilitators may create a "training notebook"** for participants during their peer-to-peer learning sessions. It would contain a compilation of templates to help participants keep track of what they have learned throughout the programme (in line with established learning objectives) and eventually use this notebook as their personalised follow-up tool.



- When technically feasible, facilitators are also advised to **project the module under discussion on screen** in order to alternate between discussions thereon and showing the audio-visual materials listed in each module or any other items selected by the facilitator themselves. As a teaser, the facilitator could show the short video of an **audio-visual journey through the 18 commitments** on "Faith for Rights" which includes religious quotes in Arabic, English, French, Hebrew and Punjabi as well as a pertinent excerpt of human rights treaty bodies' general comment on harmful practices.[9]
- The **COVID-19 pandemic** triggers various human rights challenges (see below **modules 5**, **6**, **16** and **17**) and consequently peer-to-peer learning events have increasingly moved online (see the **webinar** and **article on responding to pandemics**).[10]
- In December 2022, the Gandhi-King Global Academy launched the online course (free registration) on **Religions, Beliefs, and Human Rights: A "Faith for Rights" Approach**.[11]
- Please also check the **Facilitator Guide** hosted by the International Center for Law and Religion Studies.[12]
- **Human rights are not only about law – artistic expressions carry them, too**. Facilitators are encouraged to use non-traditional support material for their discussions. Each of the modules of the #Faith4Rights toolkit "*features inspiring examples of artistic expressions, including through photos, videos, music, improvisation, dance, street art, social media, cartoons and calligraphies.*"[13]



[8] https://doi.org/10.1163/18710328-bja10032
[9] https://www.youtube.com/watch?v=W0_Up29Lnoc
[10] https://www.youtube.com/watch?v=xTnhcN126Sk&t=02m25s; https://www.irla.org/2021.pdf#page=42
[11] https://www.usip.org/academy/catalog/religions-beliefs-and-human-rights-faith-rights-approach
[12] https://faith4rights.iclrs.org/
[13] https://www.ohchr.org/EN/NewsEvents/Pages/Believe-to-See.aspx; https://www.youtube.com/watch?v=XQwm3kX6EYI&t=15s

Module 0: Introductory session

Full text of the preamble of the 18 commitments on "Faith for Rights"

We, faith-based and civil society actors working in the field of human rights and gathered in Beirut on 28-29 March 2017, express the deep conviction that our respective religions and beliefs share a common commitment to ***upholding the dignity and the equal worth of all human beings****. Shared human values and equal dignity are therefore common roots of our cultures. Faith and rights should be mutually reinforcing spheres. Individual and communal expression of religions or beliefs thrive and flourish in environments where human rights, based on the equal worth of all individuals, are protected. Similarly, human rights can benefit from deeply rooted ethical and spiritual foundations provided by religions or beliefs.*

The ***present declaration on "Faith for Rights" reaches out to persons belonging to religions and beliefs in all regions of the world****, with a view to enhancing cohesive, peaceful and respectful societies on the basis of a common action-oriented platform agreed by all concerned and open to all actors that share its objectives. We value that our declaration on Faith for Rights, like its founding precedent the Rabat Plan of Action, were both conceived and conducted under the auspices and with the support of the United Nations that represents all peoples of the world, and enriched by UN human rights mechanisms such as Special Rapporteurs and Treaty Body members.*

The 2012 ***Rabat Plan of Action*** *articulates three specific core responsibilities of religious leaders: (a) Religious leaders should refrain from using messages of intolerance or expressions which may incite violence, hostility or discrimination; (b) Religious leaders also have a crucial role to play in speaking out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech; and (c) Religious leaders should be clear that violence can never be tolerated as a response to incitement to hatred (e.g. violence cannot be justified by prior provocation).*

In order to give concrete effect to the above three core responsibilities articulated by the Rabat Plan of Action, which has repeatedly been positively invoked by States, we formulate the following chart of ***18 commitments on "Faith for Rights"****, including corresponding follow-up actions.*

Context

People feel strongly about their religion or beliefs, whether theistic, non-theistic, atheistic or any other. This may lead to tensions, especially when religions or beliefs are manipulated. The history of conflicts teaches us that people tend to focus more on what divides them than on what they have in common. Interfaith dialogues are important when they adopt a clear methodology that produces concrete results leading to sustainable impact. The context of this module 0 is to prepare participants for a shift from the generalities of interreligious dialogues to concrete actions.

The thrust of the methodology of this #Faith4Rights toolkit is to empower faith actors to become agents of social change in specific areas identified by the 18 commitments on "Faith for Rights". This requires participatory approaches, multi-disciplinary knowledge and communication skills. Module 0 defines modalities for all the peer-to-peer learning modules that facilitators and participants are invited to adapt to their own contexts and objectives at the local level. This preliminary module also anticipates difficulties that may occur during exchanges and helps to prevent them through the five methodological parameters of the Beirut Declaration in this respect.

Additional supporting documents

The **Beirut Declaration and its 18 commitments**[14] are at the core of this #Faith4Rights toolkit. In March 2017, OHCHR launched the "Faith for Rights" framework through an **expert workshop in Beirut**. This framework

[14] https://undocs.org/A/HRC/40/58, annex I (Beirut Declaration) and annex II (18 commitments on "Faith for Rights").

provides space for cross-disciplinary reflection and action on the deep, and mutually enriching, connections between religions and human rights. The Beirut Declaration considers that all believers – whether theistic, non-theistic, atheistic or other – should join hands and hearts in articulating ways in which "Faith" can stand up for "Rights" more effectively so that both enhance each other. The objective is to foster the development of peaceful societies, which uphold human dignity and equality for all and where diversity is not just tolerated but fully respected and celebrated. Human diversity is not a threat but rather an asset, as highlighted in the Secretary-General's **Call to Action for Human Rights**: "*We must appreciate the richness of our differences while never losing sight of our common humanity and dignity. Every community, including minorities and indigenous peoples, must feel that its identity is respected and that it can fully participate in society as a whole*."[15]

In 2019, former High Commissioner **Michelle Bachelet** stressed that the Faith for Rights framework "*aims at transforming messages of mercy, compassion and solidarity into inter-communal and faith-based projects towards social, developmental and environmental change*".[16] Furthermore, she underlined in a **press release** the importance of "*the Government, religious authorities and a wide range of civil society actors work[ing] jointly to uphold human dignity and equality for all*".[17] All related documents are available online at the "Faith for Rights" website,[18] including video messages by **Michelle Bachelet**,[19] **Zeid Ra'ad Al Hussein**[20] and High Commissioner **Volker Türk**.[21]



Peer-to-peer learning exercises

The success of any learning exercise starts with its first steps. A meaningful engagement with faith actors on religions, beliefs and rights necessitates an attitude of openness, humbleness and respect. It also requires prior clarification of a number of substantive and methodological points. This is necessary to pave the road for constructive discussions and productive exercises.

The above-mentioned preliminary tips for facilitators are also addressed, through them, to all participants in their respective #Faith4Rights learning sessions, events, activities and possible "Faith for Rights" projects that participants would hopefully be inspired to implement. Facilitators need to structure their introductory sessions in such a way as to convey key messages at the outset of their sessions.

Facilitators need to indicate, first and foremost, what they do *not* intend to do. It is not about lecturing faith actors on human rights, nor is it a theological debate. The #Faith4Rights modules are not conceived as prefixed top-down training. They aim at stimulating exchanges among different actors to "*inspire interdisciplinary research on questions related to faith and rights*"[22] and to support a "*long overdue cross-disciplinary reflection on the deep, and mutually enriching, connections between religions and human rights*".[23] This interactive exchange takes the form of a peer-to-peer learning exercise in an interdisciplinary manner. The introductory session should emphasize the interactive, respectful and participatory nature of the whole exercise as ground rules at the outset. The introductory session should even allow the participants themselves to refine the programme and its focus, if they have valid suggestions to this end.

[15] https://www.un.org/en/content/action-for-human-rights/index.shtml
[16] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24670&LangID=E
[17] https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24432&LangID=E
[18] https://www.ohchr.org/en/faith-for-rights
[19] https://youtu.be/EOxRUKWg430 and https://vimeo.com/unhumanrights/review/340153470/798337e9df
[20] https://youtu.be/xm5H4XzFcOY
[21] https://vimeo.com/1022132156/2d10160dbf
[22] https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24531&LangID=E
[23] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21451&LangID=E

The #Faith4Rights toolkit is not training in the traditional sense, with a rigidly preconceived content. Instead, given that "Faith for Rights" is a dynamic framework, its implementation toolkit calls upon faith actors to enrich and develop the 18 commitments through their personal experiences and local realities. The more than 180 peer-to-peer learning exercises provide methodologies that could be adapted by the facilitator and participants. They may also decide to cover all 18 modules, a selection thereof or only one module, depending on their specific objectives, time frame and available resources. Innovation is recommended. For example, a learning session could creatively benefit from visits to instructive sites and even participation in faith communities' cultural events.

Introductory round: The facilitators should not take it for granted that the objectives of the training are evident to all participants, even though the term "peer-to-peer learning" says it all. It is therefore useful to start the introductory session with a "tour-de-table" where participants present themselves and their expectations in less than three minutes each. In this "icebreaking exercise", participants should be encouraged to be as precise and concise as possible so that they all get to know each other, including their respective experiences and expectations. With a sand clock (or a mobile phone timer) ticking in front of all, this is an exercise in itself that already carries a human rights flavour: equal treatment and respectful listening to each other. Participants may be asked:

(1) What do they expect to gain from the programme? and
(2) How their specific expertise could be useful for other participants?

When the nature of the engagement and its objectives are clearly set in this democratic way, participants acquire a first level of ownership of their programme. This fundamental prerequisite for success can be enhanced if some points of the initial introductions lead to actually modifying the programme accordingly. "Practice what you preach" should be a principle on which the facilitators set as many examples as possible. Some level of reiteration is also pedagogically useful.

Brainstorming: After this initial "tour-de-table", the first exercise could be to give participants 5 minutes to answer an initial brainstorming question, such as: How would they design from scratch a training session on faith and human rights? How would they convey human rights messages to faith actors and vice versa? Which approach would they adopt? What resources would they consult? Participants should not be requested to conduct research or provide a comprehensive strategy but should rather come up with a simple "mind map" of keywords and sketchy ideas that each participant notes down and keeps throughout the learning exercise. This is their initial idea as to how to bring the intersectionality between faith and rights under consideration. At the end of all the modules, participants may consult their initial notes to observe their trajectory of thinking. They may also share it with the others, if they so wish. This can then also be compared with the vision formulated in the preamble of the 18 commitments on "Faith for Rights" (see text above).

Positioning: This exercise is a second "icebreaker". The facilitator asks the participants to stand up (literally) against human rights violations and position themselves along one side of the room,[24] with the left corner representing "Religion is part of the problem" and the right corner "Religion is part of the solution". Another possible question for this spontaneous positioning exercise could be the following: "What is more important to you: Religion or Rights?" A third creative question could be: "Do you think faith and rights are complementary or separate from each other?" Of course participants can also position themselves somewhere in the middle. This positioning exercise could also be repeated at the conclusion of the last module, when participants may see whether they have changed their mind over the course of the programme.

Exploring: Linked to the positioning exercise, the facilitator could also ask the participants to discuss the logo of "Faith for Rights", for example with these guiding questions: How do you interpret the intersecting words? Is there any hierarchy between Faith and Rights? What does the flame stand for?

[24] See the examples at https://www.forb-learning.org/raise-awareness/facilitators-toolkit/

Defining ground rules: A final step before embarking on the programme is to define its ground rules. Even where participants clearly articulate their objectives, these can be compromised if acting towards them is not rules-based and grounded in sound working methods. Which ground rules do the participants wish to adopt and abide by throughout the sessions? This question can be addressed to them while the facilitator notes their replies (for example concerning timeliness of arrival, no use of mobile phones during the sessions, conciseness of interventions, respectful behaviour towards other participants, and so on). These ground rules could be noted down on a flipchart, for example using post-it notes written by each participant, and remain visible for all participants throughout the modules.

Presenting the modules as peer-to-peer learning, with its programme and ground rules refined by the participants themselves, allows the engagement to smoothly hit the learning ground running. The following modules of exercises constitute methodological prototypes. They are open for reshaping in light of the facilitators' backgrounds and the training's objectives in a given context. This also means that not all 18 modules may necessarily be discussed; only those which are deemed relevant for/by the participants.



This introductory session should not be conducted as a mere formality or in a procedural manner. The facilitators of this session are invited to use it as an introduction to the human rights responsibilities of faith actors in society. The preamble of the 18 commitments stresses that "Faith and rights should be mutually reinforcing spheres" and reiterates three core responsibilities of religious leaders as articulated in the **Rabat Plan of Action** concerning incitement to hatred (see above). Their role should not be confined within their faith group only. It also extends to other communities because faith actors can work towards inclusive societies only if they act in an interfaith manner. Faith actors' capacity to engage outside their own communities requires a common platform acceptable to all. Both universal human rights norms and the "Faith for Rights" framework provide such common platform. This discussion would then naturally lead to the 18 commitments on "Faith for Rights" to be explored through exercises and practical cases as outlined in the following 18 modules.

Learning objectives

- Participants realize that if their influence extends beyond their respective community then the same also applies to their responsibilities.
- Participants are assured that acting unitedly does not mean thinking alike or believing the same.
- Participants realize that inter-faith collaboration is an important part of their work and that it is not only a matter of dialogue but should lead to joint action based on shared premises, of which the "Faith for Rights" framework offers a dynamic example.
- Participants in peer-to-peer learning understand that their role as future facilitators of their own learning events starts before such events are held.
- Participants respect that theology is part of the inner freedom of conscience (*forum internum*) which is absolutely protected under international human rights law.
- Participants reach a conviction that religious and cultural diversity is a strength, of which they are custodians. This precious diversity needs to be managed with full respect, not mere tolerance.
- Management of diversity requires rules and methodologies to observe. Lack of clarity or non-abidance by such rules is counterproductive.

Module 1: Freedom of conscience

Full text of commitment I:

*Our most fundamental responsibility is to **stand up and act for everyone's right to free choices** and particularly for everyone's freedom of thought, conscience, religion or belief. We affirm our commitment to the universal norms[3] and standards[4], including Article 18 of the International Covenant on Civil and Political Rights which does not permit any limitations whatsoever on the freedom of thought and conscience or on the freedom to have or adopt a religion or belief of one's choice. These freedoms, unconditionally protected by universal norms, are also sacred and inalienable entitlements according to religious teachings.*

- "There shall be no compulsion in religion." (Qur'an 2:256);

- "The Truth is from your Lord; so let he or she who please believe and let he or she who please disbelieve" (Qur'an 18:29);

- "But if serving the Lord seems undesirable to you, then choose for yourselves this day whom you will serve..." (Joshua 24:15)

- "No one shall coerce another; no one shall exploit another. Everyone, each individual, has the inalienable birth right to seek and pursue happiness and self-fulfilment. Love and persuasion is the only law of social coherence." (Guru Granth Sahib, p. 74)

- "When freedom of conscience, liberty of thought and right of speech prevail—that is to say, when every man according to his own idealization may give expression to his beliefs—development and growth are inevitable." ('Abdu'l-Baha)

- "People should aim to treat each other as they would like to be treated themselves – with tolerance, consideration and compassion." (Golden Rule)[5]

[3] These include the Convention on the Prevention and Punishment of the Crime of Genocide (1948); Convention Relating to the Status of Refugees (1951); International Convention on the Elimination of All Forms of Racial Discrimination (1965); International Covenant on Civil and Political Rights (1966); International Covenant on Economic, Social and Cultural Rights (1966); Convention on the Elimination of All Forms of Discrimination against Women (1979); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984); Convention on the Rights of the Child (1989); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990); Convention on the Rights of Persons with Disabilities (2006); and International Convention for the Protection of All Persons from Enforced Disappearance (2006).

[4] These include the Universal Declaration of Human Rights (1948); Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (1981); Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992); Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes (1994); UNESCO Declaration on Principles of Tolerance (1995); Final Document of the International Consultative Conference on School Education in Relation to Freedom of Religion or Belief, Tolerance and Non-Discrimination (2001); Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools (2007); United Nations Declaration on the Rights of Indigenous Peoples (2007); The Hague Statement on "Faith in Human Rights" (2008); Camden Principles on Freedom of Expression and Equality (2009); Human Rights Council resolution 16/18 on Combating Intolerance, Negative Stereotyping and Stigmatization of, and Discrimination, Incitement to Violence and Violence against, Persons Based on Religion or Belief (and Istanbul Process, 2011); Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (2012); Framework of Analysis for Atrocity Crimes (2014); Secretary-General's Plan of Action to Prevent Violent Extremism (2015); as well as the Fez Declaration on preventing incitement to violence that could lead to atrocity crimes (2015).

[5] All quotations from religious or belief texts were offered by participants of the Beirut workshop in relation to their own religion or belief and are merely intended to be illustrative and non-exhaustive.

Context

Conscience shapes human choices and distinguishes human beings from other creatures. Freedom of conscience is imperative and larger than the freedom of religion or belief. It covers all ethics and values a human being cherishes, whether of religious nature or not. There are no admissible limitations to this freedom, as long as personal convictions are not imposed on others and do not harm them. Respect for freedom of conscience is hard to attain. People tend to judge the convictions of others. Furthermore, it is very common that those who hold a conviction will defend it. What is less common, but more needed, is that we all stand up to defend everyone's right to their own convictions. This shift is at the heart of module 1.

Additional supporting documents

The text of each of the 18 commitments on "Faith for Rights" is the main learning topic for the 18 corresponding modules of this toolkit. For gender balance's sake, each module starts with the reading by two participants (female and male) of the commitment under consideration. Practising what we preach is a rule that can never be over-emphasized. Reading aloud the commitment under consideration at the outset ensures that all participants focus their minds on it. Facilitators may then refer to a list of additional documents included in their file in support of this commitment. This conveys to participants the dynamic nature, in real life, of the interaction between faith and rights. This reminder is pedagogically useful as it stretches the participants' minds to horizons wider than the discipline with which they are familiar. For the same reason, each commitment can be accompanied by a quote from a famous writer, which also conveys the elements of that commitment in different ways (such as the Rumi quote at the outset of the Beirut Declaration: "*There are as many roads to God as there are souls on Earth*").

Additional documents may vary in nature and substance. The selection indicated in this #Faith4Rights toolkit is non-exhaustive and merely illustrative. Facilitators need to familiarize themselves with such additional documents but they will ultimately design their own training. Factoring the cultural specificities of the audience and topical issues, facilitators may choose to remove or add documents of their own choice. A key objective in this respect is to stimulate the participants' interest in exploring and departing from their intellectual comfort zones. The additional supporting documents enlarge the scope of reference beyond participants' usual boundaries. This renders exchanges more interesting and injects elements of interdisciplinary and multi-culturalism.

Additional documents related to each of the 18 commitments provide a space of creativity to be managed by the facilitators. These may include legal texts, political declarations, a poem, a novel, a song, a film, a video clip, a news article, a quote or a statement of particular significance to the commitment under consideration, chosen by the facilitator in light of their context and objectives. Quotes that transcend the evident choices and employ artistic expressions attract attention and incite reflection. Poetry, music, dance and paintings can all provide such opening.

Compiling and presenting the content of these additional documents is itself part of the learning exercise. Defining each document and hinting at its relevance widens the scope of reflection by participants and stretches their cultural horizons. This reflects the interdisciplinary nature of the peer-to-peer learning exercise. It also enhances the engaging capacity of faith actors to strengthen the resilience of their respective communities against xenophobia and violent extremism.

Article 18 of the **International Covenant on Civil and Political Rights** is core for all 18 commitments and provides the most logical supporting document for commitment I in particular: *"(1) 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. (2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.*

(3) 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. (4) 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."[25]

The **Vienna Declaration and Programme of Action** (1993) provides a key political statement for understanding and implementing commitment I by faith actors. It refers to "cultural and religious backgrounds" as follows: "*All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.*"[26]

Peer-to-peer learning exercises

Warming up: As a first substantive "icebreaker", the facilitator could start with warming up questions, such as: "What does freedom of conscience mean to you?" or "How do human rights relate to your faith?" (Collective exercise for 15 minutes). Facilitators could also request participants to share examples from their experiences that demonstrates practical implications of the above-mentioned Vienna Declaration provision, i.e. that while various cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms. A stimulating question in this respect could be to ask the participants' views on the relationship between the duty of States and those of non-State actors in establishing this delicate balance. This notion of balance is omnipresent throughout the #Faith4Rights learning methodology. Faith actors need to conceive their role as one of constant decision-making of the best-suited balancing act between competing considerations in a given situation.



Unpacking: Unpacking is an exercise consisting of three complementary elements. On each of the 18 commitments on "Faith for Rights", participants start by simply listing the different components of each commitment. They also list the corresponding action points they can identify in association with each element of the commitment under consideration. Participants further indicate which stakeholders they believe should take the lead on each of these action points in their respective spheres. The aim of this triple listing exercise is to stimulate action-oriented thinking and to foresee achievable change.

The facilitator could suggest creating a visual stakeholder map on the board, with all participants adding their input to it. The facilitator needs to make sure the participants are also included as stakeholders on the map. With another colour, they could draw lines between the stakeholders that are connected or acting together, and suggest how they can collaborate. Participants would discuss what each stakeholder currently does and what they could or should do to enhance the commitment under discussion.

[25] https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx
[26] https://www.ohchr.org/en/professionalinterest/pages/vienna.aspx, chapter I, para. 5.

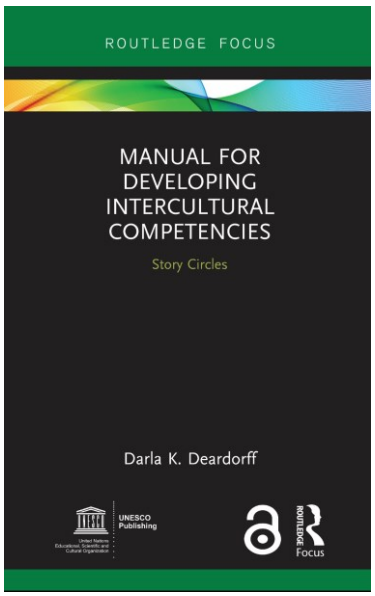
The unpacking exercise could also include identifying key words in commitment I. Such a technique invites participants to be focused and precise in their analysis. This individual exercise, in writing, should take only five minutes, to accelerate the pace of group thinking and responsiveness. A printed template can be prepared in advance so that learners use the same format to express their views on the above-mentioned three questions (listing the elements, action points and lead stakeholder) on one sheet. A discussion on the differences between individual sheets would constitute another segment of this exercise, which can take 10-15 minutes. The aim is to enable participants to benefit from their various readings of the same commitment and the corresponding responsibilities, at the levels of both State and non-State actors.

Tweeting: The idea of this exercise is to summarize commitment I within 140 characters (as an individual exercise or one-on-one discussion for five minutes) and try to find a few words which encapsulate this "Faith for Rights" commitment. Participants can then vote on which summaries are best formulated, provided they do not vote for their own summary. This part of the exercise is aimed at simplifying the commitment under discussion and "social-mediatizing" it while also re-energizing the discussions. One possible result of this tweeting exercise could be as follows: "*We commit to stand up and act for everyone's right to free choices, particularly for everyone's freedom of thought, conscience, religion or belief*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without compromising the substance of the commitment.

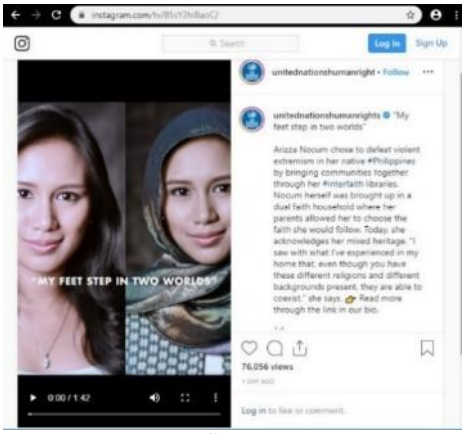
Critical thinking: This exercise consists of a critical group discussion on the relationship between the components of each commitment. It is meant to enhance learners' understanding of the complex chains of causality leading to human rights violations and the corresponding remedial responsibilities. The facilitator could ask if any participant disagrees with any component of the commitment under discussion and whether they could identify missing elements in that commitment. This collective exercise can take 15-20 minutes.

Storytelling: Participants share situations they have experienced pertaining to this commitment and how they handled them. Has there been a situation where a participant had to intervene in defence of freedom of religion or belief of somebody who belongs to a different faith? Is this feasible and needed in their view? Are statements by formal religious institutions sufficient or should non-state faith actors also make their voice heard? How? This collective exercise should take 20-30 minutes. Each participant's storytelling should be limited to two minutes. A discussion then follows on the lessons learned from these stories. Sharing one's personal experiences also enriches the inter-cultural competencies of all participants and generates new understandings and insights.[27] **UNESCO Director-General Audrey Azoulay** has noted that the technique of storytelling cultivates "*intercultural dialogue through the strengthening of interaction and understanding across differences*" and stressed the importance of "*giving opportunities to every woman and man to familiarize herself or himself with intercultural competencies*".[28] The facilitator may list the emerging reflections on a central board or flip chart and could also provide additional examples from UN reports and social media channels.



[27] See UNESCO, "Manual for developing intercultural competencies: story circles" (2020), page 15, available online at https://unesdoc.unesco.org/ark:/48223/pf0000370336/PDF/370336eng.pdf.multi
[28] Ibid., Foreword, page x.

In this context, the facilitator could show the video featured on OHCHR's Instagram with **Arizza Nocum**, who was raised by a Muslim mother and a Catholic father.[29] She chose to defeat violent extremism in her native Philippines by bringing communities together through her interfaith libraries. Her parents allowed her to choose the faith she would follow. *"They said to us, their kids, that we would be taught both religions until we're of age and then, later on in life, we get to choose whichever religion we want. But the key there is that we were taught both of these religions and I think that's really opened the door for me to do the work that I'm doing today*," she says.[30] *"I saw with what I've experienced in my home that, even though you have these different religions and different backgrounds present, they are able to coexist*".





Another inspiring artistic example can be found in the Instagram page of **urban artist Vhils**, notably where he shows his murals in Sierra Leone: *"Just got back from Freetown, Sierra Leone, a truly remarkable and inspiring place, where I was invited to create a mural that celebrated the country's inter- and intra-religious tolerance. This special project culminated in the depiction of two local children, Paul and Alfreda, who belong to the same family – the boy being a Christian and the girl a Muslim. A country where it is common to have members of the same family belonging to different religions can teach us a lot about tolerance."*[31]

Furthermore, **Special Rapporteur on freedom of religion or belief** Heiner Bielefeldt provided the following examples in his 2015 report on violence carried out in the name of religion: *"Different faith-based and secular civil society organizations work together and have created common platforms. Beyond the pragmatic advantages of joining forces, such cooperation also demonstrates that a commitment to human rights can create and strengthen solidarity across all religious, cultural and philosophical divides. This is an important message in itself. The Special Rapporteur has come across impressive examples in this regard, for example, initiatives taken by Christian civil society organizations in support of atheists or Buddhists under threat and public statements made by Bahá'í representatives against the persecution of Shia Muslims. Such acts of solidarity have a highly symbolic value."*[32]

Linking the dots: In light of the previous exercises, a group discussion is conducted on "linking the dots". The idea is to focus on the relationship between the components of the commitment under consideration. The aim of this exercise is not to define or resolve all related issues but just to highlight their interdependence and intersectionality. In this context, a key risk should be avoided by facilitators: that the discussion derails into covering too many topics. The aim here is just to train participants to look at the full picture while remaining focused on each of its angles and distinct dimensions. Not every issue should be resolved or even discussed, but the overall complexity and interlinkages need to be underlined. Asking the right questions is at least as important as finding answers. Questions to be used by the facilitator in this respect can include: What components of this commitment condition others? Which elements are in the hands of non-state actors to change and which require State intervention? Which actors in society have a higher degree of responsibility towards each of the duties contained in a given commitment?

[29] https://www.instagram.com/tv/B5sY2hiBaoC/
[30] https://www.ohchr.org/EN/NewsEvents/Pages/ArizzaNocum.aspx
[31] https://www.instagram.com/p/BqLF5tvAT-6/
[32] https://undocs.org/A/HRC/28/66, para. 74.

In order to familiarize the participants with the text of the International Covenant on Civil and Political Rights, the facilitator could print each of the five sentences of article 18 (see full quote above under additional supporting documents) on a separate piece of paper. Participants will be divided into five groups and each group receives one paper. On the board, the facilitator writes the title "Freedom of religion or belief" and leaves empty space for five bullet points. Each group then has to decide at which bullet point its sentence should be located. When participants are ready, they stick their piece of paper on the board. As they discover other pieces of article 18, they can discuss how much their own sentence relates to the other sentences that their peers have received. Participants negotiate until they agree on the order of all paragraphs. The facilitator finally reveals the full text of article 18, and compares this with the order suggested by the participants. Such an exercise could also provide participants with a flavour of how diplomats negotiate international agreements and how compromises may affect clarity.

Adding faith quotes: Participants are requested to suggest new religious or belief quotes as grounds for commitment I. These additional quotes can emanate from religious texts, scholarly reflections thereon or stories from different faith traditions (theistic, non-theistic, atheistic or any other beliefs). The facilitator could also prepare some pertinent quotes in advance for their own use, for example taking inspiration from the very rich UNESCO publication "**Birthright of man: A selection of texts prepared under the direction of Jeanne Hersch**", which is available in English, French, Spanish and Italian.[33]

This individual exercise, in writing, can take five minutes. Each participant then reads his or her additional reference(s), however, facilitators should be cautious to avoid theological divides. Pre-prepared sheets would allow listing these references into a compilation. These additional quotes will enable individual learners to enrich the "Faith for Rights" framework for their own future use. The generated wisdom would be captured in an individualised exercises book that participants would have written practically by themselves at the end of their peer-to-peer learning exercises. This individualized outcome of the learning exercise can also feed into an overall summary by the facilitators that could be sent to all participants subsequently, if facilitators so choose.

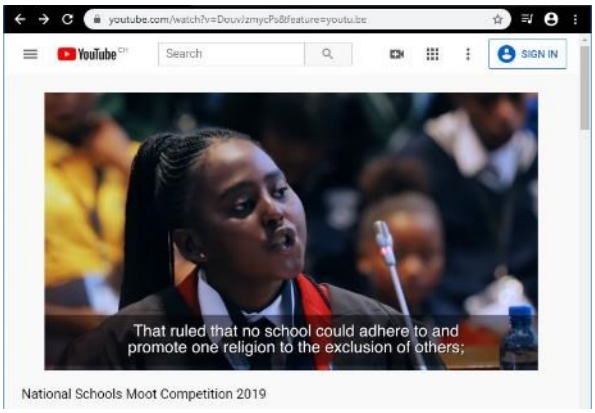
Exploring: The aim of this exercise is to widen the discussion of each commitment to connected issues. It aims at strengthening participants' capacity to ask good questions. For example, does commitment I on freedom of religion include the right to change one's own religion? Are there any differences between the human rights answer to this question (which the facilitator would have provided through inserting the UN Human Rights Committee's **General Comment No. 22** in the list of additional documents) and those from a religious perspective? What should be the reaction of a religious leader when facing a situation of a change of religion by one of his or her own community members: object, support, ask questions, respect privacy, express a view or remain neutral? Could the additional religious or belief-based quotes gathered through the previous exercise be used in religious preaching on thematic topics involving freedom of conscience? Would participants find it more useful, or rather not advisable, to refer to quotes from various faith traditions and not only from their own?

A related exploration of commitment I could be: What is the difference between freedom *of* religion, freedom *in* religion and freedom *from* religion? Are these three issues part of freedom of religion or belief? Does the answer to this question differ between religions or beliefs and human rights law?[34] If time permits, the facilitator could divide participants into three groups and give each of them five minutes to illustrate what freedom from coercion in the name of religion means to them. (🕐30 minutes).

[33] Available online in English (https://unesdoc.unesco.org/ark:/48223/pf0000000029), French (https://unesdoc.unesco.org/ark:/48223/pf0000219297), Spanish (https://unesdoc.unesco.org/ark:/48223/pf0000227933) and Italian (https://unesdoc.unesco.org/ark:/48223/pf0000233801).

[34] On opposing positions in the Human Rights Council to the term "freedom from religion" see https://undocs.org/A/HRC/37/49, para. 28; https://cruxnow.com/vatican/2018/03/vatican-official-warns-u-n-hostility-toward-religion/; https://undocs.org/E/2019/NGO/4; and https://humanists.international/2018/03/actually-freedom-religion-human-right-iheu-tells-vatican-un/

Simulating: A simulation of an adversarial debate leading to arbitration on a case related to freedom of religion would require a period of time ranging from an hour up to a full day, depending on the complexity of the case as selected, adapted or designed by the facilitators. Participants may be divided into three groups to simulate a **moot court** with applicants, respondents and judges. In addition to legal moot courts (which are targeted specifically at law students or school pupils),[35] shorter and simplified "**cases to debate**" may be used with broader audiences, including faith actors who face similar situations on a daily basis.[36] Please refer to the **annex** for selected scenarios.



Inspiring: "Art4Faith4Rights"[37] could be an alternative title for this exercise. It is not accidental that all faith traditions have enriched human civilization with an impressive artistic heritage. Through beauty and imagination, art conveys values that words cannot equally express. Art touches both hearts and minds. Participants will be asked to mention an artistic expression from their own local culture that captures aspects of the commitment under discussion. The aim of this exercise is to enhance comparative analysis and multi-culturalism among faith actors, particularly those who assume preaching functions.



In addition, creative expression by participants themselves could be encouraged. Facilitators would have prepared their own examples in advance, along with audio-visual tools ready for such an inspirational end to the different learning modules. Examples can be found in **chamber music**,[38] **orchestra**,[39] **improvisation**,[40] **photos**,[41] **dance**[42] and **street art**.[43] Furthermore, cartoons can trigger related discussions and the modules feature examples from a **campaign by OHCHR and the Cartoon Movement**.[44] Calligraphies may resonate particularly well in certain contexts and each module of the #Faith4Rights toolkit therefore includes such a calligraphic presentation of the module's keyword in Arabic.[45]



Learning objectives

- Participants transcend mere tolerance to full respect of the free choice by individuals of their own beliefs, whether theistic, non-theistic, atheistic or other.
- Participants not only respect but actively defend the freedom of conscience of others.
- Participants realize that there are numerous perspectives to everything in life and that this explains our cultural and religious diversity.

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[35] See Annex for selected moot cases (scenarios H, I, J, K, L and M, https://www.education.gov.za/Programmes/MootCourt.aspx).
[36] See Annex for cases to debate (scenarios A, B, C, D, E, F and G).
[37] See Ibrahim Salama, "Art4Faith4Rights", in: Julian Fifer, Angela Impey, Peter K. Kirchschläger, Manfred Nowak and George Ulrich (eds.), *The Routledge Companion on Music and Human Rights*. See also the webinar https://www.youtube.com/watch?v=XQwm3kX6EYI
[38] Listen for example to https://soundcloud.com/faith4rights/sets/18commitments
[39] See for example http://www.musiciansforhumanrights.org/concerts-human-rights-orchestra
[40] See for example https://www.youtube.com/watch?v=WFdV1MPWfvs&t=54m29s
[41] See for example https://www.believetosee.org/#onu
[42] See for example https://www.ohchr.org/EN/NewsEvents/Pages/UsingArtsToStandUpForHumanRights.aspx; https://vimeo.com/495724788, "Do Not Forget Me: Three Jewish Mothers Write to Their Sons from the Thessaloniki Ghetto" (https://www.berghahnbooks.com/title/SaltielDo)
[43] See for example https://www.instagram.com/p/BqLF5tvAT-6/?hl=de
[44] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[45] Drawn by Abdelrazzak Fadloun, https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf

Module 2: Inclusive interaction

Full text of commitment II

*We see the present declaration on "Faith for Rights" as a **common minimum standard for believers (whether theistic, non-theistic, atheistic or other)**, based on our conviction that interpretations of religion or belief should add to the level of protection of human dignity that human-made laws provide for.*

Context

Perceptions about religions are often negative in the human rights sphere and vice versa. The mainstream view, in both disciplines, seems to conceive them in a competition mode: one is divine while the other is human-made. In addition, the human rights environment is projected as secular and liberal. Religions, in the general stereotype, are rather associated with conservatism. Historical tragedies in the name of religion, political populism and doctrinal secularism have aggravated controversies and tensions. Reconciling religions and rights is the gist of this module. An adapted narrative to achieve such reconciliation is possible, based on the shared goals and grounds of both disciplines. The 18 commitments on "Faith for Rights" provide common minimum standards in this respect. These commitments have been agreed upon by experts with different types of convictions and are offered as a platform for joint and individual action among all believers, whether theistic, non-theistic, atheistic or other. Freedom of conscience applies to all of them. The heart of module 2 is the all-encompassing definition of religion or belief.

Additional supporting documents

In support of the peer-to-peer learning on commitment II, the training file should include UN Human Rights Committee **General Comment No. 22** of 1993 as it elaborates important elements of the definition of religion or belief, which is fundamental for faith actors to discuss. The terms "belief" and "religion" are to be broadly construed and human rights protection is not limited to followers of traditional religions or of beliefs with institutional characteristics or practices analogous to those of traditional religions.[46] A similarly broad definition was offered by Arcot Krishnaswami, Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities, in his **1960 study**: "*the term 'religion or belief' is used in this study to include, in addition to various theistic creeds, such other beliefs as agnosticism, free thought, atheism and rationalism*."[47]

Additional resources for commitment II are the **Declaration on Faith in Human Rights** of 2008,[48] and the **Document on Human Fraternity for world peace and living together**, signed by Pope Francis and the Grand Imam of Al-Azhar in February 2019.[49] The reason is that commitment II projects a fundamental shift from each religious group defending its own community (against others) into the notion of a "community of believers" that defends the rights of all faith communities. This "togetherness" is at the heart of the "Faith for Rights" framework, as captured at the outset in commitment II.

A key message to be conveyed by the facilitators, when justifying the need for these additional resources, is to indicate the growing importance attributed to the roles of faith actors in societies both at the national and international levels. The common message expressed by these additional documents is that faith actors come together and send a unifying message of solidarity with each other and defence of human dignity for all. **United Nations Secretary-General António Guterres** stressed in this context: "*I firmly believe in the power*

[46] https://www.refworld.org/docid/453883fb22.html
[47] E/CN.4/Sub.2/200/Rev.1, footnote 1, online at https://www.ohchr.org/Documents/Issues/Religion/Krishnaswami_1960.pdf
[48] https://www.oikoumene.org/sites/default/files/Document/faith_human_rights.pdf
[49] https://www.vaticannews.va/en/pope/news/2019-02/pope-francis-uae-declaration-with-al-azhar-grand-imam.html; the President of the World Jewish Congress, Ronald S. Lauder, reiterated in November 2019 his endorsement of the basic principles outlined in the Abu Dhabi Declaration on Human Fraternity, www.worldjewishcongress.org/download/0GEqk97_LKLyNShX9n_2Kw

of faith leaders to shape our world for good. […] Again and again, I have been struck by the consonance of key precepts and core values between the different faiths. Indeed faith is central to hope and resilience."[50]

As always, nothing precludes facilitators from adding national and even local documents in the same vein. Indeed, they are encouraged to do so. Presenting the content of the additional documents thus becomes in itself an updating tool and part of the learning exercise. The more local, national and regional documents are used as additional resources, the better it is to enhance national ownership, bottom-up generation of knowledge and contextual relevance.



Peer-to-peer learning exercises

Unpacking: Participants may break down commitment II into different elements. The same methodological guidance as that related to commitment I is relevant. Applied to commitment II, the unpacking can focus on two important notions: togetherness, or community of believers regardless of variations of their beliefs, as well as the most fundamental issue of the human interpretation of divine texts. When unpacking a complex issue like interpretation of religious texts, a stimulating question by facilitators could include: Should human interpretation of religion vary in time and space? Why? How?

Critical thinking: A critical discussion of the relationship between elements of commitment II would help participants navigate fundamental issues that are rarely addressed in a multidisciplinary manner. Participants could be asked, for example, if they disagree with the human rights law definition of "religion" and "belief". Using the positioning exercise, facilitators could ask the participants to stand up and position themselves along one side of the room, with the left corner representing "I agree with the definition" and the right corner "I don't agree"; they can also position themselves somewhere in the middle.

In the following discussion, the facilitator could ask participants if they see a contradiction between theology and law in this respect. Or is it just a divergence of scopes that do not have to be identical? Is such a divergence reconcilable? This point is critical for the full acceptance of equal rights and non-discrimination on any ground. If faith actors are not genuinely convinced of the absolute nature of the freedom of conscience and the corresponding equal worth of and respect for all believers, there is little chance they would stand up for the rights of others and react in solidarity when believers from different faith tradition are denied their religious freedom or other human rights.

Contextualization should be a methodological priority for facilitators all along their management of the peer-to-peer learning sessions. They are encouraged to reiterate questions such as: What does this commitment mean in practice? How does it relate to your local context? Who owes what to whom? How can this commitment be implemented? How do you see your own role in implementing this commitment? What do you intend to change and how? Such questions are particularly valid for commitment II, where joint action to remedy infringements on human dignity in the name of religion is at the heart of the matter.

The facilitator could also refer to the 2013 report, in which **Special Rapporteur on freedom of religion or belief** Heiner Bielefeldt stated: "*Unfortunately, the idea that freedom of religion or belief and equality between men and women represent essentially contradictory human rights norms seems to be widespread and has even gained currency in parts of the larger human rights community. As a result, possible synergies between freedom of religion or belief and equality between men and women remain underexplored. Even worse, existing human rights work in this field is sometimes openly discouraged or delegitimized. Moreover, an abstractly antagonistic construction of the two human rights norms cannot do justice to the needs, wishes, experiences and specific vulnerabilities of many millions of women whose life situations falls within the intersection of discrimination on the grounds of their religion or belief and discrimination on the ground of their sex or gender. This problem disproportionately affects women from religious minorities."*[51]

[50] https://peacekeeping.un.org/en/secretary-general-remarks-launch-of-fez-plan-of-action; see also https://www.un.org/sg/en/content/sg/speeches/2019-04-02/remarks-al-azhar-mosque; https://press.un.org/en/2023/sgsm21719.doc.htm.
[51] https://undocs.org/A/68/290, para. 68.

Tweeting: Participants individually summarize this commitment in less than 140 characters. Participants can then select the tweets that are best formulated. This exercise is meant for de-constructing the commitment and reenergising the discussions. One possible result of this tweeting exercise could be as follows: "*We commit to use the declaration on 'Faith for Rights' as a common minimum standard of interaction between theistic, non-theistic, atheistic or other believers*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to sharpen the reflex of focusing on its most important elements while simplifying the message, without losing the substance of the commitment.

Storytelling: The facilitator could introduce this exercise as aimed at sharing experiences both "face-to-face" and "faith-to-faith". Participants may provide an example of a situation where they had to deal with the broad understanding of theistic, non-theistic, atheistic or other believers and how they handled such situations (collective exercise for 15 minutes). In this context, the facilitator could also refer to the following example raised by **Special Rapporteur on freedom of religion or belief** Ahmed Shaheed in his 2019 report: "*Avijit Roy, an American-Bangladeshi blogger, was visiting Bangladesh when he and his wife, Rafida Ahmed, were attacked by persons with machetes in the streets of Dhaka. Although his wife recovered from injuries sustained in the brutal attack, Roy died shortly after he was taken to hospital. His murder was part of a growing trend of violent attacks against bloggers and atheists, which intensified in the period 2013–2016, during which at least 10 bloggers and publishers were attacked and killed. Amidst rising demands for a law to make blasphemy a capital crime, the Government responded by stating that such a law was not necessary since the existing legislation prohibited gratuitously offensive attacks on religion. In 2013, the Government set up a committee to track bloggers and others making derogatory statements online about Islam. Subsequently, a list of the names of 84 bloggers who wrote on religion, reportedly compiled by an extremist group, was made public.*"[52]

Adding faith quotes: Participants are requested to add new religious or belief quotes in support of commitment II (individual exercise for five minutes, followed by a reading by each participant of his or her added reference).

Exploring: Could the additional religious or belief-based quotes gathered through the preceding exercise be used in religious preaching on issues related to this commitment, namely dialogue, religious and cultural diversity and the equal rights of non-believers? How?

Inspiring: As in all modules, participants conclude them with an artistic expression from their own cultural sphere that captures aspects of the commitment under discussion. Facilitators can submit their own examples, including the cartoon[53] and calligraphy[54] depicted here as well as music[55].





Learning objectives

- Participants realize that religions and human rights share the ultimate goal of safeguarding human dignity. They should therefore be mutually reinforcing.
- Participants recognize that their beliefs are an essential source of human rights, which are indivisible because in real life each human right relies on other rights.
- Participants integrate this paradigm into their preaching and activities in a manner adapted to their own convictions.
- Participants appreciated the value of acting on an inter-faith basis for enhancing cohesive societies and meaningful engagement among faith communities.

[52] https://undocs.org/A/HRC/40/58, para. 41.
[53] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[54] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[55] https://www.soundcloud.com/faith4rights/commitment2

Module 3: Constructive readings

Full text of commitment III

*As religions are necessarily subject to human interpretations, we commit to **promote constructive engagement on the understanding of religious texts**. Consequently, critical thinking and debate on religious matters should not only be tolerated but rather encouraged as a requirement for enlightened religious interpretations in a globalized world composed of increasingly multi-cultural and multi-religious societies that are constantly facing evolving challenges.*

Context

Like as any legal tradition, the interpretation of religious texts is a dynamic process that evolves with time and among scholars depending on the variable needs and specificities of their respective environments. This process is understandably slow. However, numerous examples demonstrate that major social changes have been facilitated by enlightened interpretation of religious traditions across the globe. Reformed family codes in many countries are a case in point. Combating female genital mutilation and enhancing the protection of children's rights are examples in this vein. Both national and international human rights mechanisms collaborated meaningfully with faith actors in many areas of rights, health, education and development at large. Religious actors can play an even greater role in promoting sustainable development in their respective societies. Accelerated progress in science and technology poses new challenges to the spheres of both faith and rights. Enlightened interpretation is essential to solve problems. Global vision, meaningful inter-faith engagement and multi-disciplinary approaches are essential requirements for both spheres of faith and rights to achieve their shared goals through mutual reinforcement. The dichotomy between conservative and liberal views in the religious sphere is actually misleading. There is nothing wrong in holding conservative views, as long as these do neither violate nor undermine human rights. The main context of this #Faith4Rights module is rethinking the role of interpretation in an interdisciplinary manner for the mutual benefit of faith and rights.

Additional supporting documents

In support of the peer-to-peer learning on commitment III, the training file should include the 2007 report of the **Special Rapporteur on freedom of religion or belief**, Asma Jahangir, in which it is stated: "*The Special Rapporteur would like to reiterate the importance of ensuring that the right to freedom of religion or belief adds to the values of human rights and does not unintentionally become an instrument for undermining freedoms. In this regard she welcomes recent statements and conference recommendations which clarify religious views on female genital mutilation. [Footnote: See the recommendations of the international conference of scholars concerning a ban on abuse of the female body which was held 22-23 November 2006 at Al-Azhar University in Cairo, Egypt (available **online**). For a discussion of female genital mutilation see Amor's thematic study on freedom of religion or belief and the status of women from the viewpoint of religion and traditions (**E/CN.4/2002/73/Add.2**, paras. 104-110).]*"[56]

High Commissioner Michelle Bachelet also referred to this 2002 study, in which "*Abdelfattah Amor noted that some religious texts have been interpreted as limiting the worth of female testimony when giving evidence, but he stressed that in modern Muslim countries, including in Tunisia, the testimony of a woman has the same value as that of a man. In the words of Abdelfattah Amor, 'This shows that religious texts are not closed texts and that cultural practices, even at the State level, can be reshaped according to the requirements of modern life'.*" (**Commemoration of the 70th anniversary of the Universal Declaration of Human Rights (1948) and the 161st anniversary of the Fundamental Covenant 'Ahd El Aman' (1857)**)[57]

[56] https://undocs.org/A/HRC/4/21, para. 38.
[57] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24697&LangID=E, quoting from Special Rapporteur Amor's study at https://undocs.org/E/CN.4/2002/73/Add.2, para. 138.

Peer-to-peer learning exercises

Unpacking: Along the same parameters outlined for previous modules, participants shall break down commitment III into different elements (🕘individual exercise for five minutes, followed by ten minutes discussion on the differences between individual listings). While animating such a discussion, facilitators can use the key words technique and the technique of listing roles and responsibilities for needed action.

Critical thinking: A critical discussion on the relationship between these elements should benefit from the diversity of expertise of the participants. As commitment III contains new concepts, questions by the facilitators could include the following: What constitutes a "constructive engagement on the understanding of religious texts"? Who should promote it? How to promote it? Do participants disagree with the need for critical thinking in the religious sphere? Under which conditions should critical thinking be practised in the religious sphere? Are there limits of critical thinking in this particular area? What are these limits? Who determines them? Are these limits firm or do they change over time and vary between cultures and traditions? Can/should interpretation of the same religious texts vary in time and space? Have participants experienced any examples of such variation in interpretation? Who is authorized to engage on the understanding of religious texts in the context of participants' experiences? Are there missing elements in that commitment? 🕘This collective exercise can take 15-30 minutes.



In this context, the facilitator could also show the video, "**Afghanistan: Using religious values to advance women's rights**".[58] Afghanistan has some of the worst rates of maternal mortality in the world and women have problems accessing adequate healthcare. This video of 2009 presents an initiative of Afghan religious leaders to protect women's rights and health.

Furthermore, in a 2017 report on "**Attacks Against Places of Worship, Religious Leaders and Worshippers**", the UN Assistance Mission in Afghanistan (UNAMA) documented a consistent pattern of killings, abductions, threats and intimidation of religious figures, mainly by anti-government elements: "*The targeting of religious leaders stemmed from their ability to change public attitude through their messages, or their perceived support of the Government. […] UNAMA reiterates that international human rights law and international humanitarian law uphold the right to freedom of religion or belief, and explicitly prohibit attacks deliberately targeting civilians and civilian property, including places of worship and religious leaders. Attacks directed against places of worship that constitute the cultural or spiritual heritage of peoples are also prohibited under both legal regimes. International humanitarian law further provides that all persons not directly participating in hostilities, are entitled to respect for their religious practices and must not be discriminated against*."[59]

In August 2021, **Special Rapporteur on violence against women, its causes and consequences** Reem Alsalem stressed that "*according to the Quran, no one has the right to impose religion, including religious law, on anyone else (verse 2:256). This egalitarian approach to religious authority has found expression in the rich plurality and diversity of religious understanding and schools of jurisprudence (madhahib) which we have till today. Notably, women, like men also have an equal right and responsibility to interpret Sharia. It would be important that this rich diverse heritage would be allowed to continue all over the Muslim World, including in Afghanistan.*"[60] See also the Special Rapporteurs' **joint communication** to the Taliban of 4 November 2021.

Tweeting: Participants individually summarize this commitment in less than 140 characters. They can select what summaries are best formulated. 🐦 "*We commit to promote constructive engagement on the understanding of religious texts through critical thinking and debate on religious matters*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. The idea is to enlarge comprehension and communication skills. Faith actors thus enhance their capacity of adapting, transposing and simplifying their messages.

[58] https://www.youtube.com/watch?v=spLMMpzA22E
[59] https://unama.unmissions.org/sites/default/files/unama_report_on_attacks_against_places_of_worship_7nov2017_0.pdf
[60] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27402&LangID=E

Storytelling: Participants share situations they have experienced pertaining to this commitment and how they handled them. Facilitators could provide examples of major shifts in interpretation of religious texts from different faith traditions. Participants could also share how they personally have built their interpretation of religious texts. What skills do they believe are needed? These examples would serve the strategic purpose of assuring participants that the history of their own traditions concurs that faith and reflection are mutually reinforcing (🕘collective exercise for 15-30 minutes).



The facilitator could also show the award-winning short documentary "**Exorcist of apartheid**" by Adam Heyns. The film deals with the role of its maker's grandfather, the late Professor Johan Heyns, professor of theology at the University of Pretoria, in the 1980s and 1990s – the apartheid years. *"Heyns was voted out of the governance structures of the Dutch Reformed Church because of his liberal views in 1982, but elected as its leader in 1986, when he led the church to reject apartheid, against great opposition. […] The film opens with Johan Heyns delivering a sermon in front of the imposing Voortrekker Monument in 1988. He is on stage, draped in the old South African flag, during the day of the covenant commemorations, with thousands of the faithful in attendance. Heyns called for a fundamental change of heart in the Afrikaans society. In cutaway shots, Heyns is seen talking about his own journey away from apartheid. This is contrasted with extracts from interviews from the same time conducted with people in traditional Voortrekker dress who blamed Heyns for the loss of Afrikaner identity. Heyns's widow, Renée, recounts how a right wing group in similar dress came to their home during the last days of apartheid and, when inside, laid a curse on Heyns and his house - and how they dismissed this as childish acts. […] Adam's father, Christof, a professor in the Faculty of Law at [University of Pretoria], says he has the greatest admiration for the way in which Adam tells the story of Johan Heyns. 'He brought a long-forgotten part of our history as a country – and our history as a family – to the fore, in a brilliant way. He takes us along with him as he discovers the past. I was moreover reminded of how skilled my father was in telling stories. I remember being at the Voortrekker Monument on the day when he delivered that sermon, and thinking why does he tell them about Amos, why doesn't he just say "Go home and stop this apartheid nonsense?" Reflecting on the movie, I now realise what he was doing: He took the most conservative part of the Bible, the Old Testament, to connect with people who had the same upbringing as him: many of them conservative, from the farm, people whose lives he understood and shared. He was not only talking to them about Amos, whose calls for reform to his own people were resisted by them; he took on the role of Amos. Such a message connects on a much deeper level than simply telling people they are wrong from a dizzy height. The film leaves me with a sense of hope, that people who find themselves within a seemingly impossible situation can bring about change, also from the inside. The actions of individuals – and the stories they tell – matter.'"*[61]



As a "storytelling on the story", the facilitator may show the related peer-to-peer learning **interview with Christof Heyns**[62] from the 2020 Nelson Mandela World Moot Court competition (see **annex K**)[63] and also refer to the academic article on "**Johan Heyns and critique in the Dutch Reformed Church against apartheid: The moderator a prophet?**"[64]

[61] https://www.up.ac.za/faculty-of-law/news/post_2846935-film-on-university-of-pretoria-professor-wins-jozi-film-festival-short-documentary-of-the-year-award

[62] https://www.youtube.com/watch?v=0IaAsvMcUeU&t=99m47s

[63] See the references to #Faith4Rights in the hypothetical cases in 2020, 2021 and 2022: https://www.chr.up.ac.za/world-moot-documents

[64] Piet J. Strauss, "Johan Heyns and critique in the Dutch Reformed Church against apartheid: The moderator a prophet?", Herv. teol. stud. vol.74 n.3 Pretoria 2018 (http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0259-94222018000300002).

Adding faith quotes: Participants identify new religious or belief quotes as grounds for commitment III (🕘individual exercise for five minutes, followed by a reading of the added reference).

Inspiring: As always, participants will provide examples of artistic expressions from their own culture that captures aspects of the commitment under discussion. Facilitators can provide examples such as: Alahallaj, a Sufi maître, whose well known mystical poems cost him his life because mainstream religious thinking of his time took them to be "blasphemous". Some of these poems provide perfect artistic examples of the debate on the limits of innovation and critical thinking in the religious sphere. Ibn Arabi is another famous Sufi poet whose poem "The religion of love" captures the essence of commitments II and III.

The facilitator may also play a musical improvisation,[65] which is based on a text published in 1980 by eight ministers of the Ned Geref Kerk in South Africa. Their "Getuienis" (Reformation Day Witness) pleads for reasoning together and for striving to eliminate "loveless and racist attitudes and actions which cause hurtful incidents and not the message of God's reconciling grace of its power", as well as "to reform the present order, so that every individual can be given the scope to realise their potential as the bearer of the image of God".[66]



In addition, please find here the example of a cartoon[67] and calligraphy.[68]



Learning objectives

- While remaining faithful to their own traditions and related sources of learning and teaching, participants expand their horizon towards human rights norms to enrich their understanding of the interaction between faith and rights.
- Participants are familiarized with participatory methodologies of engaging believers in their daily work. They realize the benefits of meaningful participation in achieving the goals of their preaching and related faith activities.
- Participants realize the need to strengthen religious curricula to enable faith actors to assume their human rights responsibilities in solving social problems in a manner that optimizes their moral weight.
- Participants learn how to develop critical reviews of current interpretations and other possible means to understand texts as needed in light of developments.
- Participants debate cases showing that there is no monopoly on wisdom and that adapting understandings to new situations leads to creative solutions and achieves positive results.

[65] https://www.soundcloud.com/faith4rights/commitment3
[66] https://kerkargief.co.za/doks/bely/DF_ReformationDay.pdf
[67] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[68] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf

Module 4: Religious or belief pluralism

Full text of commitment IV

*We pledge to **support and promote equal treatment** in all areas and manifestations of religion or belief and to denounce all forms of discriminatory practices. We commit to **prevent the use of the notion of "State religion" to discriminate against any individual or group** and we consider any such interpretation as contrary to the oneness of humanity and equal dignity of humankind. Similarly, we commit to prevent the use of "doctrinal secularism" from reducing the space for religious or belief pluralism in practice.*

- "Then Peter began to speak: 'I now realize how true it is that God does not show favoritism'."(Acts 10:34)

Context

The notion of "State religion" is often misused, leading to discrimination notably against religious minorities and political dissenters. The parameters of freedom of religion or belief and its content are not always respected, and this is also the case in terms of the relationship between States and religious institutions. On the other hand, despite its importance, secularism is occasionally misunderstood. Recent social tensions around women's dress in public spaces – including in democracies – are a case in point. Another example is artistic expression in relation to religious topics, which can lead to social tensions and eventually undue restrictions of freedom of expression. The demarcation line between genuine religious pluralism and static doctrinal secularism is at times hard to establish. A case-by-case approach to reconcile competing legitimate interests is vital, especially in multi-cultural societies. The human rights standards in the area of the freedom of religion or belief, in their various manifestations, provide guidance in this respect. Faith actors need to be part of this rebalancing exercise. Secularism is essential for inclusion, equality and freedom for all.

Additional supporting documents

In support of this module on commitment IV, the learning file should include the 2018 report of the **Special Rapporteur on freedom of religion or belief**, in which Ahmed Shaheed analyses the relationships between State and religion and their impact on freedom of religion or belief. The Special Rapporteur explicitly refers to commitment IV in the chapter on international legal standards, implying that the Beirut Declaration on "Faith for Rights" is part of soft law and concluding in **paragraph 89**:[69]



"Finally, the Special Rapporteur would like to reiterate commitment IV of the 'Faith for Rights' framework, which warns against the use of the notion of 'State religion' to discriminate against any individual or group as well as against the use of 'doctrinal secularism', which risks reducing the space for religious or belief pluralism in practice.[70] He stresses that States must satisfy a range of obligations, including to adopt measures that guarantee structural equality and to fully realize freedom of religion or belief. In the light of these obligations, the Special Rapporteur echoes the importance of adopting a model for the relationship between State and religion that is in harmony with the concept of 'respectful distancing' — i.e. political and legal, but not social, disentanglement from religion — which rests on a 'deep grounding of secularity based on human rights'. Such a model ensures 'that the State does not resort to religious exclusivity or bias in culture, identity, schooling, or even symbolism for short-term ends and for vested interests, but will continually strive to create spaces of inclusiveness for all as an active and ongoing endeavour'.[71]"

[69] https://undocs.org/A/HRC/37/49, paras. 29 and 89. See also A/73/362, para. 63, A/74/358, para. 73 and A/HRC/46/30, para. 82.
[70] See www.ohchr.org/Documents/Press/Faith4Rights.pdf
[71] See Bielefeldt, Ghanea and Wiener, *Freedom of Religion or Belief: An International Law Commentary* (Oxford University Press, 2016), pp. 355–359.

Peer-to-peer learning exercises

Unpacking: Participants break down commitment IV into different elements. They identify action points necessary for its implementation and list the corresponding duty-bearers. The aim of the exercise is twofold: (1) realizing the high risk of discriminatory potential inherently built into the two notions of "State religion" and "doctrinal secularism", and (2) using these constitutional provisions to highlight the importance of the independent role of faith actors to counter discrimination through positive action within their respective spheres of influence on the ground. (Individual exercise for five minutes, followed by ten minutes discussion on the differences between individual listings).

Critical thinking: A critical discussion on the relationship between the two key elements of commitment IV and their impact on the principle of non-discrimination would be enlightening. Participants could be asked to provide examples of guaranteeing (or denying) equal treatment for all individuals and communities in the manifestation of their religions of beliefs within their own environments. They could also be asked if and why they disagree with the discriminatory risks embodied in the two notions of "State religion" and "doctrinal secularism". As usual participants should also be asked if they believe that there are missing elements in that commitment, in light of their national and local experience. (Collective exercise for 20 minutes).

Tweeting: Participants individually summarize this commitment in less than 140 characters and decide what summaries are best articulated. This part of the exercise is intended to de-construct the commitment and reenergise the discussions. One possible result of this tweeting exercise could be as follows: "*We commit to prevent the notions of 'State religion' and 'doctrinal secularism' from being used to discriminate or reduce the space for diversity of religions and beliefs*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to stimulate discussion about the most important elements and appropriate ways of simplifying the message, without losing the substance of commitment IV.

Storytelling: Participants express their views as to whether either of these two notions, "State religion" and "doctrinal secularism", is likely to lead to discrimination. They share examples from within their own personal experience at local levels (collective exercise for 15 minutes). In this context, the facilitator could also refer to the following example raised by **Special Rapporteur Ahmed Shaheed** in his 2019 report: "*In 2004, a former bishop of the Macedonian Orthodox Church was sentenced by national courts to imprisonment for having instigated violence against himself and his followers because he had left the predominant Church and created a schism. An opinion by the Panel of Experts on Freedom of Religion and Belief of the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights expressed concerns about the judgment's approach, which seemed to suggest that any form of religious activity that effectively challenged the legitimacy and supremacy of the Macedonian Orthodox Church as the dominant religion should be considered an action that promotes religious hatred. Since Bishop Jovan had been the target of a hostile response from opposing believers, it is astonishing that he was found by the first instance court to have instigated religious hatred 'towards himself and his followers'. Subsequently, the Supreme Court partially accepted his appeal with regard to the freedom to perform religious rites and reduced his prison sentence to eight months.*"[72]

Linking: Commitment IV offers an opportunity to join the dots between secularism and the free manifestation of religions and beliefs in secular states. Controversial examples and cases[73] could be provided by the facilitators for the sake of better understanding of the delicate balances required on a case-by-case basis. This would encourage participants to share their own lived experiences. Participants can

[72] https://undocs.org/A/HRC/40/58, para. 48.
[73] See for example the 2019 joint communication by UN Special Procedures concerning the draft "Loi sur la laïcité de l'État" in Québec, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=24595

come to the board to write key words or longer comments regarding how they would describe this relationship. The board could also be divided into positive and negative sides, so participants are able to express whether they believe the current situation in their context is conducive to religious or belief pluralism in practice. This exercise can be used to prepare for the next one in this module, which is a simulation of a case to debate (collective exercise for 20 minutes).



Simulating: A simulation of an **individual complaint to the Human Rights Committee** regarding a case related to wearing religious symbols in the public sphere[74] (collective exercise for 1-2 hours, with participants being divided into three groups to simulate the committee session). The didactic aim is to showcase real situations in a manner that strengthens faith actors' handling of such situations in their daily work. Such an exercise would also familiarize faith actors with international human rights mechanisms.[75]

If facilitators wish, this could even lead to a full-fledged moot court exercise, simulating a fictitious case, inspired by real ones, and to adversarial debate related to State religions or doctrinal secularism. This collective exercise would require anywhere from an hour up to a full day. This depends on the complexity of the case as designed or adapted by the facilitators (see **annex**[76]). Participants could be divided into three groups to simulate a moot court with applicants, respondents and judges.

Constitution-drafting: The facilitator may also divide participants into small groups and ask them to draft a constitutional provision that defines an ideal relationship between religion and state in the fictitious constitution, assuming they are starting from scratch. The facilitator hands them a list of questions that will help them draft a provision for the fictitious constitution. The facilitator may research examples of related constitutional provisions (see for example the **online compilation** of pertinent excerpts from more than 190 constitutions[77]).

Exploring: The following additional questions could be explored: Does this commitment imply that States should not constitutionally "adopt" a religion? What are the benefits and limits of secularism? What are the international standards in this area? Are these standards in harmony with religious thinking or there are different perspectives? Are participants witnessing a de-secularization in their countries? How and why? Can religious signs be worn in the public space in their respective countries? Does the State fund religious institutions, none of them or only some? Should the term "religion" be defined in the constitution? What should be the reaction of a religious actors when facing a situation of apparent discrimination on religious grounds against a group or an individual? What if the apparent discrimination was committed by a State agent? (General discussion for 15 minutes.)

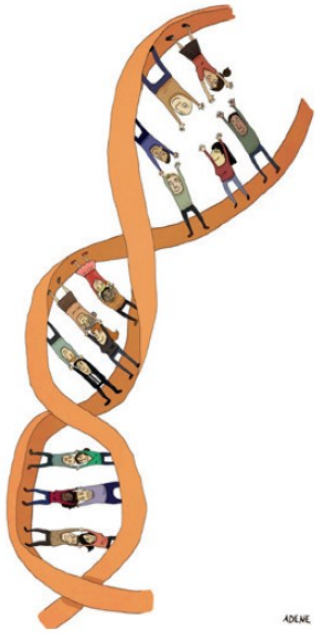
This exercise strengthens participants' comparative and analytical skills, with the aim of encouraging them to confidently conduct an independent remedial action within their respective spheres even when constitutional or legal parameters are not conducive to equal treatment.

[74] https://undocs.org/CCPR/C/123/D/2807/2016
[75] See the OHCHR publication "Reporting to the United Nations Human Rights Treaty Bodies Training Guide", Part I: Manual (https://www.ohchr.org/Documents/Publications/PTS20_HRTB_Training_Guide_PartI.pdf) and Part II: Notes for Facilitators (https://www.ohchr.org/Documents/Publications/PTS20_HRTB_Training_Guide_NotesforFacilitators_PartII.pdf).
[76] See notably scenario H, scenario I, scenario J , scenario K, scenario L and scenario M in the Annex.
[77] https://constituteproject.org/search?lang=en&key=freerel&status=in_force&status=is_draft

Adding faith quotes: Participants identify additional religious or belief-based quotes for commitment IV on non-discrimination (individual exercise for five minutes, followed by a reading by each participant of his or her added reference). The main aim of this exercise is to enable faith actors to become on-the-ground defenders of a respectful and impartial approach to all religions and beliefs. The didactic aim of this exercise is to widen the cultural and spiritual foundation of modern human rights norms by grounding them in corresponding faith traditions.

Inspiring: Participants are requested to think of an artistic expression from within their local culture that captures aspects of the commitment of equal treatment. Facilitators would have prepared their own examples in advance.

In this vein, please find here the example of a cartoon[78] and calligraphy[79] as well as music.[80]





Learning objectives

- Participants realize the risk that both notions of "State religion" and "doctrinal secularism" could lead to discrimination and the required vigilance by both State and non-State religious actors in this respect.
- Participants value the importance of neutrality and equal treatment by the State towards religions, their institutions and their manifestations as an obligation under international law that should also warrant attention from civil society actors, particularly faith-based organizations.
- Participants realize that secularism is essential to ensure equality for everyone, regardless of their citizenship.
- Participants develop a clear understanding of the difference between "neutrality" and "passivity".
- Participants appreciate the complementarity between the State's obligations in virtue of the right to freedom of religion or belief and their own responsibilities as non-State faith actors.
- Through concrete examples and cases for debate, participants fully grasp the logic and criteria of permissible limitations on manifesting freedom of religion or belief and the conditions such limitations should fulfil.

[78] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[79] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[80] https://www.soundcloud.com/faith4rights/commitment4

Module 5: Women, girls and gender equality

Full text of commitment V

*We pledge to **ensure non-discrimination and gender equality** in implementing this declaration on "Faith for Rights". We specifically commit to revisit, each within our respective areas of competence, those religious understandings and interpretations that appear to perpetuate gender inequality and harmful stereotypes or even condone gender-based violence. We pledge to ensure justice and equal worth of everyone as well as to affirm the right of all women, girls and boys not to be subjected to any form of discrimination and violence, including harmful practices such as female genital mutilation, child and/or forced marriages and crimes committed in the name of so-called honour.*

- "A man should respect his wife more than he respects himself and love her as much as he loves himself." (Talmud, Yebamot, 62,b)

- "Never will I allow to be lost the work of any one among you, whether male or female; for you are of one another." (Qur'an 3, 195)

- "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another." (Qur'an 49:13)

- "In the image of God He created him male and female. He created them." (Genesis 1, 27)

- "The best among you is he who is best to his wife" (Hadith)

- "It is a woman who is a friend and partner for life. It is woman who keeps the race going. How may we think low of her of whom are born the greatest. From a woman a woman is born: none may exist without a woman." (Guru Granth Sahib, p. 473)

- "The world of humanity is possessed of two wings - the male and the female. So long as these two wings are not equivalent in strength the bird will not fly. Until womankind reaches the same degree as man, until she enjoys the same arena of activity, extraordinary attainment for humanity will not be realized" ('Abdu'l-Baha)

- "A comprehensive, holistic and effective approach to capacity-building should aim to engage influential leaders, such as traditional and religious leaders […]" (Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices, CEDAW/C/GC/31-CRC/C/GC/18, para. 70)

Context

Women and girls have always suffered from patriarchal interpretations of almost all religions. This is not limited to any particular religion or region. The resulting male domination is a negative inheritance in virtually all cultures, even though some progress has been made in the past decades. Women's right to vote, for example, was not recognized across the world until quite recently, including in Western countries. Equal pay for the same work by women and men is still far from a reality in almost all parts of the world. Religious interpretations have been invoked as grounds for inequality, including through States' reservations to human rights treaties. Unsurprisingly, many women's rights activists have developed negative attitudes towards religion. This polarization has created a vicious circle, threatening equality and solidarity at the very nucleus level of the family itself. Most family-related issues have a faith dimension in many parts of the world, including marriage, divorce, custody and inheritance. The confusion between cultural heritage, social traditions and religious precepts adds to the complexity of handling this important intersection between religions and human rights. In addition, the ideological divide between faith groups and human rights activists on sexual and reproductive health matters adds tensions between faith and rights. Constructive engagement to search for common ground in this context should continue. Faith actors have a role to play and women's and girls' rights have much to gain in this regard.

Additional supporting documents

Commitment V is related to **Sustainable Development Goal 5**, which aims at "achieving gender equality and empowering all women and girls".[81] In support of the module on commitment V, the training file should also include the full text of **joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child** on harmful practices. It stresses that "*One of the primary challenges in the elimination of harmful practices relates to the lack of awareness or capacity of relevant professionals, including front-line professionals, to adequately understand, identify and respond to incidents or the risks of harmful practices. A comprehensive, holistic and effective approach to capacity-building should aim to engage influential leaders, such as traditional and religious leaders*".[82]

In addition, **CEDAW general recommendation No. 36** notes that the *"discriminatory and harmful practices of child and/or forced marriage, associated with religious or cultural practices in some societies, negatively impacts the right to education."* In this context, the Committee recommends facilitating "*dialogue with religious and traditional leaders on the value of educating girls and the importance of addressing practices and customs that act as barriers to their participation at all levels of education" and encouraging "religious and community leaders to oppose the practice of female genital mutilation and to inform and educate their communities on the dangers of the practice*".[83]

In his **study on freedom of religion or belief and the status of women in the light of religion and traditions**, Special Rapporteur Abdelfattah Amor stressed the importance of dialogue between the authorities, religious leaders and other members of society: "*In the case of certain practices that are harmful to women's health in some countries, such as genital mutilation, it has been possible through such dialogue to define strategies based on the recognition that these practices are a cultural and not a religious matter and that some of them are even contrary to religion. Enlightened religious officials have an important role to play in informing women of their rights, especially when such rights, which have been established by religious precepts, are misunderstood, infringed or manipulated by conflicting patriarchal traditions or customs."*[84]

In terms of statements by religious leaders, the learning file could include the recommendations of the **international conference of scholars concerning a ban on abuse of the female body**[85] as well as the **statement of the religious leaders of Cyprus condemning all forms of violence against women and girls**.[86] The **European Union Gender Action Plan III**, which was issued in November 2020, notes that "the EU should support mobilisation of religious actors for gender equality in line with the **Faith for Rights** framework".[87]

Furthermore, an **Expert Consultation Process on Freedom of Religion or Belief, Gender Equality and SDGs** in 2019 involved a diverse range of secular and faith-based experts from different institutional, professional, religious and geographic backgrounds and with expertise in different areas.[88] In this context, it was stressed that "*religious actors are not only victims or perpetrators of human rights violations; they are also often staunch advocates and supporters of human rights, finding motivation and justification in religion for their struggles towards greater inclusion, equality and justice.* [Footnote: See e.g. the *Faith for Rights* Declaration]".[89]



[81] https://sustainabledevelopment.un.org/sdg5
[82] https://undocs.org/CEDAW/C/GC/31/CRC/C/GC/18, para. 70
[83] https://undocs.org/CEDAW/C/GC/36, paras. 52 and 55.
[84] https://undocs.org/E/CN.4/2002/73/Add.2, para. 205.
[85] http://w3i.target-nehberg.de/HP-08_fatwa/index.php?p=fatwaAzhar&lang=en&
[86] http://www.religioustrack.com/joint-statements/
[87] https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020JC0017&from=EN
[88] The consultation process is organized by the Danish Institute for Human Rights and Stefanus Alliance International, in cooperation with the Special Rapporteur on freedom of religion or belief, and the UN Interagency Task Force on Religion and Development, co-led in this effort by the OHCHR and UNFPA, and it is funded by the Danish and Norwegian Ministries of Foreign Affairs (see report https://www.humanrights.dk/publications/promoting-freedom-religion-belief-gender-equality-context-sustainable-development-goals)
[89] See Marie Juul Petersen, https://www.universal-rights.org/blog/womens-rights-and-freedom-of-religion-or-belief/

Peer-to-peer learning exercises

Unpacking: Consistent with the usual beginning of the "Faith for Rights" learning modules, participants break down commitment V on gender equality into different components. In doing so, they may list the standards therein, identify the corresponding action points and determine which actors should assume what responsibility ("Who owes what to whom?"). The participants should unpack these components, taking into account the specificities of their own context, that is not considering the issues in general terms. It is important for facilitators to reiterate this point. This helps to avoid abstract discussions and reflects the principles of introspectiveness and action-orientation, both stressed by the 18 commitments on "Faith for Rights".

This individual exercise can be followed by an interactive discussion on the interlinkages between the different components of commitment V. A minimum of 20-30 minutes should be devoted to this discussion, as this commitment is particularly rich in interrelated elements.

Tweeting: Participants individually summarize this commitment in less than 140 characters. They select what summaries are best formulated in terms of clarity and conciseness. This part of the exercise is meant for de-constructing the commitment and reenergising the discussions. One possible result of this tweeting exercise could be as follows: "*We commit to ensure non-discrimination and gender equality, particularly regarding harmful stereotypes and practices or gender-based violence*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. The idea is to stimulate discussion about the most important elements and appropriate ways of simplifying the message, without losing its substance.

Linking the dots: This exercise should neither proliferate the discussion nor attempt to resolve all related issues; it merely aims at highlighting their interdependence and intersectionality. Facilitators should avoid the discussion derailing into too many related subjects. The aim is to train participants on looking at the full picture while remaining focused on their own angles. It is not necessary that every issue be resolved, but the overall complexity and interlinkages need to be understood. For example, referring to the Universal Declaration of Human Rights, participants could list the different human rights that are not fully respected or raise difficulties for women (or girls in particular) as a result of perceptions and practices in their own religious communities.



Discussing the relationship between the components of commitment V raises some of the very toughest questions: Why do women and girls suffer discrimination under most religious traditions? What are the origins of this phenomena? Is gender discrimination a conscious attitude? What is the responsibility of male religious leaders in this regard? Would the situation differ if there were female religious leaders? What prevents this? Are media also a source of gender prejudice? What negative stereotypes about women prevail in the cultural environment of participants? Have participants ever addressed such stereotypes within their functions as faith actors? How, or why not?

Additional examples of questions that could usefully be offered by facilitators in this exercise include: Are the origins of the problem of gender biases theological, economic or cultural? Examples should be given by facilitators to the effect that gender discrimination has never been limited to one or some regions but extends to the whole world. How do participants conceive the dynamics of causality within their own societies in light of their personal experiences? What is the impact on gender discrimination of the way we raise our children? Are there any religious grounds for differentiation in the ways parents raise boys and girls? How is a stereotype created? How can it be removed? What is the specific role of faith actors?

Facilitators are also encouraged to bring into these discussions concrete cases that may have recently been the focus of public attention or controversy in their country or province (an example previously used was **Québec**[90]) where the training takes place (🕘collective exercise for 15-20 minutes). In addition, the facilitator could refer to discussions concerning "Faith for Rights" during the considerations of the UN Committee on the Elimination of Discrimination against Women of reports from States parties to CEDAW, including **Botswana, Costa Rica, Fiji, the Gambia, Niger and Nigeria**.[91]

Critical thinking: A critical discussion on the relationship between the numerous elements of this commitment could start with asking whether participants disagree with some or all of them. Can these elements be addressed separately? Are there missing elements in commitment V that could improve our fight against gender discrimination? Are there women religious leaders in the environment of the participants? Why not? What are the obstacles to having more women with responsibilities within the religious sphere? (🕘Collective exercise for 20 minutes)

Storytelling: Participants share situations that occurred to them pertaining to this commitment and how they handled them. In particular, has there been a situation where participants have had to intervene in defence of the rights of women or girls? What type of discriminatory practices are more likely to occur in the experience of participants? Who are the most influential actors in their respective areas and how can they do better to ensure gender equality? How are families part of the problem and its solution?

The facilitator may also point to the story of **Jamila Mahdi**, who was born in a refugee camp and sent by her father to marry one of his relatives in Iraq when she was 13 years old. After giving birth to four children, she enrolled in school, eventually graduated from university and now works as a human rights officer: "*I hope one day that Iraq can be a country in which freedom of expression, belief and religion are respected*."[92]

With regard to the transformative role of religious leaders, the facilitator could refer to the 2006 **fatwa of Al Azhar**, which stresses: "*Genital circumcision is a deplorable, inherited custom, which is practiced in some societies and is copied by some Muslims in several countries. There are no written grounds for this custom in the Qur'an with regard to an authentic tradition of the Prophet. The female genital circumcision practiced today harms women psychologically and physically. Therefore, the practice must be stopped in support of one of the highest values of Islam, namely to do no harm to another – in accordance with the commandment of the Prophet Mohammed 'Accept no harm and do no harm to another'. Moreover, this is seen as punishable aggression against humankind*."[93]



Adding faith quotes: The participants could be asked to find and add pertinent religious or belief quotes to commitment V (🕘individual exercise for five minutes, followed by a reading by each participant of his or her added reference and subsequent discussion). The facilitator could also ask participants to reflect on the backgrounds of religious texts that do not put men and women on an equal footing.

Exploring: How can discrimination against women be redressed through religion? Can a preacher change attitudes in societies? How? What should be the reaction of a religious leader when facing a situation of gender discrimination? What if this happens at home? Should they intervene or respect privacy, or find a middle ground? The discussion should focus on positive or negative examples of the roles that religious leaders and media play in perpetuating negative stereotypes of the role of women in the societies of participants. Could the additional faith-based quotes gathered through the previous exercise be used in religious preaching on thematic topics involving discrimination against women and girls?

[90] See for example the 2019 joint communication by UN Special Procedures concerning the draft "Loi sur la laïcité de l'État" in Québec, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=24595
[91] https://www.ohchr.org/Documents/Issues/Religion/CEDAW_Excerpts.pdf
[92] https://www.ohchr.org/EN/NewsEvents/Pages/JamilaMahdi.aspx
[93] http://w3i.target-nehberg.de/HP-08_fatwa/index.php?p=fatwaAzhar&lang=en&

Responding to pandemics: The novel coronavirus, and the respiratory disease it causes (COVID-19), are also having various negative impacts on women's rights and gender equality.[94] The facilitator could ask the participants what they consider to be the most challenging consequences of the COVID-19 crisis in their area of work. How do they particularly affect girls and women? What are the areas of action where faith leaders believe they have the greatest chance of making a difference in facing these challenges? What promising practices can they share in this respect? What elements of the #Faith4Rights toolkit could be of practical utility in their work? What support or preparation would be necessary for them to use this tool in an optimal manner?

In its **Call for joint action in the times of the COVID-19 pandemic** (April 2020), the UN Committee on the Elimination of Discrimination against Women referred to its *"peer-to-peer learning webinars, in collaboration with Religions for Peace and other partners to explore how various faith communities can scale up collaboration around the diverse challenges posed by COVID-19 with a human rights-based approach with respect to women and girls. These webinars will use the #Faith4Rights toolkit as a resource.*



The key areas of these online webinars include gender-based violence against women, individual behaviours related to COVID-19, home schooling, working from home, creative modes of local solidarity and responding to discrimination against women in various aspects of public policies. There will be specific focus on young women working in the fields of education, media, technology and women faith actors. To achieve this, the Committee will also rely on its ***jurisprudence****, which recognizes that education for gender equality and empowerment of women and girls is the most sustainable way to ultimately achieve the objectives of non-discrimination and equality of women and men. The Committee supports the* ***appeal of UN Secretary-General António Guterres for a global ceasefire*** *as well as his* ***special appeal to religious leaders of all faiths*** *to focus on the common battle to defeat COVID-19. The Committee also appreciates the statement of 19 March 2020 by* ***Religions for Peace on the Coronavirus Crisis****, stressing the responsibility of faith actors to translate ethical values into concrete actions and offering substantive ideas for learning, teaching, preaching and designing community development projects. […] The Committee holds the strong opinion that these unprecedented times are also an opportunity for change guided by the principle of 'Leave no one behind' of the Sustainable Development Goals, recognizing that women and national machineries for the advancement of women are central to response and recovery strategies. National human rights institutions, the UN System, the UN human rights treaty bodies and special procedures may join forces in order to show a way forward for both States and civil society actors. The CEDAW Knowledge Hub initiative, with its imminent webinars about women rights, will be the signature contribution of CEDAW to a new thinking and joint action. The Committee invites all relevant stakeholders, including the private sector, to join in this initiative and hopes that it will lay the foundations, in collaboration with other relevant stakeholders, for a positive and enabling post COVID-19 environment that actualizes the principal lessons of the virus: no one is safe unless all are safe."*[95]

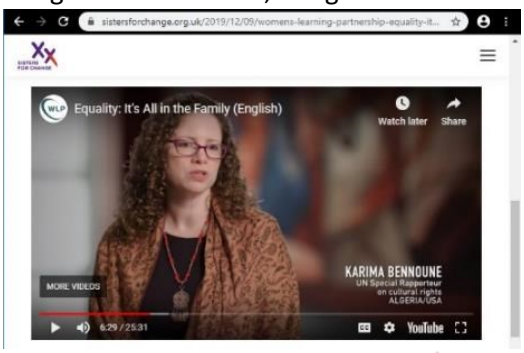
Watch the webinar on **confronting COVID-19 from the prism of faith, gender and human rights** (May 2020),[96] the webinar on **keeping the faith in times of hate** (July 2020)[97] and the webinar on **how religious literacy and freedom of religion or belief literacy can inform partnerships, especially for promoting gender equality** (May 2021).[98] See also the exercises in **modules 6** and **16** and the hypothetical cases (**scenarios G** and **M**).

[94] https://www.ohchr.org/Documents/Issues/Women/COVID-19_and_Womens_Human_Rights.pdf; https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25808&LangID=E; https://www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_Guidance_note_COVID-19.docx
[95] https://www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_statement_COVID-19_final.doc
[96] https://www.facebook.com/591924330856540/videos/635014984024247/
[97] https://www.facebook.com/591924330856540/videos/598898111012437
[98] https://www.youtube.com/watch?v=eRLhU5tGiQE; https://www.ohchr.org/Documents/Issues/Minorities/WebinarsCulturalDiversityMay2021.pdf

Inspiring: Participants may share artistic expressions of which they are aware that capture aspects of the commitment under discussion, particularly with respect to the role of women in society and in faith communities. Are there restrictions on women and girls in artistically expressing themselves, for example by singing or dancing? Limitations on artistic freedoms based on religious arguments range from urging the faithful not to partake in various forms of artistic expression to outright bans on music, images and books.[99]

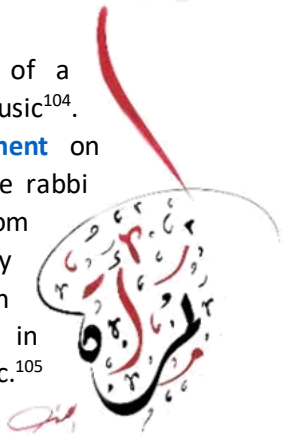
In this context, the **Special Rapporteur in the field of cultural rights,** Karima Bennoune, published in 2018 her report on the contribution of artistic and cultural initiatives to creating and developing right-respecting societies.[100]

Facilitators could also show the video documentary "**Equality: It's All in the Family**"[101] or prepare their own examples.





In addition, please find here the example of a cartoon[102] and calligraphy[103] as well as music[104]. For instance, the **gender equality commitment** on "Faith for Rights" was interpreted by a female rabbi from Canada, a Muslim soprano/composer from Morocco and a Christian pianist from Germany based on an Arabic poem by a Lebanese musician in an online performance that was distanced in space and time due to the COVID-19 pandemic.[105] Watch the webinar by Freemuse and OHCHR on **human rights, art and protest** (February 2021), during which Rabbi Rachel Rosenbluth stressed that the purpose of religion and creation was "for us to be co-creators and transforming and healing the world."[106]



Learning objectives

- Participants realize that the rights of women and girls are a priority area for achieving inclusive societies and sustainable development.
- Participants are familiarized with examples of the overlapping between cultures and religions. They realize that cultural particularities can either positively or negatively influence religious interpretations.
- Participants reflect on the gendered impact of the coronavirus pandemic and explore how they can collaborate with other faith actors to address the diverse challenges, especially for women and girls.
- Participants recognize that women and girls make up more than half of the society that is the most influential in shaping the future. Participants accept their responsibilities in this respect.

[99] See the report on the right to freedom of artistic expression and creativity, published in 2013 by the Special Rapporteur in the field of cultural rights, Farida Shaheed, https://undocs.org/A/HRC/23/34 (para. 47).
[100] See the 2018 report by the Special Rapporteur in the field of cultural rights, Karima Bennoune, https://undocs.org/A/HRC/37/55.
[101] https://www.sistersforchange.org.uk/2019/12/09/womens-learning-partnership-equality-its-all-in-the-family/
[102] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[103] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[104] https://www.soundcloud.com/faith4rights/commitment5
[105] https://www.youtube.com/watch?v=W0_Up29Lnoc
[106] https://www.youtube.com/watch?v=fPupQoilpG4

Module 6: Minority rights

Full text of commitment VI

*We pledge to **stand up for the rights of all persons belonging to minorities** within our respective areas of action and to defend their freedom of religion or belief as well as their right to participate equally and effectively in cultural, religious, social, economic and public life, as recognized by international human rights law, as a minimum standard of solidarity among all believers.*

Context

Hostilities between communities threaten social cohesion, peace and security within and among nations. Such hostilities can be rooted in social, ethnic, religious or any other ground. History tells us how much damage occurs to the whole society when minority rights are violated. Discrimination sows seeds of hatred in the social tissue. This creates tensions and grievances which are exploitable for political purposes. Today's world is witnessing numerous aggravating factors at an accelerated pace. These include conflicts, demographic changes, migration, racism and the misuse of new communication technologies. Nationals of different origins, stateless persons, refugees and asylum seekers suffer various forms of discrimination. Full equality and non-discrimination of citizens and non-citizens are fundamental requirements for safe and prosperous societies and for sustainable development. Almost all societies are becoming multi-cultural, multi-ethnic and multi-religious. Such diversity is either cherished as a great richness or perceived as a ticking bomb fuelled by racism, xenophobia and related intolerance. Faith actors have their independent say and role to play at this historical crossroad.

Additional supporting documents

In support of the peer-to-peer learning on commitment VI on minorities, the training file should include: the **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities** of 1992;[107] UN Human Rights Committee **General Comment No. 23** of 1994;[108] the **Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities** of 2016;[109] and the **Statement on Human Fraternity for world peace and living together**, signed by Pope Francis and the Grand Imam of Al-Azhar in Abu Dhabi in February 2019.[110]

The **Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence** (2012) notes with concern that "*perpetrators of incidents, which indeed reach the threshold of article 20 of the International Covenant on Civil and Political Rights, are not prosecuted and punished. At the same time members of minorities are de facto persecuted, with a chilling effect on others, through the abuse of vague domestic legislation, jurisprudence and policies. This dichotomy of (1) non-prosecution of 'real' incitement cases and (2) persecution of minorities under the guise of domestic incitement laws seems to be pervasive.*"[111]



[107] https://www.ohchr.org/en/professionalinterest/pages/minorities.aspx
[108] https://www.refworld.org/docid/453883fc0.html
[109] http://www.marrakeshdeclaration.org/
[110] https://www.vaticannews.va/en/pope/news/2019-02/pope-francis-uae-declaration-with-al-azhar-grand-imam.html
[111] https://undocs.org/A/HRC/22/17/Add.4, appendix, para. 11.

The 2012 report of the **Special Rapporteur on freedom of religion or belief** analysed human rights violations against persons belonging to religious minorities, which "*include disproportionate bureaucratic restrictions; denial of appropriate legal status positions needed to build up or uphold a religious infrastructure; systematic discrimination and partial exclusion from important sectors of society; discriminatory rules within family laws; indoctrination of children from minorities in public schools; publicly stoked prejudices and vilification sometimes connected with historic traumas and national mythologies; acts of vandalism and desecration; prohibition or disruption of religious ceremonies; threats and acts of violence; interference in the community's internal affairs; confiscation of community property; criminal sanctions; denial of asylum, possibly resulting in extraditions*".[112]

The **Independent Expert on minority issues**, Rita Izsák, devoted her 2013 report to religious minorities: "*Article 27 of the ICCPR provides that 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. Article 27, which is the most important, is a legally binding treaty provision dedicated to minorities. Its scope extends beyond freedom of religion or belief, while fully preserving the substance of the provisions of article 18 on freedom of thought, conscience and religion. Nazila Ghanea, however, has pointed out the dearth of consideration of religious minorities as minorities in the jurisprudence of the Human Rights Committee on article 27 and their overall exclusion to date from consideration under article 27*."[113]

In his 2018 report, the **Special Rapporteur on minority issues**, Fernand de Varennes, "*highlighted the fact that, in many countries, minorities were among the world's most vulnerable segments of society and were currently confronted with an increasing number of human rights challenges and threats, ranging from discrimination linked to their languages, religion or ethnicity to violence and hate speech. He stressed that these challenges required concerted, collective and determined action by all concerned. He underscored the need to further understand the human rights issues surrounding the marginalization and vulnerability of minorities and for collaborative and timely responses to mitigate the threats that they faced. This was particularly true in the case of minority women who may find themselves doubly marginalized because of their gender and for being a member of a linguistic, religious or ethnic minority*."[114] (Linking commitments V and VI.)

Special Rapporteur Fernand de Varennes focussed his **2019 report on the concept of a 'minority'** in the UN system, including a working definition and historical contextualization: "*The Special Rapporteur invites UN entities to take note of the following working definition on the concept of a minority under article 27 of the ICCPR and of the Human Rights Committee's jurisprudence and comment on who is a member of a minority in order to adopt and apply more consistently a common approach and understanding and therefore more effectively ensure the full and effective realization of the rights of persons belonging to minorities: An ethnic, religious or linguistic minority is any group of persons which constitutes less than half of the population in the entire territory of a State whose members share common characteristics of culture, religion or language, or a combination of any of these. A person can freely belong to an ethnic, religious or linguistic minority without any requirement of citizenship, residence, official recognition or any other status*."[115]

In her 2019 report on France, the **Special Rapporteur on human rights and counter-terrorism**, Fionnuala Ní Aoláin, "*notes that France takes the position that, under domestic law, the France polity contains no minorities, national or otherwise, and no communities, except 'national and geographical communities'. She applies relevant international standards in her assessment of minority status and notes to that end that established international entities have applied the terms 'minority' and 'community' to France.*"[116]

In his statement to the Subcommittee on Human Rights in May 2021, Special Rapporteur Fernand de Varennes invited the **European Parliament** to explore collaboration with UN agencies such as OHCHR, explicitly

[112] https://undocs.org/A/HRC/22/51, paras. 36-56.
[113] https://undocs.org/A/68/268, para. 30; Nazila Ghanea, "Are Religious Minorities Really Minorities?", OJLR, Vol. 1, No. 1 (2012), 57-79.
[114] https://undocs.org/A/HRC/37/66, para. 13.
[115] https://undocs.org/A/74/160, para. 59.
[116] https://undocs.org/A/HRC/40/52/Add.4, para. 14 (fn. 1). See also the Special Rapporteur's analysis in paras. 28-29, 38-45, 49 and 59.

referring to the Rabat Plan of Action and the "*#Faith4Rights toolkit, which provides practical peer-to-peer learning modules, including on addressing incitement to hatred and violence in the name of religion*".[117]

Peer-to-peer learning exercises

Unpacking: Participants break down commitment VI into different components. In this context, participants may also discuss the formulation that "persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life", which is taken from article 2 (2) of the **1992 Declaration**. (Individual exercise for five minutes followed by ten minutes of full-group discussion on the differences between individual listings)

Tweeting: Participants summarize commitment VI within 140 characters (individual exercise for five minutes). Tweets can then be shared by the participants on their own Twitter accounts if they so wish, ideally using the standard hashtag **#Faith4Rights**. This would give the exercise a practical dimension and immerse religious leaders in the use of modern social media tools that appeal to the younger generations. One possible result of this tweeting exercise could be as follows: "*We commit to stand up for the rights of all persons belonging to minorities and to defend their freedom of religion or belief, particularly in cultural, religious, social, economic and public life*."

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. This would stimulate discussion about the most important elements and appropriate ways of communicating them to the general public.

Critical thinking: A critical discussion on the meaning of "minorities" could start by asking participants if they agree with the term. An interesting entry point for a critical reflection of commitment VI could be to quote the Abu Dhabi joint statement by Pope Francis and the Grand Imam of Al-Azhar in which they both rejected "*the discriminatory use of the term minorities which engenders feelings of isolation and inferiority*"[118]. Do participants agree with the two dignitaries on this point? Should the protection of "minorities" be replaced with the concept of equal and full citizenship rights? What would be the implications for non-citizens, such as refugees, asylum seekers, migrant workers and stateless persons?[119] An interesting conclusion of this discussion would be that words matter but should neither straitjacket their meanings nor obstruct the objective. If all individuals and communities enjoy equal rights, does it matter what we call them? Furthermore, are there any missing elements in commitment VI? (Collective exercise for 20 minutes.)



Storytelling: Participants summarize relevant personal experiences pertaining to this commitment and how they handled them. In particular, has there been a situation where participants had to intervene in defence of a person belonging to a minority? What type of discriminatory practices are more likely to occur in the participants' environment? What types of minorities are there in the country where participants live? Who are the different actors in their respective areas and how can they better ensure respect for the rights of minorities? Participants may also provide examples of the positive or negative role played by the media in this respect. (Collective exercise for 15 minutes.)

[117] https://multimedia.europarl.europa.eu/en/subcommittee-on-human-rights_20210525-1345-COMMITTEE-DROI_vd?start=20210525120943
[118] https://www.vaticannews.va/en/pope/news/2019-02/pope-francis-uae-declaration-with-al-azhar-grand-imam.html
[119] See also Marie Juul Petersen and Katherine Marshall, "The International Protection of Freedom of Religion or Belief", pp. 65-66, https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/udgivelser/research/2019/rapport_internationalpromotion_12.pdf

The facilitator could highlight minorities' stories through **short films**: "*The story of a pianist living amidst war. The tale of a poor child who sneaks into a classroom desperate to be educated. These were just two of the films showcased during a nation-wide film festival and competition in Iraq. Hosted by UN Human Rights, the six-month long festival toured 17 of Iraq's 19 governorates. Over 4,000 Iraqis watched the leading short films on human rights of ethnic and religious minorities, with social media and television coverage reaching thousands more. Backed by support from the Norwegian Government and the Iraqi film industry, short-listed films were screened by Iraqi partner Art City Film and TV Production during the launch event, the 3By3 Film Festival in Baghdad*".[120]





In addition, the facilitator could show the video "**Standing up for minority rights**" featuring a meeting of ten Serbs and ten Croats in Brussels during Holy Week 2017.[121] One of the participants, Jelena, noted the following: "*What made me especially happy is the fact that our groups got along very well. The rule of the pair-work sessions forced us into simple conversations and the results were very good.*" This project by the Conference of European Churches was undertaken in partnership with the Quaker Council for European Affairs and the Church's Commission for Migrants in Europe.

Exploring: How can discrimination against minorities be redressed through religion? What should the reaction of a religious leader be when facing a situation of discrimination against a minority? How should the term 'minority' be defined (see the above-mentioned working definition in the 2019 report by Special Rapporteur Fernand de Varennes and listen to his **statement** at an OHCHR expert consultation in November 2019[122])? What role does 'religion' play in this context? What is the relationship between "long-established" religious minorities and those recently arrived in a given country, for example as immigrants or asylum seekers? Does their citizenship play a role in the context of interfaith initiatives or roundtables? How can law enforcement officials and immigration officers be trained on religious and belief diversity as well as how to ensure that different minorities are better represented at all levels?[123] How can faith actors contribute to countering discrimination against migrants, for example by condemning any stereotyping of migrants, including on the basis of religion or belief, because they are non-citizens or have irregular status?[124] (🕒General discussion for 15 minutes.) Since commitment VI uses the strong pledge to "stand up" for the rights of persons belonging to minorities, the facilitator could encourage participants to draw up a stakeholder map vis-à-vis the different religious communities in their society, and discuss the role and responsibilities of each stakeholder, including themselves.

[120] https://standup4humanrights.org/en/2019/highlights_11.html
[121] https://www.ceceurope.org/human-rights/
[122] https://www.ohchr.org/EN/NewsEvents/Pages/MinorityRightsNeedMoreSupport.aspx
[123] https://undocs.org/CAT/C/CYP/CO/5, paras. 36-37.
[124] https://www.ohchr.org/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf, principle 2 and https://www.ohchr.org/Documents/Issues/Migration/PracticalGuidance.docx, p. 5 (with an explicit reference to the Beirut Declaration as an example of promising practice for countering all forms of discrimination against migrants).



Responding to pandemics: The novel coronavirus poses specific challenges for minorities who often live in over-crowded housing conditions, which makes physical distancing and self-isolation difficult. Persons belonging to minorities may also be more likely to be excluded from health care because they lack resources or official documentation, or because of stigma or discrimination. They may also miss important public health messages due to the absence of information about the pandemic in minority languages. The facilitator could ask the participants how religious leaders could promote the dissemination of accurate, evidence-based health and scientific information on COVID-19. How can they draw on language from within their faith traditions to promote positive messages that strengthen the protection of universal human rights and affirm the dignity of all people and the need to protect and care for the vulnerable, and inspire hope and resilience in those affected by COVID-19 and related hate speech?

In this context, the facilitator could refer to the statement of **Special Rapporteur on minority issues**, Fernand de Varennes (March 2020), who flagged: "*The coronavirus outbreak endangers the health of all of us, with no distinction as to language, religion or ethnicity. But some are more vulnerable than others. All of us can take steps to resist this rise in discriminatory and hate speech against Asian and other minorities in social media*".[125]

In April 2020, the **Special Rapporteur on freedom of religion or belief** expressed extreme concerns "*that certain religious leaders and politicians continue to exploit the challenging times during this pandemic to spread hatred against Jews and other minorities*".[126] He also called all religious leaders and faith actors to combat incitement to hatred, noting that "***Resolution 16/18**, United Nations **Strategy and Plan of Action on Hate Speech**, **Rabat Plan of Action**, **#Faith4Rights toolkit**, **Fez Plan of action** and **UNESCO's programme to prevent violent extremism through education** are some useful tools for such engagement and education*".[127] He also **criticized** policies of forced cremation of the deceased, which runs contrary to the beliefs of minorities.[128]

In its **statement on derogations from the Covenant in connection with the COVID-19 pandemic** (April 2020), the UN Human Rights Committee stressed that States cannot "*tolerate, even in situations of emergency, the advocacy of national, racial or religious hatred that would constitute incitement to discrimination, hostility or violence, and they must take steps to ensure that public discourse in connection with the COVID-19 pandemic does not constitute advocacy and incitement against specific marginalized or vulnerable groups, including minorities and foreigner nationals*."[129]

Furthermore, the **UN Network on Racial Discrimination and the Protection of Minorities** noted in its COVID-19 statement (April 2020) that "*Political, civic and religious leaders have a crucial role to play in speaking out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech. Their actions or inactions can have lasting impacts on overall efforts at ensuring that the pandemic does not deepen inequalities and discrimination.*"[130] The UN Network also flagged: "*We need everyone to stand up against discrimination! Racism and discrimination against racial, ethnic and religious minorities are increasingly widespread during the COVID-19 crisis. Now is not the time for division, but to reach out and include those left behind. #FightRacism #StandUp4HumanRights #AllInThisTogether #Faith4Rights*".

The #Faith4Rights toolkit is also referred to in the **Impact and Assessment Checklist** (March 2021) which the UN Network designed to assist field entities, Governments, National Human Rights Institutions, civil society organisations, peoples' and minority communities and human rights defenders in preparing UN Sustainable Development Cooperation Framework processes and COVID-19 response and recovery plans.[131]

[125] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25757&LangID=E
[126] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25800&LangID=E
[127] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25814&LangID=E
[128] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26686&LangID=E
[129] https://undocs.org/CCPR/C/128/2
[130] https://www.ohchr.org/Documents/Issues/Minorities/UN_Network_Racial_Discrimination_Minorities_COVID.pdf
[131] https://www.ohchr.org/Documents/Issues/Minorities/AnnotatedChecklist.pdf

The **UN Guidance Note on Addressing and Countering COVID-19 related Hate Speech** (May 2020) noted that the consequences of such hate speech "*are most severe when it is propagated by political leaders, public officials, religious leaders and other influencers*" and made recommendations to the various stakeholders.[132]

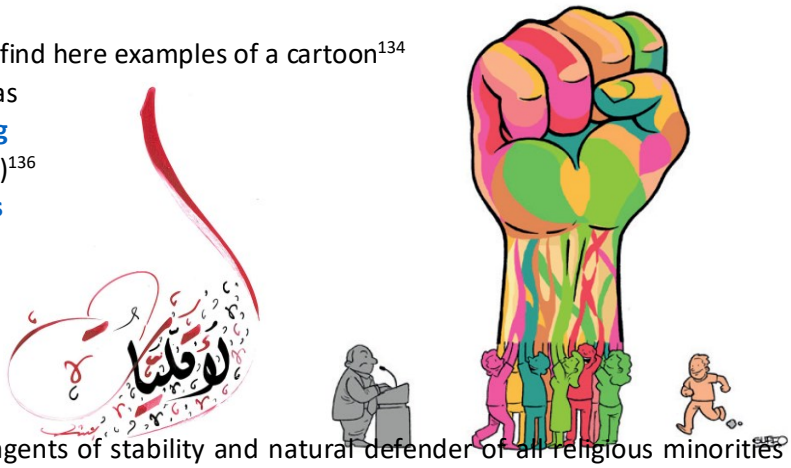
OHCHR's guidance on **COVID-19 and Minority Rights** (June 2020) includes specific references to the #Faith4Rights toolkit and recommends twelve key actions by States and other stakeholders, for example to guarantee "*inclusive dialogue that will help ensure that minority communities implement and adhere to required public health measures voluntarily, including by analysing how cultural and religious practices may be adapted in response to COVID-19 preventive measures, such as organising virtual religious services*".[133]

Linking the dots: The aim of this exercise is not to resolve all issues surrounding minority rights but rather to highlight the interdependence and intersectionality. How well are religious minorities protected, especially in comparison to persons belonging to national or ethnic and linguistic minorities? Are there other minorities that are not covered by the 1992 Declaration? Facilitators should avoid the discussion derailing into too many related subjects. The aim here is just to encourage participants to acquire the reflex of embracing the full picture while remaining focused on each of its angles and distinct dimensions (🕘 discussing collectively the relationship between these elements for ten minutes).

Adding faith quotes: Suggesting new religious or belief quotes and grounds to commitment VI (🕘 individual exercise for five minutes, followed by a reading by each participant of his or her added reference). One example could be the Rumi quote: "*Be a lamp, or a lifeboat, or a ladder. Help someone's soul heal. Walk out of your house like a shepherd*." Mother Teresa stated: "*Your true character is most accurately measured by how you treat those who can do 'Nothing' for you*."

Inspiring: Participants share artistic expressions they know of that capture aspects of the commitment to protect minority rights. These could relate to obstacles to religious, ethnic or cultural minorities' self-expression. Is it easier for persons belonging to national or ethnic minorities to be heard, for example through popular music? Can other artistic modes of communication be used to convey the message of minority rights?

As possible sources in this respect, please find here examples of a cartoon[134] and calligraphy[135] as well as music. This was also embedded in a **webinar on protecting religious or belief minorities** (March 2021)[136] and the online event **#Music4Faith4Rights** (November 2021).[137]



Learning objectives

- Participants realize their role as agents of stability and natural defender of all religious minorities within their respective areas of influence.
- Participants learn that addressing hate speech and discrimination against religious minorities is not only the responsibility of the State or individual perpetrators of these violations and that faith actors have a powerfully transformative role in this respect, also in the COVID-19 context.
- Participants discuss inspiring examples that expand their creativity in both preventing and remedying discrimination against religious minorities; they develop operational skills in both areas.

[132] https://www.un.org/en/genocideprevention/documents/Guidance%20on%20COVID-19%20related%20Hate%20Speech.pdf
[133] https://www.ohchr.org/Documents/Issues/Minorities/OHCHRGuidance_COVID19_MinoritiesRights.pdf
[134] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[135] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[136] https://www.youtube.com/watch?v=Mq12BpCDSAg
[137] https://www.youtube.com/watch?v=XQwm3kX6EYI&t=3129s; https://www.soundcloud.com/faith4rights/commitment6

Module 7: Incitement to hatred

Full text of commitment VII

*We pledge to **publicly denounce all instances of advocacy of hatred that incites to violence, discrimination or hostility**, including those that lead to atrocity crimes. We bear a direct responsibility to denounce such advocacy, particularly when it is conducted in the name of religion or belief.*

- "Now this is the command: Do to the doer to make him do." (Ancient Egyptian Middle Kingdom);

- "Repay injury with justice and kindness with kindness." (Confucius)

- "What is hateful to you, don't do to your friend." (Talmud, Shabat, 31,a)

- "Whatever words we utter should be chosen with care for people will hear them and be influenced by them for good or ill." (Buddha)

- "By self-control and by making dharma (right conduct) your main focus, treat others as you treat yourself." (Mahābhārata)

- "You shall not take vengeance or bear a grudge against your kinsfolk. Love your neighbor as yourself" (Leviticus 19:18)

- "Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets." (Matthew 7:12)

- "Ascribe not to any soul that which thou wouldst not have ascribed to thee, and say not that which thou doest not." (Baha'u'llah)

Context

The grey zone between the three notions of free speech, hate speech and incitement to violence or discrimination is often difficult to grasp in real-life situations. Distinguishing these three categories of speech is even more complex in the religious sphere. Some religious actors fall into incitement to hatred against other believers or atheists in the course of what they consider as preaching for their own religion. There are even examples where a kind of "theological populism" leads religious actors to openly set communities against each other and to incite violence in the name of God. Political populism and religious fundamentalism are close objective allies. Each thrives on the other. Instead of acting against such an "unholy alliance", some politicians manipulate religious discourse for their own aims. Religions can also be used as weapons – hence the peace and security dimension of commitment VII. Discriminating against religious minorities also exacerbates a dangerous phenomenon whereby religious affiliation replaces national identity. Furthermore, violent extremist groups have been using new communication technologies as tools for propagating violence and discrimination in the name of religion.

Additional supporting documents

The two legally binding instruments pertinent to module 7 are the **International Covenant on Civil and Political Rights** (article 20(2): "*Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law*"[138]) and the **International Convention on the Elimination of All Forms of Racial Discrimination** (article 4(a): "*with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia: [States Parties] (a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof*"[139]).

[138] https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx
[139] https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx

The **Beirut Declaration** on "Faith for Rights" stresses the fundamental role of "speech" for individual and communal flourishing: "*It constitutes one of the most crucial mediums for good and evil sides of humanity. War starts in the minds and is cultivated by a reasoning fuelled by often hidden advocacy of hatred. Positive speech is also the healing tool of reconciliation and peace-building in the hearts and minds. Speech is one of the most strategic areas of the responsibilities we commit to assume and support each other for their implementation through this F4R declaration on the basis of the thresholds articulated by the Rabat Plan of Action.*"[140]

In support of this module on commitment VII, the learning file should also include related soft law standards, notably the **Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence**;[141] UN Human Rights Committee **General Comment No. 34** of 2011;[142] **Human Rights Council resolution 16/18** on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief;[143] the **Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes**;[144] the **UN Strategy and Plan of Action on Hate Speech**[145] and the **UN Plan of Action to Safeguard Religious Sites**.[146]

In 2019, the OSCE Office for Democratic Institutions and Human Rights published policy guidance on "**Freedom of Religion or Belief and Security**",[147] which repeatedly refers to the Rabat Plan of Action and to the Beirut Declaration. The booklet entitled "**Tackling Hate: Action on UN standards to promote inclusion, diversity and pluralism**", published by the non-governmental organization ARTICLE19, explores how States and other stakeholders should respond to rising levels of intolerance and hate in societies in all parts of the world, by taking action on the above-mentioned UN standards.[148] Furthermore, the **G20 Interfaith Forums in Buenos Aires** (2018) and **Tokyo** (2019) yielded the policy recommendation "to reduce incitement to hatred by supporting religious leaders and faith-based actors in fulfilling their human rights responsibilities as summarized in the Beirut Declaration and the 18 commitments of the 'Faith for Rights' program."[149]

In addition, Special Rapporteur Heiner Bielefeldt has referred to homophobic and transphobic violence perpetrated in the name of religion against lesbian, gay, bisexual and transgender (LGBT) persons: "*Those perceived as LGBT may be targets of organized abuse, including by religious extremists. [See **A/HRC/19/41**, para. 21.] Violence against LGBT persons includes brutal gang rapes, so-called "curative" rapes and family violence owing to their sexual orientation and gender identity. [See **A/HRC/14/22/Add.2**, paras. 38 and 89.] There is a strong connection between discrimination in law and practice, and incitement to violence in the name of religion and violence itself. Violence against women and against LGBT persons is often justified and given legitimacy by discriminatory laws based on religious laws or supported by religious authorities, such as laws criminalizing adultery, homosexuality or cross-dressing. The Human Rights Committee has noted with concern hate speech and manifestations of intolerance and prejudice by religious leaders against individuals on the basis of their sexual orientation, in a broader context of acts of violence, including killings of LGBT persons. [See **CCPR/C/RUS/CO/6**, para. 27.] There have also been reports of direct violence exercised by religious authorities against LGBT persons, although many of them are religiously interested in practising.*"[150] International and regional human rights experts also issued a **joint statement** in May 2021.[151]

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[140] https://undocs.org/A/HRC/40/58, annex I, para. 20.
[141] https://www.ohchr.org/en/freedom-of-expression
[142] https://undocs.org/CCPR/C/GC/34
[143] https://undocs.org/A/HRC/RES/16/18
[144] https://www.un.org/en/genocideprevention/documents/publications-and-resources/Plan_of_Action_Religious-rev5.pdf
[145] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf
[146] https://www.unaoc.org/resource/united-nations-plan-of-action-to-safeguard-religious-sites/
[147] https://www.osce.org/odihr/429389?download=true
[148] https://www.article19.org/action-on-un-standards-to-tackle-hate/
[149] https://www.g20interfaith.org/wp-content/uploads/2019/04/Recommendations-2018-2.pdf, recommendation 9.1; and https://www.g20interfaith.org/wp-content/uploads/2019/08/G20-IF-2019-Recommendations-Final.pdf, recommendation 4.1. See also the HC's statement in 2021: https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27442&LangID=E
[150] https://undocs.org/A/HRC/28/66, para. 11. At the regional levels, see also https://hudoc.echr.coe.int/eng?i=001-200344 and http://www.oas.org/en/iachr/expression/docs/reports/hate/Hate_Speech_Incitement_Violence_Against_LGBTI.pdf

Peer-to-peer learning exercises

Unpacking: Participants will be asked, individually and in writing, to break down commitment VII into different components and list the various actions required for their implementation, defining which action pertains to which stakeholder(s). It is important for facilitators to emphasize that such actions and attributions do not need to figure explicitly in the text of commitment VII. This is precisely what critical thinking entails. This individual exercise can be implemented within five minutes. It is suggested that a group discussion follows for 10-15 minutes on the differences between individual listings of action points and attributions of responsibilities thereof. The main thrust of this exercise is to benefit from comparing notes among participants on their different perspectives on the same points. The didactic aim is to sharpen content analysis and critical thinking in a peer-to-peer learning mode.

Linking the dots: What is the relationship between the elements of commitment VII? What factors affect these elements? The didactic aim is to situate the challenges in context, stimulate strategic thinking and enhance a spirit of initiative. Commitment VII on incitement to hatred is of crucial importance, particularly from a religious perspective. There are obvious reasons for and manifestations of this fact. If religions have often been politically manipulated, this is undoubtedly due to the heavy weight of the "sacredness" and its societal impact. Speech-related polemics are also complicated by the same factors and may have global repercussions.



Questions to be used by facilitators should build on the Rabat Plan of Action and Beirut Declaration combined, as they complement each other. Both address faith actors with specific responsibilities as follows: *"(a) Religious leaders should refrain from using messages of intolerance or expressions which may incite violence, hostility or discrimination; (b) Religious leaders also have a crucial role to play in speaking out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech; and (c) Religious leaders should be clear that violence can never be tolerated as a response to incitement to hatred (e.g. violence cannot be justified by prior provocation)"*.

The debate could be animated through questions such as: What obstacles may limit the role of faith actors in countering hate speech? What are examples from participants' experiences on cases of hate speech and what was their reaction to it? How should situations of "border line speech" be addressed? What "remedial speech" can faith actors produce and promote based on faith traditions? Facilitators can find backgrounds for their own preparation on these questions related to speech with a focus on religions in the **Rabat Plan of Action** and a **one-pager on incitement to hatred**,[152] which is **available online in 32 languages**[153] (collective exercise for 10-30 minutes).

Critical thinking: A critical discussion led by participants to define what could be missing in commitment VII could start with facilitators asking what elements participants may disagree with, and on which grounds. How does each participant, in non-legal terms, define advocacy to hatred that constitutes incitement to violence, discrimination or hostility? Is there a difference between the terms "hatred" and "hostility"? The facilitator may refer to the definitions in the **Camden Principles on Freedom of Expression and Equality**.[154] What are the different focus areas of the additional documents mentioned above? (Collective exercise for 20-30 minutes). The didactic aim is to practice freedom of expression and critical thinking.

Tweeting: Summarize commitment VII within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be: "*We commit to publicly denounce all instances of advocacy of hatred that incites to violence, discrimination or hostility in the name of religion or belief*".

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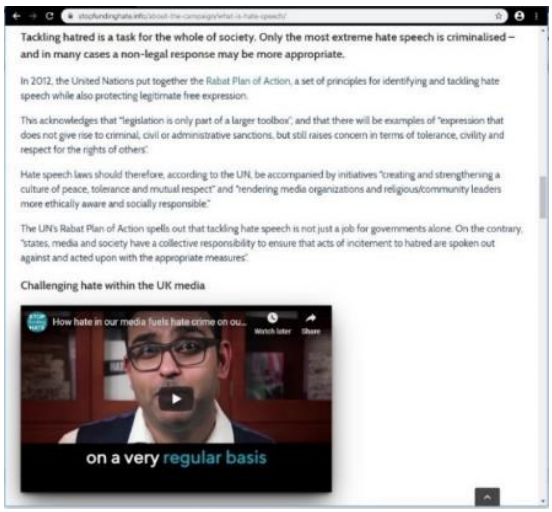
[151] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27091&LangID=E
[152] https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_threshold_test.pdf
[153] https://www.ohchr.org/EN/NewsEvents/Pages/Hate-speech-threshold-test.aspx
[154] https://www.article19.org/data/files/pdfs/standards/the-camden-principles-on-freedom-of-expression-and-equality.pdf, Principle 12 on incitement to hatred provides definitions of the terms "hatred"/"hostility", "advocacy" and "incitement".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Storytelling: Participants share personal experiences of situations pertaining to this commitment and how they handled them. In particular, has there been a situation where participants had to intervene to mitigate the consequences of incitement to violence in the name of religion? What types of hate speech are more likely to occur in the participants' surroundings? Can hate speech occur with good intent? What role does culture play in this area? How decisive is the role of the family in this respect? Who are the other key actors in their respective areas and how can they better protect victims of incitement to hatred or violence? Provide examples of the positive or negative role played by the media in this respect. What is the role of social media in particular? Can hate speech laws also be abused to stifle dissent and target religious minorities? (🕘Collective exercise for 15 minutes.)

As an example of religious leaders publicly denouncing incitement to violence, the facilitator could refer to the mission report on Sierra Leone by the **Special Rapporteur on freedom of religion or belief**, Heiner Bielefeldt: "*some interlocutors mentioned the case of a Christian woman who claimed to have had a dream in which she had seen Muammar Gaddafi suffering in hell. From this alleged vision, the woman inferred that a particular mosque in Sierra Leone, which had been sponsored by Gaddafi, should be destroyed and replaced with a church. This strange incident, which attracted some publicity in the country, was generally recounted as a success story because the Christian churches in Sierra Leone had reacted rapidly in rejecting the woman's antagonistic message, thereby defending their good relations with Muslims and the country's religious harmony. The United Council of Imams explicitly praised the Christian churches for their quick and clear response.*"[155]

Addition: Adding new religious or belief quotes to commitment VII (🕘individual exercise for five minutes, followed by a reading from each participant of his or her added reference and highlight in two sentences why they find it useful). For example, Mother Teresa stated that "*Words which do not give the light of Christ increase the darkness*" and Nelson Mandela stressed in his autobiography that "*No one is born hating another person because of the color of his skin, or his background, or his religion*". The didactic aim of this exercise is to realize the multiple origins and ownership of human rights notions by all cultures, thinking creatively and dynamically about their own cultural heritage.



Exploring: How can incitement to hatred be countered through religion? Could inter-faith joint activities be a practical answer to the vicious circle of ignorance, fear and bias against victims of hate speech? What forms can such initiatives take? How one can avoid mere public relations actions that change nothing on the ground? How should religious leaders react when facing a situation of incitement to hatred? What are the risks involved? How could these risks be mitigated? Which remedies work better in their context either by public authorities or upon the initiative of civil society actors? Do public authorities welcome civil society initiatives in this respect? Could the additional faith-based quotes gathered through the previous exercise be used in religious preaching on thematic topics involving minorities? How could faith-based organizations use their leverage, for example as advertisers, to "**stop funding hate**"[156] in newspapers and other media? (🕘General discussion for 15 minutes)

[155] https://undocs.org/A/HRC/25/58/Add.1, para. 26.
[156] https://stopfundinghate.info/about-the-campaign/what-is-hate-speech/

What is the link between violence and religion? In this context, facilitators are invited to use massive open online courses (MOOC) offered for example by the **University of Geneva**,[157] the **University of Groningen**[158] and **Bonavero Institute**.[159] A MOOC is an online course aimed at unlimited participation and open access via the Internet. In addition to traditional course materials, such as filmed lectures, readings and problem sets, MOOCs provide interactive courses with user forums to support community interactions and feedback.

Positioning: The facilitator asks participants to stand up and position themselves along one side of the room, with the left side representing "Faith actors are more often perpetrators of hate speech" and the right side "Faith actors are more often victims of hate speech". Of course, they can also position themselves somewhere in the middle. This group exercise can be implemented within five minutes because the aim is to move and take a stand, not to thoroughly discuss the matter.

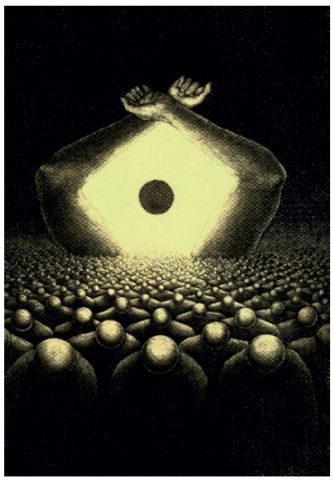
Inspiring: Participants underline artistic expressions they know of that capture aspects of the commitment under discussion.



In this particular case, the facilitator could also refer to the short film "**My enemy, my brother**", which tells the story of two Iranian and Iraqi soldiers who meet as refugees in Canada after narrowly avoiding killing each other.[160] The filmmaker Ann Shin said: "*Zahed Haftlang was only 13 when he joined Iran's Basij force to fight in the Iran-Iraq War in the 1980s. The conflict was among the most brutal of the 20th century – one wrought with chemical weapons, ballistic missiles and cadres of child soldiers. After a deadly battle, Zahed found an enemy Iraqi soldier critically injured in a bunker and committed an astonishing act of mercy. It would change the path of both their lives for decades to come.*"[161]

In addition, please find here examples of a cartoon[162] and calligraphy[163] as well as music[164].





Learning objectives

- Participants realize that words can lead to killings and that they bear a triple responsibility for what they say, what they imply and even what someone may misunderstand if they have not been sufficiently clear.
- Participants, through real-life cases, master the criteria of distinction between the three categories of speech (free speech/hate speech/incitement to violence or discrimination). They start re-thinking and acting accordingly.
- Participants gain the skills needed to handle threatening situations that could result from these categories of speech, in a manner that fully respects freedom of expression.
- Participants particularly gain the skills of formulating remedial action plans, including positive speech.
- Participants acquire a double reflex: not letting their faith be abused by violent extremist groups and defending not only their own faith but everybody's freedom of religion or belief.

[157] https://www.unige.ch/theologie/enseignements/mooc-violences-et-religions/
[158] https://www.rug.nl/society-business/knowledge-and-learning/mooc/courses/2016/religion-and-conflict
[159] https://www.law.ox.ac.uk/centres-institutes/bonavero-institute-human-rights/bonavero-institute-unesco-joint-mooc-freedom
[160] https://www.youtube.com/watch?v=JRKiHtjWPUs
[161] https://www.nytimes.com/2015/05/13/opinion/my-enemy-my-brother.html
[162] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[163] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[164] https://www.soundcloud.com/faith4rights/commitment7

Module 8: Continuous review

Full text of commitment VIII

We therefore pledge to establish, each within our respective spheres, policies and methodologies to ***monitor interpretations, determinations or other religious views that manifestly conflict with universal human rights norms and standards****, regardless of whether they are pronounced by formal institutions or by self-appointed individuals. We intend to assume this responsibility in a disciplined objective manner only within our own respective areas of competence in an introspective manner, without judging the faith or beliefs of others.*

- "Do not judge, or you too will be judged. For in the same way you judge others, you will be judged, and with the measure you use, it will be measured to you." (Bible, Matthew 7:1-2)

- "Habituate your heart to mercy for the subjects and to affection and kindness for them… since they are of two kinds, either your brother in religion or one like you in creation… So, extend to them your forgiveness and pardon, in the same way as you would like Allah to extend His forgiveness and pardon to you" (Letter from Caliph Ali to Malik Ashtar, Governor of Egypt)

- "The essential purpose of the religion of God is to establish unity among mankind. The divine Manifestations were Founders of the means of fellowship and love. They did not come to create discord, strife and hatred in the world. The religion of God is the cause of love, but if it is made to be the source of enmity and bloodshed, surely its absence is preferable to its existence; for then it becomes satanic, detrimental and an obstacle to the human world."('Abdu'l-Baha)

Context

Religious views and determinations are expressed in many ways from various sources, often with little accountability. Unlike most professions, that of religious leader does not have an explicit code of deontology. The questions of criteria of authoritativeness and hierarchy among sources of religious views are complex. Cyberspace complicates matters and facilitates incitement to discrimination or violence. Formal religious institutions are well established but they are no longer the only actors in the religious sphere. A dangerous mixture of ignorance, manipulation and confusion in the area of religious determinations divides communities and produces statements that deepen the rift between faith and rights. Religious institutions and faith actors themselves are best placed to redress this situation through observation, analysis and self-monitoring of religious discourse. Religious teaching curricula are an important context to practise self-monitoring and refinement as faith actors deem it necessary. Developing and updating religious curricula can be a lengthy process. Such an important role requires a dedicated research capacity and an investment in interdisciplinary knowledge.

Additional supporting documents

In support of module 8, the learning file should include the **Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes** (2017), which calls on religious leaders and actors to: "*Monitor the media, including social media, to ensure that hate speech that could constitute incitement to violence is constantly identified and countered; Disseminate positive images and stories about faiths other than one's own; Speak out not only when one's own community is targeted but also when a religious community different from one's own is targeted; Support the initiatives of other religious leaders and actors who speak out in support of human rights and justice and of oppressed communities, in particular; Monitor, compile and circulate religious statements and decrees issued by religious leaders and authorities that incite to hatred and violence; Issue and circulate reports of religious statements and decrees by religious leaders and authorities denouncing incitement and/or offering alternative messages*".[165]

[165] https://www.un.org/en/genocideprevention/documents/publications-and-resources/Plan_of_Action_Religious-rev5.pdf, p. 15.

United Nations Secretary-General António Guterres has stressed: "*Around the world, we are seeing a disturbing groundswell of xenophobia, racism and intolerance – including rising anti-Semitism, anti-Muslim hatred and persecution of Christians.*"[166] The **UN Strategy and Plan of Action on Hate Speech** (2019) includes the following key commitment: "*Relevant UN entities should be able to recognize, monitor, collect data and analyze hate speech trends*."[167] It also notes that "*There is no international legal definition of hate speech, and the characterization of what is 'hateful' is controversial and disputed. In the context of this document, the term hate speech is understood as any kind of communication in speech, writing or behavior, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, based on their religion, ethnicity, nationality, race, color, descent, gender or other forms of identity*."

In addition, the **UN Plan of Action to Safeguard Religious Sites** (2019) recommends that religious leaders "*Proactively and regularly engage in interfaith dialogue, including the promotion of solidarity and resilience. […] Discuss issues of contemporary relevance with the congregation and educate them on other religions and cultural diversity to promote interreligious dialogue, understanding, mutual respect and peace. Stay engaged and be vocal and active when religious sites and worshippers from other religions and faiths are targeted. Actively and proactively engage on social media to reach out to a variety of users. Develop media content, including through the creation or strengthening of websites to make religious texts and messages accessible to a wider audience and provide answer to challenges related to social exclusion, annihilation, and hatred. Use their influence to persuade those with whom they hold influence to avoid inflammatory speech.*"[168]

With regard to a vibrant and active civil society, the **Special Rapporteur on human rights and counter-terrorism**, Fionnuala Ní Aoláin, referred to the 2018 UN High-level Conference of Heads of Counter-Terrorism Agencies of Member States, where "*the representative of Finland stated that civil society and religious communities played a significant role in preventing violent extremism and countering terrorism*"[169].

Peer-to-peer learning exercises

Unpacking: Participants break down commitment VIII into different elements (🕘 individual exercise for five minutes followed by ten minutes of a full group discussion on the differences between individual listings). Facilitators should find in commitment VIII great space for implicit elements. In particular, a qualifier like "within our respective spheres" entails a certain degree of discipline designed to protect faith actors from being dragged into political manipulation. The same applies to the triple qualifier "in a disciplined objective manner only within our own respective areas of competence in an introspective manner, without judging the faith or beliefs of others". The latter is important to delimit freedom of expression within the theological discourse from a grey zone that may reach the threshold of advocacy to hatred that could constitute incitement to violence. While alerting participants to the fact that the demarcation line between these two is thin, facilitators should cross-refer at this conjuncture to commitment VII concerning "incitement to hatred" and particularly to the **six-part threshold test outlined in the Rabat Plan of Action**.[170]

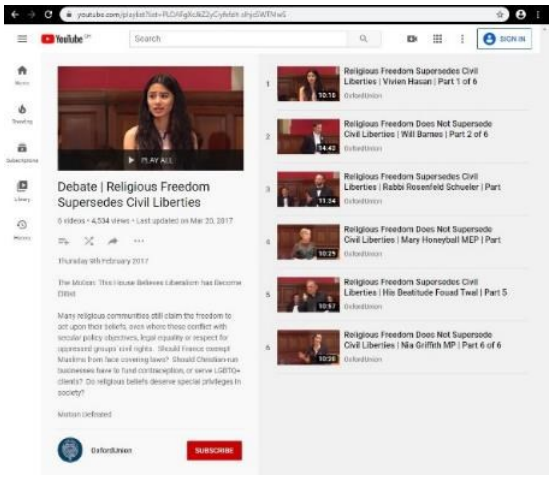
Linking the dots: The facilitator may discuss the relationship between these elements, with specific examples from the local environment of the participants. Important dots to link in this context include the role and voice of faith actors as an autonomous non-state actor and its importance to monitor religious interpretations that manifestly conflict with universal human rights norms and standards (🕘 collective exercise for 10-15 minutes).

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[166] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf
[167] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf
[168] https://www.unaoc.org/wp-content/uploads/Plan-of-Action-to-Safeguard-Religious-Sites-11092019.pdf, p. 16.
[169] https://undocs.org/A/HRC/40/52, para. 11.
[170] https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_threshold_test.pdf. The Human Rights Committee's general comment No. 37 on the right of peaceful assembly (adopted in July 2020) includes in footnotes 19 and 60 specific references to the threshold test in the Rabat Plan of Action as well as to the Beirut Declaration and its 18 commitments on "Faith for Rights" (see https://undocs.org/CCPR/C/GC/37). See also a MOOC discussion at https://www.youtube.com/watch?v=ty1K_hIUfaY#t=1120s

Critical thinking: A critical discussion of the notions of "monitoring" and "self-monitoring" would open useful and interesting avenues in terms of linking faith and rights. In both spheres, monitoring is central. However, this commitment raises some tough questions. Does this commitment establish a hierarchy of a "secular human rights discourse" over religions? Are human-made laws more binding than religious texts? Facilitators should bear in mind that these questions are the "elephant in the room" and that they could be divisive. Such sensitive questions need not be avoided; to the contrary, they should be brought to the forefront of the discussion as early as possible in a critical learning mode among faith actors. Facilitators should steer the discussion towards the conclusion that it is a false dichotomy to construe a hierarchy between faith and rights.

Facilitators may familiarize themselves with related arguments, for example those presented in a series of six **videos of a competitive debate** at the Oxford Union.[171] Depending on the available time and priorities of the learning exchange, facilitators may also show these videos.



Participants may also be asked if they agree with the possibility of monitoring religious interpretations. Are there legal or institutional limitations within their national context that organize or inhibit such monitoring? Does such a function exist within their religious spheres? In which form? Is it functioning well? Are there missing elements in this commitment?

🕘 Time needed and precautions to bear in mind: This collective exercise could take 30-40 minutes as it raises complex issues and may require a progressive approach to handling them. The main guidance is that the facilitator should anticipate tensions rather than trying to escape from them. Some of these questions can turn intensely ideological, but they still need to be addressed. Disagreements are healthy, provided that divergent views are expressed respectfully and are discussed with a human rights-based approach. This includes freedom of expression, respect for diversity and equal opportunities to argue for different views. Facilitators should bear in mind that full agreement is not the only goal of a discussion. A better understanding of divergent views is often as precious as reaching a common position. The facilitator's setting of that tone serves an important purpose of the "Faith for Rights" collective learning. After all, faith actors should be able to convey in their everyday work the humbling fact that there is no monopoly on truth and that respectful dialogue does not always need to end in agreement.

Storytelling: Participants share personal experiences pertaining to this commitment and how they handled them. In particular, has there been a situation where participants confronted obviously deviating religious interpretations? What was their reaction? In which areas in particular do such deviations occur in the participants' surroundings? (🕘 Collective exercise for 15-20 minutes.)

The facilitator could also refer to MONUSCO's **report on hate speech in the Democratic Republic of the Congo** (March 2021), which analyses certain cases according to the position of the speaker, mode of dissemination, identity of target group and likelihood of harm. The recommendations to political and religious actors explicitly refer to the Rabat Plan of Action and Beirut Declaration, notably its commitments VI and VII.[172]

Exploring: Are there experiences in self-monitoring in the religious sphere that participants know of? What could be the functions of an observatory of religious rulings that violate human rights? How to distinguish between a deviating religious ruling that violates human rights and the right to academic freedom of research and expression? What are the permissible limitations of religious autonomy? 🕘 Time needed and precautions to bear in mind: This exercise covers complex and sensitive issues. It requires

[171] https://www.youtube.com/playlist?list=PLOAFgXcJkZ2yCiyfxfzlt-slhjc5WTMwS
[172] https://monusco.unmissions.org/rapport-sur-les-discours-et-messages-incitatifs-%C3%A0-la-haine-en-rdc

30-40 minutes of orderly debate that is skilfully steered. Facilitators have to be knowledgeable on these tricky legal points. They should also be well prepared with compelling examples in this area, preferably drawn from case law of international human rights mechanisms.[173] Indeed, a compilation of such views needs to be prepared and regularly updated so that facilitators can fulfil their role safely and effectively.

Tweeting: Summarize commitment VIII within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to monitor interpretations, determinations or other religious views that manifestly conflict with universal human rights norms and standards*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Adding faith quotes: This exercise consists in finding and adding new religious or belief quotes to commitment VIII (individual exercise for five minutes, followed by a reading from each participant of his added reference). For example, the following Rumi quotes stress the importance of introspectivity: "*Your task is not to seek for love, but merely to seek and find all the barriers within yourself that you have built against it*"; "*Yesterday I was clever, so I wanted to change the world. Today I am wise, so I am changing myself*."

Inspiring: Participants underline artistic expressions that capture aspects of commitment VIII. The facilitator could also make participants draw what "self-monitoring" means to them (for example, a person looking into a mirror).



In addition, please find here the example of a cartoon[174] and calligraphy[175] as well as music[176].



Learning objectives

- Critical thinking in introspective mode is an attitude that this module aims to strengthen among participants.
- Intellectual curiosity and interfaith literacy are enhanced through comparative knowledge about how different faith traditions face similar challenges and develop new approaches, including towards the management of religious diversity.
- Participants recognize that there should be no abstract hierarchy between faith and rights because their spheres are different, while their goals are common; their practice overlaps predominantly in mutual reinforcement, while there may be tension zones that need to be resolved through interpretation and dialogue.

[173] For the jurisprudence of UN human rights treaty bodies see https://juris.ohchr.org/
Communications by Special Procedures are available online at https://spcommreports.ohchr.org/
The Universal Human Rights Index facilitates access to recommendations also from the Universal Periodic Review: https://uhri.ohchr.org/
[174] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[175] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[176] https://www.soundcloud.com/faith4rights/commitment8

Module 9: Stigmatization and exclusion

Full text of commitment IX

We also pledge to refrain from, advocate against and jointly ***condemn any judgemental public determination by any actor who in the name of religion aims at disqualifying the religion or belief of another individual*** *or community in a manner that would expose them to violence in the name of religion or deprivation of their human rights.*

Context

Some religious actors, deliberately or inadvertently, judge other people's faith in a manner that may lead to violence or discrimination in the name of religion. While theological and doctrinal divides should be avoided (see the **five principles** of the Beirut Declaration), combating the manipulation of religions is at the heart of this toolkit, even when such manipulation claims theological grounds. Too many alarming incidents have passed unacted upon for too long, often targeting artists, dissidents and defenceless people. Violent extremist groups play on prejudices and use them skilfully. Claiming religious grounds for offering a bounty on killing an alleged blasphemer/apostate plants negative stereotypes about particular religions or communities in the subconscious of millions of people. This also sows the seeds of prejudice against religious minorities and may lead to discrimination against migrants and asylum seekers as well as people living with stigmatising diseases such as HIV. Human rights violations in the context of HIV for example include the criminalisation and enactment of punitive laws as well as stigma and discrimination in the workplace and in healthcare services, gender inequality, and the denial of access to HIV services.

Additional supporting documents

In support of peer-to-peer learning on commitment IX, the training file should include the **Amman Message**,[177] **A Common Word**[178] and the 2014 **Constitution of Tunisia** (Article 6: "*The state is the guardian of religion. It guarantees freedom of conscience and belief, the free exercise of religious practices and the neutrality of mosques and places of worship from all partisan instrumentalisation. The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred*").[179]

In this context, reference could also be made to the 2019 mission report on Tunisia by the **Special Rapporteur on freedom of religion or belief**, Ahmed Shaheed: "*Tunisia has experienced a number of violent incidents carried out in the name of religion in the post-revolutionary period. During the first three years of the revolution, intellectuals, artists, human rights activists, journalists and politicians were the target of several attacks carried out by extremist individuals or groups driven by religious motives. The Government therefore faces legitimate challenges in formulating effective responses that counter violent extremism. As a tool of counter-terrorism, Law No. 26 of 7 August 2015 on countering terrorism and money-laundering criminalizes various types of expression. Such offences include incitement to terrorism (art. 5); takfir, incitement to takfir and incitement to hatred among races, religions and sects (art. 14 (8)), and glorification of terrorism, and apology for terrorism (art. 31). Many of these measures, including a ban on incitement to violence among religions and races, are clearly fundamental to protecting the space for freedom of religion or belief. However, it is essential for these measures to be applied in strict conformity with a high threshold for prohibiting expression deemed to incite persons to discrimination, hostility or violence, as required by article 20 of the International Covenant on Civil and Political Rights. They must also meet the test of necessity, legitimacy and proportionality, as stipulated under article 19 of the Covenant.*"[180]

[177] https://ammanmessage.com/
[178] https://www.acommonword.com/
[179] https://www.constituteproject.org/constitution/Tunisia_2014.pdf
[180] https://undocs.org/A/HRC/40/58/Add.1, paras. 57-58.

The facilitator may also refer to the **International Guidelines on HIV/AIDS and Human Rights** (2006), a selection of statements by religious leaders and international faith-based organizations about HIV and AIDS (2010), the **Joint Statement by UN human rights experts on ending AIDS by 2030** (2016) and the World Council of Churches' statement on **Churches recommit to Accelerate HIV Response** (2016).

Peer-to-peer learning exercises

Unpacking: Participants break down commitment IX into different elements and list what actions are required for upholding commitment IX, explicitly or implicitly (individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings).

Linking the dots: This exercise aims at discussing the relationship between these elements; in particular, how does commitment IX relate to commitment VII on incitement to hatred? Facilitators can also bring into the discussion, if participants do not, the whole range of complexities introduced by social media in this respect. Another provocative but important question by the facilitator could be whether the media strategies of violent extremists are smarter than those of "moderate" religious leaders and institutions, and why. Are terms such as "fundamentalist" and "moderate" accurate and helpful labels in this context? (Collective exercise for ten minutes.)



Critical thinking: Are participants in disagreement with any element of commitment IX? With which one and why? Are there any missing elements in this commitment? Is there a tension in practice between this commitment and freedom of expression as outlined in article 19 of the International Covenant on Civil and Political Rights?[181] (Collective exercise for 20 minutes.)

Storytelling: Participants summarize situations that they witnessed pertaining to this commitment and how they handled them. In which ways can the "Faith for Rights" framework be of utility if such situations occur in future? Which commitments serve them in this vein and how? In particular, has there been a situation where participants had to intervene in defence of a person who had been disqualified – for example, subjected to *Takfir*? What type of discriminatory practice or incitement that are border-line *Takfir* are more likely to occur in the participants' surroundings? Are such practices limited to the inter-religious level or can they also occur in an intra-religious form in the country where participants live? Who are the different actors in their respective areas and how can they do better to ensure respect for diversity? Provide examples of the positive or negative role played by the media, including social media, in this respect. (Collective exercise for 15 minutes.)

Exploring: How can discrimination against those who hold dissenting views be redressed through religious values? What are the measures suggested in the Amman Message and A Common Word? What should be the reaction of a religious leader if someone's religion or belief is disqualified in a manner that would expose him or her to violence in the name of religion? How do national laws and constitutions deal with *Takfir*, for example article 6 of the Tunisian Constitution? (General discussion for 15 minutes.)

[181] See Article 19 of the International Covenant on Civil and Political Rights: "(1) Everyone shall have the right to hold opinions without interference. (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. (3) The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (*ordre public*), or of public health or morals."

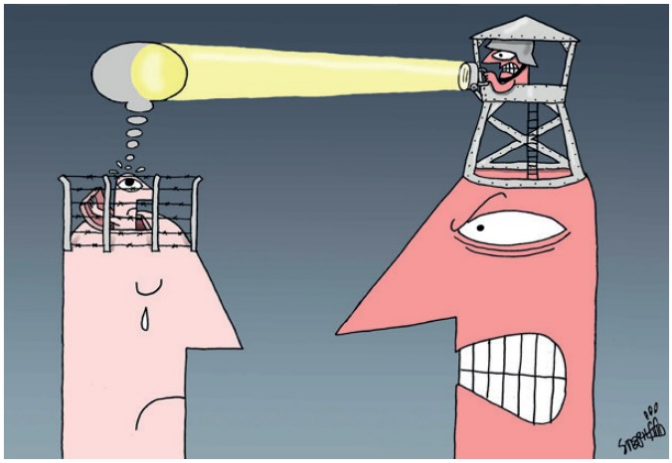
Tweeting: Summarize the commitment IX within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to condemn any judgemental determination that disqualifies the religion or belief of another individual or community, exposing them to violence in the name of religion*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Adding faith quotes: Participants will suggest additional religious or belief-based quotes in support of commitment IX (individual exercise for five minutes, followed by a reading from each participant of his added references). One example could be the following quote from Mother Teresa: "*If you judge people, you have no time to love them.*"

Responding to pandemics: With regard to HIV, the facilitator may also refer to the personal commitment to action, **Together We Must Do More** (2010 High Level Summit of Religious Leaders on HIV), signed by a number of faith leaders: "*As a religious leader, I am convinced that my faith must be more visible and active to halt the spread of HIV and reverse this pandemic. For three decades now, HIV has continued to spread across all levels of our societies. Stigma and discrimination against people living with HIV continues to fuel ignorance, injustice, denial and hate. At this critical point in the epidemic, I need to be clear in my words and actions that stigma and discrimination towards people living with or affected by HIV is unacceptable. Fundamental to my faith is the respect for human dignity and the value of human life. Such respect and value is central to my response to HIV.*"[182]

Inspiring: Participants underline artistic expressions they know of that capture aspects of the commitment under discussion. A possible selection of artistic resources for consideration by facilitators could include paintings and music pieces dedicated to wars of religions which were initiated on the basis of *Takfir*.
In addition, please find here the example of a cartoon[183], music[184] and calligraphy[185].





Learning objectives

- Participants are reminded through this module that the freedom of conscience is an absolute freedom without any limitation whatsoever.
- Participants realize the potential risks involved in making sweeping statements related to apostasy and blasphemy and they become more conscious of the avoidable risks of judging someone's faith.
- Participants realize their constant challenge to distinguish between preaching, coercing and judging others.

[182] http://www.hivcommitment.net/index7193.html?page_id=39
[183] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[184] https://www.soundcloud.com/faith4rights/commitment9
[185] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf

Module 10: Instrumentalization

Full text of commitment X:

*We pledge not to give credence to exclusionary interpretations claiming religious grounds in a manner that would **instrumentalize religions, beliefs or their followers** to incite hatred and violence, for example for electoral purposes or political gains.*

Context

Since their earliest beginnings in human history, religious and political powers have competed for influence. It took centuries of tensions and wars to define their boundaries and modes of interaction. Yet, multi-faceted ambiguities and overlap between religion and politics persist. The modern-day separation of the state and religious authorities does not equally apply across the globe. The overarching question that this module addresses is how to avoid the manipulation of religion in public discourse for political gain or electoral purposes, in a manner that leads to exclusion, discrimination, incitement to violence or any other human rights violations.

Additional supporting documents

In support of the peer-to-peer learning module on commitment X, the training file could include the text of the statement by High Commissioner Michelle Bachelet at the **Global Summit on Religion, Peace and Security** (April 2019): "*Human rights are closely connected to religion, security and peace. Religious leaders play a crucial role in either defending human rights, peace and security – or, unfortunately, in undermining them. Supporting the positive contributions of faith-based actors is crucial, as is preventing the exploitation of religious faith as a tool in conflicts, or as interpreted to deny people's rights. Human rights and faith can be mutually supportive. Indeed, many people of faith have worked at the heart of the human rights movement, precisely because of their deep attachment to respect for human dignity, human equality, and justice. I am convinced that faith-based actors can promote trust and respect between communities. And I am committed to assisting governments, religious authorities and civil society actors to work jointly to uphold human dignity and equality for all. In recent years, my Office has been working with faith-based actors to conceive the 'Faith for Rights' framework. Its 18 commitments reach out to people of different religions and beliefs in all regions of the world, to promote a common, action-oriented platform. The 'Faith for Rights' framework includes a commitment not to tolerate exclusionary interpretations, which instrumentalize religions, beliefs or their followers for electoral purposes or political gains. In this context, it is vital to protect religious minorities, refugees and migrants, particularly where they have been targeted by incitement to hatred and violence*."[186]



[186] https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24531&LangID=E



Unpacking: Participants break down commitment X into different elements. Facilitators will bear in mind that this commitment is among the most complex ones as it touches upon the question of "religions in politics" and the "politics of religions". Defining manipulation and instrumentalization while respecting freedom of expression is not an easy task – especially when manipulators are smart, which is usually the case. This means that both facilitators and participants have a higher potential to flesh out and even reshape this commitment in many different directions, in light of their own experiences. Commitment X is also heavily contextual. Facilitators therefore have a large room to animate, through this commitment, a discussion that is targeted and tailored to national and local realities. Once again, not all issues can be resolved. However, identifying the subtleties of certain issues, like the one under consideration, creates needed awareness and stimulates cautious reflection by faith actors as to how to pre-empt the expected manipulation of their faith and moral weight for political purposes. (Individual exercise for five minutes, followed by ten minutes of a full group discussion on the differences between individual listings.)

Linking the dots: Discussing the relationships between the components of commitment X could require facilitators to join various dots. These may include: religions in conflict; religious wars in history and their possible residual impact; and the importance of objective research to establish historical facts whose distortion may fuel contemporary conflicts. Again, such problems need to be highlighted but their resolution is not the aim of the discussion. This collective exercise may take more time than the facilitators have planned for, so they should manage the time well by trying to reach a better understanding of the components rather than to agree on conclusions that are unlikely to be reached. The target is to normalize discussion of such taboo matters.

Critical thinking: A critical discussion on the relationship between these elements can stimulate eye-opening discussions. How do participants experience and navigate the "mine field" of religion and politics in their respective environments? Where to draw the line between their needed social involvement as engaged faith actors and the poisonous political manipulation of religious actors? What criteria do participants suggest in this respect, knowing that this objective difficulty explains why commitment X is rather brief and does not even try to define "instrumentalizing religions, beliefs or their followers", leaving it to a case-by-case assessment made by practitioners themselves? Are there any other examples other than "for electoral purposes or political gain"? Do participants think there are missing elements in commitment X? How can their mere awareness of this risk help faith actors to reduce its chances of recurrence? (Collective exercise for 20-30 minutes.)

Storytelling: Participants are invited to share situations that they have experienced pertaining to this commitment and the way they handled them. In particular, was there a situation where participants were involved in public political debates or had to intervene in a political context? Participants can also share examples from their respective environments of the positive or negative role played by the media in this respect. (Collective exercise for 15-30 minutes.)

In the context of political instrumentalization, the facilitator could also refer to the following example raised by **Special Rapporteur Ahmed Shaheed** in his 2019 report: "*Basuki Tjahaja Purnama, an ethnic Chinese Christian, serving as the Governor of Jakarta, was a candidate in the gubernatorial elections scheduled for 2017. He referred to a Qur'anic verse in a speech he made during his gubernatorial election campaign. Some groups objected to the reference, as posted online in a video, which seemed to have been edited to omit a word, which led to a misinterpretation of his speech. Some organizations reported Purnama to the police and accused him of having committed blasphemy. Purnama publicly apologized and clarified that it had not been his intention to offend. Nonetheless, a fatwa was subsequently issued and during large-scale protests, rally leaders reportedly made statements which incited hatred and intolerance. These protests were claimed to be politically motivated to defeat Purnama in the gubernatorial election. Although Purnama's defence team presented evidence of various procedural errors in the police investigation, the*

court denied their motion to dismiss the case. On 9 May 2017, Purnama was found guilty of blasphemy and of inciting violence by the North Jakarta District Court, and he was sentenced to two years in prison. On 24 January 2019, he was released three and a half months early under the remission laws of Indonesia, which grant prisoners leniency on public holidays and for good behaviour."[187]

Tweeting: Summarize commitment X within 140 characters (🕘individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit not to tolerate exclusionary interpretations on religious grounds which instrumentalize religions, beliefs or their followers for electoral purposes or political gain*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Exploring: The type of questions suited to commitment X for the use of facilitators may include: Why is instrumentalization of religions wrong? Why did this phenomenon start very early in the history of religions? Can it be redressed? How? Is there a normative gap in this area, or is it more about policies rather than laws? What should the reaction of a religious leader be when religions, beliefs or their followers are instrumentalized for electoral purposes or political gain? (🕘General discussion for 15 minutes.)

Adding faith quotes: Participants suggest additional faith-based quotes in support of commitment X (🕘individual exercise for five minutes, followed by a reading from each participant of his added reference).

Inspiring: Participants may share artistic expressions that they know of and which capture aspects of the commitment under discussion.

In addition, please find here the example of a cartoon[188] and calligraphy[189] as well as music[190].





Learning objectives

- Participants appreciate their responsibilities towards diversity and pluralism in their respective societies.
- Participants realize the importance of their intellectual integrity and autonomy from political parties and actors. They become aware of the possibility of being manipulated in political quarrels and the polarization and discrimination to which this could lead.
- Participants remain socially engaged and entitled to their views in public debates. However, they become more clear-minded and self-restrained in drawing a distinction between their public responsibilities as faith leaders and their personal views as an individual citizen.

[187] https://undocs.org/A/HRC/40/58, para. 40. See also the panel discussion during the International Conference on Islam and Human Rights, held in Jakarta on 10 December 2021 (https://youtu.be/mAGtN6aN2so?t=3451) as well as the Gerakan Pemuda Ansor Declaration on Humanitarian Islam, adopted at the international gathering of Ulama in Jombang on 21-22 May 2017.
[188] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[189] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[190] https://www.soundcloud.com/faith4rights/commitment10

Module 11: Critical voices

Full text of commitment XI

*We equally commit **not to oppress critical voices** and views on matters of religion or belief, however wrong or offensive they may be perceived, in the name of the "sanctity" of the subject matter and we urge States that still have anti-blasphemy or anti-apostasy laws to repeal them, since such laws have a stifling impact on the enjoyment of freedom of thought, conscience, religion or belief as well as on healthy dialogue and debate about religious issues.*

Context

Oppression of dissenting views also occurs among religious actors themselves. This shows, once more, the degree to which the freedom of conscience is not always respected. Freedom of expression applies equally to the religious sphere. Every person is entitled to his or her own views. This simple fact seems far from being the mainstream practice in the religious sphere. Even more dangerously, anti-apostasy and anti-blasphemy laws, most of which predate modern human rights norms and standards, are used against freedom of thought, conscience, religion, belief, opinion, expression and peaceful assembly of individuals on religious matters across regions and religions. Such laws are also often used to crush political opposition and various minorities.

Additional supporting documents

In support of the module on commitment XI, the training file should include UN Human Rights Committee **General Comment No. 34** of 2011 ("*Prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant, except in the specific circumstances envisaged in article 20, paragraph 2, of the Covenant. Such prohibitions must also comply with the strict requirements of article 19, paragraph 3, as well as such articles as 2, 5, 17, 18 and 26.*").[191] Furthermore, the **Rabat Plan of Action** notes that "*19. At the national level, blasphemy laws are counterproductive, since they may result in de facto censure of all inter-religious or belief and intra-religious or belief dialogue, debate and criticism, most of which could be constructive, healthy and needed. In addition, many blasphemy laws afford different levels of protection to different religions and have often proved to be applied in a discriminatory manner. There are numerous examples of persecution of religious minorities or dissenters, but also of atheists and non-theists, as a result of legislation on what constitutes religious offences or overzealous application of laws containing neutral language. Moreover, the right to freedom of religion or belief, as enshrined in relevant international legal standards, does not include the right to have a religion or a belief that is free from criticism or ridicule. […] 25. States that have blasphemy laws should repeal them, as such laws have a stifling impact on the enjoyment of freedom of religion or belief, and healthy dialogue and debate about religion.*"[192]

Furthermore, the 2019 report of the **Special Rapporteur on freedom of religion or belief**, Ahmed Shaheed, explores freedom of religion or belief and freedom of expression as two closely interrelated and mutually reinforcing rights: "*International law compels States to pursue a restrained approach in addressing tensions between freedom of expression and freedom of religion or belief. Such an approach must rely on criteria for limitations which recognize the rights of all persons to the freedoms of expression and manifestation of religion or belief, regardless of the critical nature of the opinion, idea, doctrine or belief or whether that expression shocks, offends or disturbs others, so long as it does not cross the threshold of advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence*."[193]

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[191] https://undocs.org/CCPR/C/GC/34, para. 48.

[192] https://undocs.org/A/HRC/22/17/Add.4, appendix, paras. 19 and 25. In 2019, Special Rapporteur Ahmed Shaheed acknowledged that "*several countries, including Norway, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and, most recently, Denmark, Malta, Ireland and Canada have repealed anti-blasphemy laws*" (https://undocs.org/A/HRC/40/58, para. 23).

[193] https://undocs.org/A/HRC/40/58, para. 55. The Special Rapporteur stated in 2021 that "criticism of the ideas, leaders, symbols or practices of Islam is not Islamophobic per se; unless it is accompanied by hatred or bias towards Muslims in general". See also https://www.ohchr.org/en/press-releases/2023/03/use-human-rights-frameworks-promote-freedoms-religion-belief-and-expression.

The **Special Rapporteur on freedom of opinion and expression**, David Kaye, stressed in his 2019 report the following: "*Some restrictions are specifically disfavoured under international human rights standards. As a first example, the Human Rights Committee noted that "prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant", except in cases in which blasphemy also may be defined as advocacy of religious hatred that constitutes incitement of one of the required sorts. To be clear, anti-blasphemy laws fail to meet the legitimacy condition of article 19 (3) of the Covenant, given that article 19 protects individuals and their right to freedom of expression and opinion; neither article 19 (3) nor article 18 of the Covenant protect ideas or beliefs from ridicule, abuse, criticism or other "attacks" seen as offensive. Several human rights mechanisms have affirmed the call to repeal blasphemy laws because of the risk they pose to debate over religious ideas and the role that such laws play in enabling Governments to show preference for the ideas of one religion over those of other religions, beliefs or non-belief systems*".[194]

In 2013, the **Special Rapporteur in the field of cultural rights**, Farida Shaheed, noted that "*Restrictions on artistic freedoms based on religious arguments range from urging the faithful not to partake in various forms of artistic expression to outright bans on music, images and books. Artists have been accused of "blasphemy" or "religious defamation", insulting "religious feelings" or inciting "religious hatred". Artistic activities or artworks concerned include those quoting sacred texts, using religious symbols or figures, questioning religion or the sacred, proposing an unorthodox or non-mainstream interpretation of symbols and texts, adopting a conduct deemed not to follow religious precepts, addressing abuse of power by religious leaders or their linkage with political parties or criticizing religious extremism. The Special Rapporteur recalls that "prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with [ICCPR], except in the specific circumstances envisaged in article 20, paragraph 2, of the Covenant." Blasphemy laws have a stifling impact on the enjoyment of freedom of religion or belief and impede a healthy dialogue and debate about religion*.[footnote referring to Rabat Plan of Action]"[195] Several Special Rapporteurs also stressed that "*Music is not a crime*" in their 2020 press release urging Nigeria to overturn the death sentence given to a singer who had shared a song on WhatsApp.[196]



Peer-to-peer learning exercises

Unpacking: Participants break down commitment XI into different elements. They list corresponding action points and which actors should be responsible for implementing them. (Individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings.)

Linking the dots: Participants may discuss the relationship between these elements and responsibilities, starting with the underlying formulation in paragraphs 19 and 25 of the Rabat Plan of Action, as quoted above in the additional documents (collective exercise for ten minutes). The key dots that require linking through discussions on commitment XI include: anti-blasphemy laws versus freedom of expression, do religions need "protection", and can domestic anti-apostasy laws be in compliance with freedom of thought, conscience, religion and belief? Commitment XI is at the heart of the "Faith for Rights" framework. It is essential for the fulfilment of all other 17 commitments. Its relations to other commitments are analogous to that linking freedom of expression to all other human rights.

Critical thinking: The facilitator may ask participants if they disagree with any of the elements. Can any of them stand alone? Are there missing elements in commitment XI? Are there examples of religious texts which call for punishing blasphemy and apostasy? Is there an established definition and a threshold of blasphemy, if ever defined? Are there religious texts that require believers to "defend" their religion? Related to this point, the facilitator could critically discuss with participants the penultimate paragraph of the **Marrakesh Declaration**, which calls "*upon representatives of the various religions, sects and denominations to confront all forms of religious bigotry, villification, and denegration [sic] of what people hold sacred […]*".[197]

[194] https://undocs.org/A/74/486, para. 21.
[195] https://undocs.org/A/HRC/23/34, paras. 47-48.
[196] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26302&LangID=E
[197] http://www.marrakeshdeclaration.org/files/Bismilah-2-ENG.pdf

Furthermore, the **Cairo Declaration of the Organization of Islamic Cooperation on Human Rights**[198] (as revised in 2020) provides in its article 21 that "*freedom of expression should not be used for denigration of religions and prophets or to violate the sanctities of religious symbols*". Questions for the facilitator to animate a discussion on this point could also include whether religions or religious symbols need human protection. Against what? How can one distinguish "denigration" from criticism, regardless of its possible lack of sensitivity? Should a believer be offended because somebody does not share and even criticizes his or her belief? Would this be compatible with commitment I on the absolute freedom of conscience?

In this regard, the facilitator could also quote the 2019 report of **Special Rapporteur Ahmed Shaheed**: "*Some anti-blasphemy laws no longer claim to protect religions per se but claim to protect individuals from offence to their religious feelings. These laws against the defamation of religion, however, also have no basis in international law, as such restrictions do not comply with the limitations regime established by international law.*"[199] Furthermore, in March 2021, **five Special Rapporteurs** criticized article 21 of the revised Cairo Declaration, stressing that "*States must not revive the dangerous notion of 'defamation of religions'*" and that "*the **Special Rapporteur on freedom of religion or belief** has emphasised in his most recent report to the Human Rights Council that criticism of the ideas, religious leaders, symbols or practices should not be prohibited or criminally sanctioned. In another report to the General Assembly, the **Special Rapporteur on freedom of opinion and expression** reiterated the **Human Rights Committee**'s jurisprudence that this right does embrace expressions that may be regarded as deeply offensive, such as blasphemy.*"[200] (Collective exercise for 20 -30 minutes.)

Storytelling: Participants comment on situations that have happened to them personally or that they have witnessed pertaining to this commitment and how they handled them. "Blasphemy" and "apostasy" are not only legal notions but may occur in daily life. In particular, has there been a situation where participants had to intervene in defence of a person who had been accused of blasphemy or apostasy? What type of social reactions are more likely to occur in the participants' surroundings when there are public instances of blasphemy or apostasy? Provide examples of the positive or negative role played by the media in this respect. (Collective exercise for 15 minutes.)

The facilitator could also refer to the following quote from Andrew Copson, **President of Humanists International**, who stressed that anti-apostasy and anti-blasphemy laws "*remain one of the most egregious forms of legal discrimination against the non-religious, as well as other religion or belief minorities, in that they are used most often against members of religion or belief groups outside the mainstream of a country. The 'blasphemy' cases that most often hit the headlines include artists and writers, protesters and activists, who through their creative or social work cause 'offence' to a mainstream religion. Sometimes the offence as such is somewhat intentional, as when a novelist plays with the bounds of faith, or an artist depicts some aspect of faith or criticism in a novel, or satirical mode. Other times, 'blasphemy' laws and taboos are used to intimidate or prosecute people who express dissent against some aspect of mainstream religion, whether from 'inside' or 'outside' the tradition. This can mean that criticism of particular beliefs, practices, leaders or institutions is made taboo, even when there is a clear moral case for debate, criticism, reform or justice.*"[201]

Tweeting: Summarize commitment XI within 140 characters (individual exercise for five minutes). One possible result could be as follows: "*We commit not to oppress critical voices on religious matters in the name of 'sanctity', and to advocate for repealing any anti-blasphemy and anti-apostasy laws*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

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[198] https://oic-iphrc.org/ckfinder/userfiles/files/FINAL%20OHRD%20CLEAN%20%20VERSION%2024_12_2020.pdf
[199] https://undocs.org/A/HRC/40/58, para. 56.
[200] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26937&LangID=E
[201] https://fot.humanists.international/preface/#Preface_to_the_2019_edition

Simulating: Simulation of an adversarial debate leading to an arbitration on a case related to anti-blasphemy and anti-apostasy laws. This collective exercise would require a length of time ranging from an hour up to a full day. This depends on the complexity of the **case to debate** as designed by the facilitators.[202] Participants could be divided into three groups to simulate a moot court with applicants, respondents and judges.



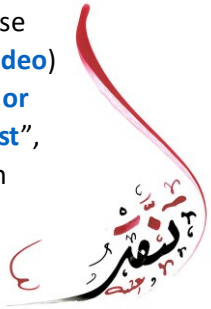
Adding faith quotes: Participants strengthen the faith roots of commitment XI by suggesting additional religious or belief-based quotes on the subject matter (🕘individual exercise for five minutes, followed by a reading from each participant of his added reference).

Inspiring: Participants underline artistic expressions they know of which capture aspects of commitment XI. Using artistic tools by faith actors could facilitate an important shift towards a constructive role of faith actors with respect to peace, development and human rights in their own local spheres; it is at that level that sustainable change should begin. One of the main sources of inspiration for facilitators in this respect can be found in the history of religious reforms and related artistic expressions.

Facilitators could also refer to the novel "**Children of Gebelawi**" by Nobel laureate Naguib Mahfouz[203] as an interesting example to illustrate that societies may ban a book for years before realizing that ideas cannot be banned. The controversy here centred on the question whether the main character of the novel, Gebelawi, is a figure of God or only a symbol of religion. In parallel with Gebelawi's mysterious character, the novel tells the stories of selected figures from society favoured by Gebelawi himself. For some conservatives these characters represented prophets; for others they were merely symbols of the religious values adopted by individuals and how they improved life around them by ensuring respect for these human values. This example shows that literature, like any other form of expression, can be understood in whichever way the recipient interprets it. Expression should be free, as long as it does not incite violence or discrimination or constitute a specific crime under laws that are compatible with international human rights obligations.

In addition, please find here the example of a cartoon[204] and calligraphy[205]. In May 2021, Freemuse and OHCHR also organized a webinar (**video**) on "**Speaking Truth to Power: Religious or Belief Minority Artists, Voice and Protest**", discussing cases where artists have been threatened by anti-blasphemy laws and other forces limiting civic space.[206]





Learning objectives

- Participants appreciate their responsibility to promote – not just tolerate – critical thinking on religious matters. They understand that diversity enriches religious thinking and strengthens societies in facing new challenges.
- Participants realize that new communication technologies naturally lend themselves to free exchanges. They understand the utility of acquiring inter-faith and inter-cultural competencies to manage the diversity of views in increasingly pluralistic societies with a free flow of views and information, both true and fake.
- Participants realize that new challenges facing our societies should encourage us to be better listeners and enrich our judgements with nuance. Not all questions have a yes-or-no answer, nor should they.

[202] See Annex for selected moot cases (notably scenario A and scenario H).
[203] https://dailynewsegypt.com/2016/01/06/children-of-the-alley-a-controversial-masterpiece/
[204] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[205] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[206] https://www.ohchr.org/Documents/Issues/Minorities/WebinarsCulturalDiversityMay2021.pdf; https://www.youtube.com/watch?v=JyXHNnFfVSo

Module 12: Inclusivity through education

Full text of commitment XII

*We commit to further **refine the curriculums, teaching materials and textbooks** wherever some religious interpretations, or the way they are presented, may give rise to the perception of condoning violence or discrimination. In this context, we pledge to promote respect for pluralism and diversity in the field of religion or belief as well as the right not to receive religious instruction that is inconsistent with one's conviction. We also commit to **defend the academic freedom and freedom of expression**, in line with Article 19 of the International Covenant on Civil and Political Rights, within the religious discourse in order to promote that religious thinking is capable of confronting new challenges as well as facilitating free and creative thinking. We commit to support efforts in the area of religious reforms in educational and institutional areas.*

- "The only possible basis for a sound morality is mutual tolerance and respect." (A.J. Ayer)

Context

Technological developments, as well as the economic, political and environmental challenges of our times, have huge repercussions for the type of education our children need and deserve. The religious education sphere is no exception, especially since faith actors are inherently educators. Their messages overlap with what children receive as education within their families and at school. An introspective critical look at the curricula of teaching religions is both necessary and beneficial. This would empower faith actors to play a constructive and balancing role with regard to the material and the spiritual ingredients of human development. Faith actors yield huge informal influence that shapes the attitudes of billions of believers. The human rights narrative, including its economic, social, cultural and environmental dimensions, offers an opportunity to enrich faith in an inter-disciplinary manner. Such enrichment of religious education curricula does not alter faith but rather enlarges its scope to embrace its full horizons. It is all about human dignity.

Additional supporting documents

In support of the peer-to-peer learning on commitment XII related to education, the training file should include the **Madrid Final Document of the International Consultative Conference on School Education in Relation to Freedom of Religion or Belief, Tolerance and Non-Discrimination**;[207] and the **Toledo Guiding Principles on Teaching About Religions or Beliefs in Public Schools**.[208] Furthermore, **Sustainable Development Goal 4** aims at "*ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all*".[209] In 2018, UNESCO and OSCE/ODIHR jointly published guidelines for policymakers on "**Addressing anti-semitism through education**".[210] The **UN Strategy and Plan of Action on Hate Speech** (2019) includes the key commitment that "*UN entities should take action in formal and informal education to implement SDG4, promote the values and skills of Global Citizenship Education, and enhance Media and Information Literacy.*"[211]

Furthermore, the **Special Rapporteur on the right to education**, Koumbou Boly Barry, noted the following in her 2019 report to the General Assembly: "*Religious education or the teaching of the history of religion can also be used to promote animus towards different religions, which can encourage hostility, contempt or hatred. For that reason, religious architecture is often demolished in a symbolic gesture. Religious education should rather focus on the comparative history of religions and thought systems and should emphasize their mutual influences throughout history in order to deconstruct manipulative discourses portraying religions,*

[207] See appendix of https://undocs.org/e/cn.4/2002/73
[208] https://www.osce.org/odihr/29154?download=true
[209] https://sustainabledevelopment.un.org/sdg4
[210] https://unesdoc.unesco.org/ark:/48223/pf0000263702
[211] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf

cosmogonies or worldviews as antagonistic and irreconcilable, thus laying the groundwork for conflicts and mass crimes. This would be a way to understand religions, cosmogonies and worldviews as common cultural heritage, still to be approached with informed and critical thinking, and not just a symbol of the 'enemy' that during conflict turns into a target."[212] The Special Rapporteur's **2021 report** also refers to the #Faith4Rights toolkit.[213]



Peer-to-peer learning exercises

Unpacking: Participants break down commitment XII into different components. They also identify corresponding action points and competent stakeholders for the implementation of these actions. The main goal is to stimulate action-oriented thinking, regardless of the actual feasibility of suggested action points (individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings).

Linking the dots: Just as indicated above with respect to commitment XI, commitment XII has a horizontal link with all other 17 commitments on "Faith for Rights". Each of these commitments is related to education in one way or another. This specific feature of the transversal nature of some commitments should be emphasized by facilitators so that participants give it due attention. This is of particular practical value given that the role of faith actors is inherently educative. It would also be useful to remind participants that the high level of intersectionality among the 18 commitments provides a concrete demonstration of the utility of a multidisciplinary approach by faith actors in fulfilling their important role within their respective spheres. This requires knowledge in many areas because, in numerous cases, faith actors are the main source of guidance to the public on substantive topics, not only limited to religion or beliefs as such. Reviewing the list of topics of *fatwas* by religious institutions in Muslim countries, for example, is quite revealing of the fact that ordinary people turn to religious sources on so many of the issues they confront in their daily lives and interactions.[214]

Critical thinking: When moderating a critical discussion on the relationship between these components, facilitators should stimulate participants to also extract the implicit requirements of the identified components of commitments under discussion. For example, commitment XII presupposes a distinction between formal religious education curricula and informal ones. "Who is responsible for what" is an important implicit question. How can faith actors develop a critical eye on the teaching materials they need to handle, either their own or from other sources? Or is this the responsibility of States alone? Do participants disagree with any of explicit and implicit components of commitment XII? Can any of these elements stand alone? Are there missing elements in that commitment? (Collective exercise for 20 minutes)

Tweeting: Summarize commitment XII within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to review the curriculums and teaching materials wherever some religious interpretations seem to encourage or tolerate violence or discrimination*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Storytelling: Participants share their reading of situations they have experienced or witnessed pertaining to this commitment and what they learned from it. In particular, was there a situation where teaching materials and textbooks included inciting or discriminatory content? Who are the different actors in their respective areas and how can they do better to ensure respect for non-discriminatory content of textbooks? Provide examples of the positive or negative role played by the media in this respect (collective exercise for 15-30 minutes).

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[212] https://undocs.org/A/74/243, para. 61.
[213] https://undocs.org/A/HRC/47/32, para. 24, footnote 20.
[214] https://en.wikipedia.org/wiki/Fatwa, see also http://www.dar-alifta.org/Foreign/Module.aspx?Name=aboutdar



The facilitator could also refer to the 2018 report of the **Independent International Fact-Finding Mission on Myanmar**: "*MaBaTha's doctrine, as suggested by the group's name ("Organization for the Protection of Race and Religion"), and as reflected in its publications, social media posts and public sermons, is based on the perceived need to protect, strengthen and spread Buddhism in Myanmar, and the assertion that Islam is in the process of overwhelming and marginalising Buddhism. Initially, MaBaTha focused on a more general anti-Muslim message. Its first major campaign was to propose the "Four Race and Religion Laws" and their passage into law. MaBaTha propaganda, however, has gradually shifted to a more specific anti-Rohingya and nationalist rhetoric, focusing on the "illegal Bengali" who are invading the country and thus represent a threat to national security. The MaBaTha rhetoric spread quickly through various channels. MaBaTha produced inflammatory videos, including an infamous re-enactment of the alleged rape and murder of Ma Thida Htwe in May 2012, one of the triggers of the 2012 violence in Rakhine State. These videos were distributed for free or at very low cost through pagodas, public sermons and other events. MaBaTha views were spread through schools, including monastic schools and Dhamma schools. The textbooks of the Dhamma schools for Grade 1 to 6 include sections warning against "improper associations" and "marrying the bad", and on the concept of "Buddhist countries". MaBaTha produced at least 10 different journals and magazines, published novels and nonfiction books, and spread messages through a variety of online platforms, including Facebook, YouTube, Twitter, blogs and websites. MaBaTha's doctrine has been spread in popular culture by a wide network of writers, singers, businesses and other public figures who publicly support MaBaTha and have promoted its messages of hate at public events."*[215]

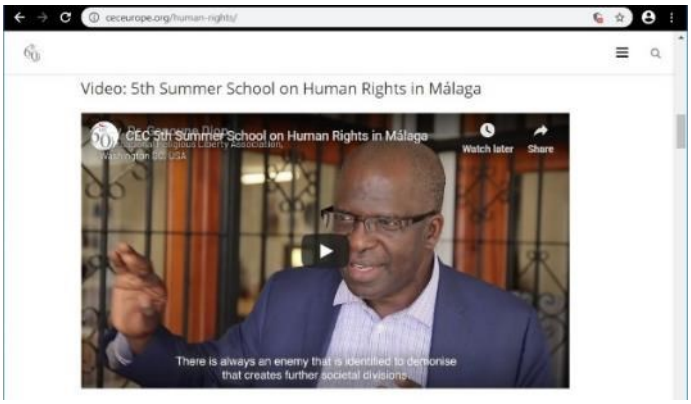
In July 2018, **former High Commissioner** Zeid Ra'ad Al Hussein called upon the Government of Myanmar "*to promote tolerance and peaceful coexistence in all sectors of society in accordance with Human Rights Council resolution 16/18 and the Rabat Plan of Action. In addition, the Beirut Declaration and its 18 commitments on 'Faith for Rights' can be useful to address advocacy of hatred that incites to violence, discrimination or hostility, particularly when it is conducted in the name of religion or belief.*"[216] In January 2020, **High Commissioner** Michelle Bachelet added that the *"#Faith4Rights toolkit, which translates this vision into 18 practical modules of peer-to-peer learning for faith actors, academic institutions and training experts, is a useful resource"*[217] with a view to empowering faith actors to optimize their impact as human rights defenders and to address incitement to hatred.

At an event in 2018 on the role of religious leaders and actors in Bangladesh, the **UN Special Adviser on the Prevention of Genocide**, Adama Dieng, stressed the importance of ensuring that Rohingya refugees are given opportunities to uplift themselves educationally and have access to livelihood opportunities in Bangladesh until they can return to Myanmar: "*Religious leaders can play a very important role by promoting messages of peace and tolerance and by fostering dialogue between the Rohingya refugees and host communities. The Bangladeshi people demonstrated very early on its solidarity towards the Rohingya people, providing them with shelter and support when they arrived. I hope the religious leaders and actors, as well as policy makers and civil society representatives present here today will continue to show this same humanity*".[218]

Exploring: How can the seeds of discrimination in teaching materials and textbooks be identified and redressed through religion? What should be the reaction of a religious leader concerning discriminatory content? What State role is explained in the **Madrid Final Document** and **Toledo Guiding Principles** (see above for references in the additional documents)? What are the rights of parents, legal guardians and children when it comes to religious instruction in public schools? From which age does a child attain

[215] https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/A_HRC_39_CRP.2.pdf, paras. 1321-1322.
[216] https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session38/Documents/A_HR_38_CRP.2.docx, para. 49.
[217] https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session43/Documents/A_HRC_43_18.DOCX, para. 39.
[218] https://reliefweb.int/report/bangladesh/promoting-peaceful-inclusive-and-sustainable-responses-rohingya-crisis

religious maturity, for example to decide if she or he would like to attend religious instruction or not? (🕘General discussion for 15-30 minutes)



The facilitator could also show a short video about the **Annual Summer School on Human Rights**, organized by the Conference of European Churches. The participants of the 2018 summer school in Málaga were invited to discuss about theology, freedom of religion or belief and populism. Discussions included the 18 commitments on "Faith for Rights" and focused on the role of religion in Europe in the context of increasing influence of populist politics.[219] The **2020 summer school**, which was held online, provided an overview of the #Faith4Rights toolkit and its COVID-19 related exercises.[220] Furthermore, the toolkit was presented at a webinar of the Norwegian Centre for Human Rights at the University of Oslo on "**Disentangling the relationship between religion and law**"[221] (June 2020) and the University of Oxford organized a **#Faith4Rights webinar on the mandate of the UN Special Rapporteur** on freedom of religion or belief (July 2020) with the current and previous mandate-holders (see video[222]).

Adding faith quotes: Participants suggest additional religious or belief-based quotes to commitment XII (🕘 individual exercise for five minutes, followed by a reading from each participant of his added reference).

Inspiring: Participants underline artistic expressions that they know of which capture aspects of the commitment under discussion.



Please also see the examples of a cartoon[223] and calligraphy[224] as well as music.[225]



Learning objectives

- Participants appreciate developments requiring the strengthening of their role as educators for new generations that differ immensely from their predecessors in terms of connectivity, diversity and creativity.
- Participants understand that to attract the younger generation they need to speak their language and that this requires dedicated attention to education materials and methodologies from a faith perspective.
- Participants assume their responsibility as defenders of everyone's freedom of conscience, which makes diversity part of faith.
- Participants understand that the freedom of religion or belief is a part of a larger indivisible architecture of human rights, all of which revolve around dignity, equality and freedom.

[219] https://www.ceceurope.org/human-rights/
[220] http://www.ceceurope.org/wp-content/uploads/2020/07/7th-SSHR-2020-Programme-FINAL.pdf
[221] https://www.jus.uio.no/english/research/areas/hr-conflicts/events/2020/disentangling-religion-and-law_program_280520.pdf
[222] https://ox.cloud.panopto.eu/Panopto/Pages/Viewer.aspx?id=8e8750a8-178e-4bdb-a596-abec00871ee7
[223] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[224] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[225] https://www.youtube.com/watch?v=avzj4ateKtc; https://www.soundcloud.com/faith4rights/commitment12

Module 13: Children and youth

Full text of commitment XIII

*We pledge to build on experiences and lessons learned in **engaging with children and youth,** who are either victims of or vulnerable to incitement to violence in the name of religion, in order to design methodologies and adapted tools and narratives to enable religious communities to deal with this phenomenon effectively, with particular attention to the important role of parents and families in detecting and addressing early signs of vulnerability of children and youth to violence in the name of religion.*

- "Don't let anyone look down on you because you are young, but set an example for the believers in speech, in conduct, in love, in faith and in purity." (1 Timothy 4:12)

Context

Children and youth are not only our future; they are also members of society in the present. Investment in improving their education today shapes humanity for generations to come. Today's children grow up faster than ever thanks to remarkable but also dangerous communications technologies that expose children to conflicting influences. If education neglects the needs of today's children and youth we all miss a great opportunity to build a better world where people do not only travel more but also better understand and learn from each other, even without such travel. Despite some perceptions of young people as potentially violent or prone to extremism, the majority of young people remain peaceful. Fears and assumptions about youth violence – or youth propensity to join extremist groups – fuel structural discrimination against young people, which leads to violation of their rights.[226] Children and youth should be empowered to shape the decisions that affect their lives through opportunities for meaningful participation in their communities and societies.

Additional supporting documents

In support of the peer-to-peer learning on commitment XIII, the training file should include: the **Secretary-General's Plan of Action to Prevent Violent Extremism** (2015);[227] the thematic reports on preventing violent extremism by the **High Commissioner** (2016) and the **Special Rapporteur on human rights and counter-terrorism** (2020);[228] the UNESCO guide for policy-makers on "**Preventing violent extremism through education**" (2017);[229] and the **United Nations Youth Strategy** (2018).[230] UN Security Council **resolutions 2250 (2015)** and **2419 (2018)** recognize the "important and positive role" that young people play in peacebuilding. Furthermore, in 2017, Adyan Foundation and the Institute of Education at University College London published a white paper "**For Interreligious Collaboration and Policy Making in Addressing Radicalization and Violent Extremism**".[231] In 2019, Arigatou International and UNICEF launched a multi-religious study on the Convention on the Rights of the Child, entitled "**Faith and Children's Rights**", which specifically refers to commitment XIII and other commitments on "Faith for Rights".[232]

Furthermore, the **UN Plan of Action to Safeguard Religious Sites** (2019) recommends that religious leaders "*Reach out within their own community to individuals or groups who can be prone to radicalization and possible recruitment by violent extremist groups and terrorist organizations; Engage with women and youth, in particular, to build strong counter-narratives to hatred and alienation; Promote education initiatives to highlight the role of religious sites in bringing people together, with particular stress on education activities at the local level involving youth and communities living around religious sites*."[233]

[226] See "The Missing Peace", https://www.youth4peace.info/system/files/2018-10/youth-web-english.pdf
[227] https://undocs.org/A/70/674
[228] https://undocs.org/A/HRC/33/29 and https://undocs.org/A/HRC/43/46
[229] https://unesdoc.unesco.org/ark:/48223/pf0000247764
[230] https://www.un.org/youthenvoy/wp-content/uploads/2018/09/18-00080_UN-Youth-Strategy_Web.pdf
[231] https://adyanfoundation.org/wp-content/uploads/2024/02/CVE-White-Paper-for-Interreligious-Collaboration-ENGLISH.pdf
[232] https://reliefweb.int/report/world/faith-and-children-s-rights-multi-religious-study-convention-rights-child, pp. 60-61 and 219.
[233] https://www.unaoc.org/wp-content/uploads/Plan-of-Action-to-Safeguard-Religious-Sites-11092019.pdf, p. 16.

Peer-to-peer learning exercises

Unpacking: Participants break down commitment XIII into different components. They identify relevant action points and corresponding responsibilities from the perspective of their own local environments. What needs to change and who should do it, in their view? What are their own responsibilities under this commitment in particular? (Individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings).

Linking the dots: Discuss the relationship between these elements and link them to commitments VII and XII (collective exercise for 10 minutes).

Tweeting: Summarize commitment XIII within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be: "*We commit to engage with children and youth against violence in the name of religion and to promote their active participation in decision-making*". The facilitator could also discuss children's freedom of religion or belief in relation to the digital environment, noting that the **Committee on the Rights of the Child** "*encourages States parties to introduce or update data protection regulation and design standards that identify, define and prohibit practices that manipulate or interfere with children's right to freedom of thought and belief in the digital environment, for example by emotional analytics or inference. Automated systems may be used to make inferences about a child's inner state. They should ensure that automated systems or information filtering systems are not used to affect or influence children's behaviour or emotions or to limit their opportunities or development.*"[234]

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. The idea is to stimulate discussion about the most important elements and appropriate ways of simplifying the message, without losing the substance of the commitment.

Critical thinking: A critical discussion on the relationship between these elements could include asking if participants disagree with any of them. Which of these elements is more likely to be influenced by faith actors? What is the difference between "preventing violent extremism" and "addressing violence in the name of religion"? Is violent youth extremism predictable? How? What are the different roles and responsibilities in this area? Does the family have the primary responsibility? Are schools, including in terms of religious education, well equipped to detect and pre-empt violent extremism of young people? What are the root causes of youth involvement in violent extremism and how can these be tackled? How can faith actors support young people's meaningful participation in decision-making and in society, as well as empower them within their communities? (Collective exercise for 20-30 minutes)

Storytelling: Participants share relevant situations they have witnessed pertaining to this commitment and what they learned from it. In particular, was there a situation where early signs of vulnerability of children and youth to violence in the name of religion were detected and addressed? Who are the different actors in their respective areas and how can they better address violence in the name of religion? Provide examples of the positive or negative role played by the media in this respect (collective exercise for 15 minutes). The facilitator could also refer to an article written in 2019 by **Nicola Benyahia**, the mother of an ISIL fighter who died in Syria.[235] See also the case for debate in the Annex (**scenario B**).



Short films may also be a powerful way of narrating stories that affect children. For example, the short film *Cinderella*, which was awarded at the **3By3 Film Festival in Baghdad**, is an Iraqi retelling of the classic children's story that highlights the plight of a girl who is orphaned by war and raised by her grandmother. The ten-year-old actor who played Cinderella addressed the Najaf Film Festival in April 2019 and explained: "*Acting the scenes of Cinderella was an extremely emotional experience for me because I lost my father in war. I strongly feel that loss. Actually, I was not acting. I was showing my real life.*"[236]

[234] https://undocs.org/CRC/C/GC/25 , para. 62.
[235] www.independent.co.uk/voices/shamima-begum-isis-uk-citizenship-revoked-bangladesh-syria-islamic-state-terror-a8789786.html
[236] https://standup4humanrights.org/en/2019/highlights_11.html

Exploring: How can violence in the name of religion be redressed through religious discourse? Should such narratives be preventive or remedial? Who can develop such narratives and how? What should be the reaction of a religious leader when facing grooming of youth and children by violent extremist groups? What tools are available to religious leaders within their respective spheres? Are these tools adapted to the mentality of the younger generation? Are faith actors sufficiently trained to use social media and internet resources? What external resources are available for faith actors to attract young people to their activities? (🕘 General discussion for 15-30 minutes.)

Adding faith quotes: Participants may suggest additional religious or belief quotes to commitment XIII (🕘 individual exercise for five minutes, followed by a reading from each participant of his or her added reference).

Inspiring: Participants underline artistic expressions that they know of which capture aspects of the commitment under discussion.



The facilitator may also refer to the database project "**Drawings of gods**", an interdisciplinary study by researchers at the Faculty of Theology and Religious Studies of the University of Lausanne.[237] The database includes more than 7,000 drawings by children depicting a god or other supernatural being, collected from eight countries in order to shed light on the strategies that children use to try to express through drawing how they perceive such a complex concept. A selection of these works was exhibited in the Palais des Nations in November 2019 by the Association "30 Years of Children's Rights".[238] This could inspire participants to replicate this exercise, using the 18 commitments on "Faith for Rights", within their own constituencies to involve youth and children in an attractive and human rights-based manner that also ensures their full participation. This shows the power of art and culture in conveying difficult concepts and empowering children and youth.

In addition, please find here the example of a cartoon[239] and calligraphy[240] as well as music[241].





Learning objectives

- Participants become more sensitive to both the vulnerability and the huge potential of children and youth as agents for change in their respective societies and owners of their future.
- Participants are convinced of the equally important role of children and youth compared with older generations.
- Participants accept that children and youth are not mere recipients but full actors in both their education process and social engagement.
- Participants are equipped with skills needed for engaging with children and youth through educational programmes and approaches.
- Participants understand the need to appeal to the younger generation and to analyse the approaches of violent extremist groups to pre-empt their influence on children and youth.

[237] https://ddd.unil.ch/index.php?langue=en
[238] https://childrightshub.org/en/conference-en/
[239] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[240] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[241] https://www.soundcloud.com/faith4rights/commitment13

Module 14: Impartiality

Full text of commitment XIV

We pledge to promote, within our respective spheres of influence, the imperative necessity of ensuring ***respect in all humanitarian assistance activities*** *of the Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes, especially that aid is given regardless of the recipients' creed and without adverse distinction of any kind and that aid will not be used to further a particular religious standpoint.*

Context

Faith-based organizations manage a huge volume of social and humanitarian work across the globe. There is an inherent risk that such humanitarian assistance is delivered in a discriminatory manner or implies coercion with a view to conversion. Neutrality should be the test and thrust of humanitarian action. Faith actors can of course continue caring for the poor and needy among their own communities. The essence of this module lies in enhancing our capacity to transcend the boundaries of ethnic, national or religious origins of millions of poor and needy across the world. Granting all of them equal attention would elevate us to embrace the heart of humanity that unites us.

Additional supporting documents

In support of the peer-to-peer learning on commitment XIV, the training file should include the **Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief**.[242]

Furthermore, the Special Rapporteur on freedom of religion or belief, Asma Jahangir, has focused in her **thematic** and **mission reports** on complaints of 'unethical conversions' by some NGOs with a religious agenda that work in development and humanitarian assistance.[243] The issue came to a climax during the crisis that immediately followed the tsunami in 2004, when a large number of foreign humanitarian NGOs arrived in Sri Lanka and some were claimed to have taken advantage of the disaster to promote their religion: "*The Special Rapporteur is of the opinion that these religious groups should make a clear separation between their humanitarian efforts and their religious work, respect other religious beliefs in their missionary activities and not use aggressive forms of proselytizing, as they could disturb the atmosphere of religious harmony and provoke further religious intolerance*."[244] In 2020, her successor **Ahmed Shaheed** noted the following in his mission report on Sri Lanka: "*Reported hostilities towards Jehovah's Witnesses, Evangelicals and Muslims appear to be grounded in the perception that religious conversions threaten established hegemonies or 'insult' the doctrines and beliefs of the dominant religion in a given area. Often, these religious conversions are allegedly claimed to be 'unethical' and involve the 'exploitation' of vulnerable persons. The common complaint of both the Bodu Bala Sena and Siva Senai is that Buddhists and Hindus are being converted to Christianity through insults to existing religious practices and material inducement by Western-funded non-governmental organisations in Sri Lanka. They assert that, during the course of the civil war, many such exploitative religious conversions took place in the conflict-affected Eastern and Northern Provinces in particular. However, in 2005, the former Special Rapporteur on freedom of religion or belief during her visit found that the allegations of 'unethical' conversions had rarely been precise and had largely been overestimated. She also criticized the attempts to criminalize acts that were aimed at converting someone to another religion as an inappropriate response to the religious tensions.*"[245]

[242] https://www.icrc.org/en/doc/assets/files/publications/icrc-002-1067.pdf
[243] https://undocs.org/A/61/340, paras. 55-61; and her Sri Lanka report https://undocs.org/E/CN.4/2006/5/Add.3, paras. 56-78.
[244] https://undocs.org/E/CN.4/2006/5/Add.3, para. 120.
[245] https://undocs.org/A/HRC/43/48/Add.2, paras. 33-34.

Peer-to-peer learning exercises

Unpacking: Participants break down commitment XIV into different components. They identify corresponding action points and stakeholders who should be responsible for their implementation. They also list areas of their possible contributions to this effect. (Individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings.)

Linking the dots: When discussing the relationship between these elements, the facilitator can refer to the history and functions of the major international organizations active in the area of humanitarian aid and relief and their historical connections with faith, including the International Committee of the Red Cross[246] and the International Federation of Red Cross and Red Crescent Societies[247] (collective exercise for ten minutes).

Critical thinking: A critical discussion on the relationship between these elements could start with the question if participants disagree with any of them? Should faith-based humanitarian aid be all inclusive or is it also possible that charity remains confined to one's own faith boundaries? What are the comparative consequences in societies for each of these options? Can both options be combined and how? Are there missing elements in that commitment? (Collective exercise for 20 minutes)

Tweeting: Summarize commitment XIV within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to ensure that humanitarian aid is given regardless of the recipients' creed and that aid will not be used to further a particular religious standpoint*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Storytelling: Participants share situations that occurred to them personally pertaining to this commitment and how they handled them. In particular, was there a situation where participants witnessed, while undertaking humanitarian assistance activities, aid being used to further a particular religious standpoint? Who are the different actors in their respective areas and how can they do better to ensure respect for the Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes? Provide examples of the positive or negative role played by the media in this respect? (Collective exercise for 15-30 minutes.)

With regard to complaints of 'unethical conversions', the facilitator may refer to the mission report on Sri Lanka by **Special Rapporteur Asma Jahangir**: "*After the tsunami, it was reported that in the east of the country many have converted for health reasons because medical assistance and supplies were brought in by Christian nongovernmental organizations and groups. However, a significant number converted back to their original religions later, which sometimes provoked negative reactions from the community. […] Members of the communities blamed for aggressive proselytism have categorically denied using any coercive methods. Most have also denied using unethical methods, but a few have argued that inducement is central to all beliefs, like the promise of reward for being pious and adhering to the tenets of one's belief. They claimed that there was inducement in all conversions like there was inducement in all political campaigns before elections, but ultimately the choice lies with every individual*."[248]

Exploring: How can a lack of neutrality be redressed through religion? What should be the reaction of a religious leader when facing a situation where aid is not given regardless of the recipient's creed? (General discussion for 15 minutes)

[246] https://www.icrc.org
[247] https://www.ifrc.org
[248] https://undocs.org/E/CN.4/2006/5/Add.3, paras. 45 and 47.

For further critical discussion, the facilitator may also refer to the Bishop of Truro's **Independent Review for the UK Foreign Secretary of Foreign and Commonwealth Office Support for Persecuted Christians** (2019), which notably recommends the following: "*The Foreign Secretary should request a FoRB-focussed discussion at a future full Cabinet meeting to consider, inter alia, the following: a. Where UK actions are delegated to international institutions/agencies (such as UNHCR) minority visibility among beneficiaries should be a priority. Humanitarian law mandating no 'adverse distinction' must not be used as a cover for making no distinctions at all and letting the majority community benefit disproportionately. […] In the light of the international observations identified in the course of this Independent Review regarding the negative consequences of the mantra of 'need not creed', active and urgent cross-governmental consideration must be given to rejecting this approach. The Foreign Secretary should reject the mantra in FCO foreign policy contexts entirely.*"[249]

The facilitator could read aloud this recommendation of the Bishop of Truro's Independent Review and ask participants to discuss possible implications. The facilitator may also reiterate the first three **Principles of Conduct** in Disaster Relief: (1) The humanitarian imperative comes first; (2) Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone; and (3) Aid will not be used to further a particular political or religious standpoint. The third principle explains the following concerning religions: "*Humanitarian aid will be given according to the need of individuals, families and communities. Notwithstanding the right of non-governmental humanitarian agencies to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.*"[250]

Adding faith quotes: Participants enrich the religious or belief quotes with additional suggestions that relate to commitment XIV (individual exercise for five minutes, followed by a reading from each participant of his added reference).

Inspiring: Participants may share artistic expressions they know of that capture aspects of the commitment under discussion. In addition, please find here the example of a cartoon,[251] music[252] and calligraphy[253].





Learning objectives

- Participants appreciate the correlation between human dignity for all and cohesive societies everywhere. Privileging some is dividing all.
- Regardless of religion or belief, any humanitarian aid should be calculated on the basis of need alone and not be given to further a particular religious standpoint.
- Participants realize the value of partnerships, or at least synergies, among various faith-based organizations in achieving their common social aid, empowerment and humanitarian goals on the ground.

[249] https://christianpersecutionreview.org.uk/storage/2019/07/final-report-and-recommendations.pdf, pp. 132-133.
[250] https://www.icrc.org/en/doc/assets/files/publications/icrc-002-1067.pdf
[251] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[252] https://www.soundcloud.com/faith4rights/commitment14
[253] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf

Module 15: Non-coercion

Full text of commitment XV

*We pledge **neither to coerce people nor to exploit persons in vulnerable situations** into converting from their religion or belief, while fully respecting everyone's freedom to have, adopt or change a religion or belief and the right to manifest it through teaching, practice, worship and observance, either individually or in community with others and in public or private.*

Context

The question of the limits of preaching and missionary activities is a delicate one that often generates societal tension. Modern communication technologies add challenges to the practice of this principal function of faith actors. In countries with a history of religion-related conflicts, even future generations often remain hostages of past divides. At the same time, the individual's right to change his or her religion is part of the absolute freedom of conscience and needs to be protected as such.

Additional supporting documents

In support of the peer-to-peer learning on commitment XV, the training file should include: the UN Human Rights Committee **General Comment No. 22** of 1993,[254] and the 2012 report of the **Special Rapporteur on freedom of religion or belief**, focusing on (a) the right to conversion, in the sense of changing one's own religion or belief; (b) the right not to be forced to convert; (c) the right to try to convert others by means of non-coercive persuasion; and (d) the rights of the child and of his or her parents in this regard: "*29. The Special Rapporteur notes that some religious communities, interfaith organizations and non-governmental organizations have developed voluntary ethical guidelines or voluntary codes of conduct on how to undertake and not to undertake missionary activities.*[255] *Those subscribing to such guidelines commit to respecting ethical principles, such as avoiding negative stereotypes, showing sensitivity for different cultural contexts and not linking charity work or humanitarian aid to expectations of conversion. While appreciating the significance of such ethical guidelines, which can have a beneficial effect on interreligious communication and cooperation, the Special Rapporteur emphasizes that they should be respected as voluntary and cannot be enforced by States. Moreover, reference to such voluntary guidelines or codes of conduct must not become a pretext for States to circumvent the criteria set out in article 18 (3) of the ICCPR when imposing limitations on the right to try to convert others by means of non-coercive persuasion. […] 72. With regard to non-State actors, the Special Rapporteur recommends that: (a) Civil society organizations working on human rights should pay attention to the particularly vulnerable situation of converts and members of religious or belief minorities at risk of being forced to convert or reconvert against their will. They should develop strategies to empower such people based on the understanding that conversion constitutes an inextricable part of freedom of religion or belief; (b) Public and private media should provide fair and accurate information about converts and persons or groups engaged in non-coercive missionary activities with a view to overcoming negative stereotypes and prejudices. Self-regulation mechanisms within the media can play an important role in this regard; (c) Religious leaders and opinion formers should become aware and acknowledge that not only is conversion to their own religion or belief protected, but that any decision to replace one's current religion or belief with a different one or to adopt atheistic views is equally protected; (d) Religious communities, interfaith groups and civil society and development aid organizations are encouraged to address issues of conversion and missionary activities in voluntary codes of conduct. They should use this as an opportunity to also promote more respectful attitudes towards converts and persons engaged in non-coercive missionary activities.*"[256]

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[254] https://www.refworld.org/docid/453883fb22.html

[255] http://www.vatican.va/roman_curia/pontifical_councils/interelg/documents/christian_witness_in_multi-religious_world_english.pdf; https://www.osce.org/odihr/13993; http://starttheweek.typepad.com/stw/files/08_06_06_oslo_coaliton_cod...doc; https://www.icrc.org/en/doc/assets/files/publications/icrc-002-1067.pdf

[256] https://undocs.org/A/67/303, paras. 29 and 72.

Peer-to-peer learning exercises

Unpacking: Participants break down commitment XV into different elements and identify relevant action points, including their own. (Individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings.)

Linking the dots: Discuss the relationship between these elements and link them to commitments I (on freedom of conscience), XII (on teaching materials) and XIV (on humanitarian aid). The main idea of this exercise is to understand the inter-relatedness of the various commitments. (Collective exercise for ten minutes.)

Critical thinking: A critical discussion of the elements of commitment XV could start with the question if participants disagree with any of them? Is there a contradiction between the right to preach a religion and the obligation of non-coercion? What is the difference between persuasion and coercion? Can coercion be tacit or hidden in a context of personal vulnerability? How to define vulnerability? Is it only material or can it be moral, too? Are there missing elements in commitment XV? (Collective exercise for 20 minutes.)

Tweeting: Summarize commitment XV within 140 characters to sharpen the skills of conciseness and clear communication (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit not to coerce people in vulnerable situations into converting from their religion or belief, while fully respecting everyone's freedom to have, adopt or change a religion or belief*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Storytelling: Participants share information about situations they witnessed related to this commitment and how they handled them. In particular, was there a situation where participants witnessed coercion of people to change their religion? Who are the different actors in their respective areas and how can they do better to ensure respect for the principle of non-coercion? Who should decide whether a conversion is voluntary or coerced? (Collective exercise for 15 minutes.)

In the context of forced conversion, the facilitator could also refer to a concrete case taken up in the **joint urgent appeal** issued by several Special Rapporteurs in 2015: "*According to the information received, up to 2,500 members of the Yezidi minority community, who are being held by the so-called Islamic State (ISIL) in the territory of Tal Afar in Iraq's Nineveh province, have been forced to convert to Islam. Older girls and young women have allegedly been sold to, abused, sexually exploited and enslaved by ISIL fighters. On 26 April 2015, ISIL troops moved the 2,500 captive members of the Yezidi minority community to a school in Tal Afar. Subsequently, up to 700 men and teenage boys were reportedly separated from the rest of the group and moved to the village of Jino near Tal Afar. Furthermore, girls of a young age were reportedly also separated from the rest of the group. On 27 April 2015, up to 400 Yezidi men, from the above-mentioned group, were executed in an unknown location in Ayathiya and/or Zummar sub-districts. The remaining women and children are allegedly to be moved to Syria.*"[257]

The facilitator may also show the video **interview with Nadia Murad**, a Nobel Peace Prize winner and Goodwill Ambassador for the Dignity of Survivors of Human Trafficking at the UN Office on Drugs and Crime.[258] In 2014 she was captured by ISIL fighters and held as a slave for several months before managing to escape. She eventually made it to a refugee camp and then to Germany. She campaigns tirelessly, telling her story to the world to gain support for Yazidi survivors and to defend the rights of marginalized ethnic and religious minorities.



[257] https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=22468
[258] https://www.standup4humanrights.org/en/hr-champions-nmurad.html

Exploring: How can both the right not to be forced to convert and the right to try to preach and even try to persuade others by non-coercive means, be respected? How can the rights of the child and of his or her parents with regard to conversion be reconciled when, for example, the parents want to convert but not the child (or vice versa)? How does this delicate balance present itself in the case of difference of religion between husband and wife? What should be the result for children? Are marriages among people of different religions possible in the participant's environments? Do such marriages raise issues of coercion to conversion within families? Is there a role for faith actors in such an eventuality or would they claim it to be a "family issue"? (🕘General discussion for 15-30 minutes.)

Adding faith quotes: Participants enrich the religious or belief quotes in support of commitment XV. Participants may also be asked to identify quotes that could be misunderstood or that have been used to justify coercion in faith or territorial expansion in the name of religion. Again, facilitators should be cautious that the discussions are not derailed by theological or political controversies. The aim is just to show how delicate the balance can be, in specific grey zones, between freedoms of thought, conscience, religion, belief, opinion and expression. A key positive takeaway from such discussion is that religions historically played an identity function comparable to that of nationality in modern times. Human development reached a level of progress whereby religions and beliefs maintain their full value but equal rights are not dependent on religious affiliation. (🕘Individual exercise for five minutes, followed by a reading from each participant of his or her added reference.)

Inspiring: Participants share artistic expressions they know of that capture aspects of the commitment under discussion.

In addition, please find here the example of a cartoon[259] and calligraphy[260] as well as music[261].





Learning objectives

- Participants, similarly to module 7, become aware of the thin line between providing charity to the needy and exploiting their vulnerability to influence their beliefs.
- Participants become more willing to question their inherited practices and think more sensitively about how to approach situations of vulnerability.
- Participants recognize the right to change one's own religion or belief; the right not to be forced to convert; and the right to try – without coercion – to persuade others.

[259] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[260] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[261] https://www.soundcloud.com/faith4rights/commitment15 and https://www.youtube.com/watch?v=84mqLVUtCcQ

Module 16: Ethical and spiritual leverage

Full text of commitment XVI

*We commit to **leverage the spiritual and moral weight of religions and beliefs** with the aim of strengthening the protection of universal human rights and developing preventative strategies that we adapt to our local contexts, benefitting from the potential support of relevant United Nations entities.*

- "Love your neighbour as yourself. There is no commandment greater than these" (Mark 12, 31)

- "But love your enemies, do good to them and lend to them without expecting to get anything back. Then your reward will be great" (Luke 6, 35)

- "The God-conscious being is always unstained, like the sun, which gives its comfort and warmth to all. The God-conscious being looks upon all alike, like the wind, which blows equally upon the king and the poor beggar." (Guru Granth Sahib p. 272)

- "The religion of God and His divine law are the most potent instruments and the surest of all means for the dawning of the light of unity amongst men. The progress of the world, the development of nations, the tranquility of peoples, and the peace of all who dwell on earth are among the principles and ordinances of God."(Baha'u'llah)

Context

As much as religions are often manipulated in conflict situations, faith actors are powerful agents of peace-building and reconciliation in post-conflict situations. They are certainly best placed to prevent or counter such manipulation in the name of their own religion or belief. Universal values are a common heritage of humanity. This fact can and should be used by faith actors in particular to reconcile divided communities. Faith actors, like any other human rights defenders, are among the custodians of shared values among all religions and beliefs – be they theistic, non-theistic, atheistic or other. Optimizing this custodianship through concrete social engagement is not a deviation from the role of faith actors. It rather lies at its heart and demonstrates its sincerity.

Additional supporting documents

In support of the peer-to-peer learning on commitment XVI, the training file could include the 2019 **Declaration of the 10th World Assembly of Religions for Peace**: "*To our commitment to the importance of human rights, we add our foundational concern for the cultivation of virtues, those habitual orientations to value that sculpt our human potentials. These include our potentials for the most elevated states of mercy, compassion, and love. For us, the labor to become virtuous is not a solitary act; rather, it is an act of "solidarity;" one that can only be achieved by generosity and mutual love. The cultivation of virtue tackles the ignorance, individual egoism, and group egoism that mutilate authentic community. Shared well-being also calls for a robust notion of the "common good" that can serve all of us in our efforts to virtuously unfold our rights-protected human dignity. The supreme good for us is the sacred, even as we understand it differently. The common good includes the earth with its air, water, soil, and web of life. The common good also includes just institutions that help each to develop her or his human dignity. These call all of us to a shared and grateful responsibility. Each person is to draw from the common good; each is to help build it up. Advancing shared well-being is concrete. We commit to advancing shared well-being by preventing and transforming violent conflicts, promoting just and harmonious societies, nurturing sustainable and integral human development, and protecting the earth."*[262]

[262] https://www.rfp.org/declaration-of-the-10th-world-assembly-of-religions-for-peace%EF%BB%BF/

In "**The Promise of World Peace**", the Universal House of Justice (the international governing council of the Bahá'í Faith) addressed a message to the peoples of the world, inviting them to consider that a new social order can be fostered by all peoples' seeing themselves as members of one universal family: "*For the first time in history it is possible for everyone to view the entire planet, with all its myriad diversified peoples, in one perspective. World peace is not only possible but inevitable.*"[263]

In addition, the "**Churches' Commitments to Children**" (published by the World Council of Churches in 2017) calls for raising church voices for intergenerational climate justice, supporting initiatives for and with children and adolescents.[264] Furthermore, the **Interfaith Rainforest Initiative** brings the commitment, influence and moral authority of religions to efforts to protect the world's rainforests and the indigenous peoples that serve as their guardians.[265]

See also the **Faith for Earth** initiative,[266] launched by UN Environment in November 2017, with shared values:

C: Communication – Effective communication at all levels between all stakeholders.
R: Respect – All spiritual and religious beliefs are respected.
E: Empower – Empower and engage all stakeholders.
A: Act – Act in coherence with individual reflection and communal beliefs.
T: Transform – Transform people's behaviour for a more responsible lifestyle inspired by their own faiths.
I: Inspire – Inspire innovative approaches to achieve the 2030 Agenda.
O: Organize – Organize knowledge and other resources related to faiths and sustainable development.
N: Network – Build a strong network between the UN and faith-based organizations.

Furthermore, the training file could include the **draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members** (2010), which includes the recommendation "*to provide information to social leaders, including religious leaders, on how addressing leprosy in their teachings or written materials may contribute to the elimination of discrimination against persons affected by the disease and their family members*".[267] In her 2019 report, the **Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members**, Alice Cruz, referred to harmful stereotypes and wrongful stereotyping: "*When asked about the traditional beliefs regarding leprosy, the majority of responses pointed to the persistence of religious beliefs (grounded in different religious traditions) that classify leprosy as the result of sins committed in current or past lives by the affected person or by the affected person's ancestors; God's punishment on the individual and/or the family; a curse pronounced by ancestors; sorcery; possession by evil spirits; and punishment for adultery and/or sexual promiscuity."* In terms of good practices for the elimination of discrimination, she noted that *"examples of decentralized actions within States that bring together different stakeholders (traditional and religious leaders, politicians, teachers, care providers, etc.) were mentioned in countries such as Brazil and Burundi."*[268]

With regard to HIV, the facilitator could refer to the UNAIDS Strategic Framework on **Partnership with Faith-based Organizations**, UNFPA's training manual on **Engaging Faith-based Organizations in HIV Prevention**, UNICEF's workbook on **What Religious Leaders can do about HIV/AIDS**, and the personal commitment to action **Together We Must Do More**, released at the 2010 High Level Summit of Religious Leaders on HIV: "*I commit to exercising stronger, more visible, and practical leadership in the response to the HIV pandemic – increasing commitment, deepening meaningful engagement with people living with HIV, and acting decisively to protect human rights within my faith community; through collaboration among other religious leaders of different faiths; and by influencing local, national, regional and global decision-making processes on HIV.*"[269]

[263] https://www.bahai.org/documents/the-universal-house-of-justice/promise-world-peace; see also https://www.bahai.org/documents/the-universal-house-of-justice/letter-worlds-religious-leaders
[264] https://www.oikoumene.org/sites/default/files/Document/CommitmentsToChildren_WCC_ENG.pdf
[265] https://www.interfaithrainforest.org/
[266] https://www.unenvironment.org/about-un-environment/faith-earth-initiative
[267] https://undocs.org/A/HRC/15/30, principle 13 (f).
[268] https://undocs.org/A/HRC/41/47, paras. 53 and 89.
[269] http://www.hivcommitment.net/index7193.html?page_id=39

In March 2020, Religions for Peace published the following **Statement on Coronavirus Crisis**:



"Religions for Peace wishes to draw attention, of faith leaders, communities and beyond, to several observations and lessons learned from the current coronavirus crisis. Humanity could not have received a stronger reminder of the depth of its interrelatedness and unity of purpose. This most tiny virus, COVID-19, carries an existential test, combined with a huge opportunity for humankind: a test of solidarity and an opportunity to re-think and correct a number of trajectories.

As a community of believers from different faith traditions across the globe, putting aside any theological differences, we submit that many of the crises we face are human-made and have been managed neither with fairness nor in solidarity.

*Last year **Pope Francis and Imam El-Tayeb**: "Call[ed] upon intellectuals, philosophers, religious figures, artists, media professionals and men and women of culture in every part of the world, to rediscover the values of peace, justice, goodness, beauty, human fraternity and coexistence… as anchors of salvation for all, and to promote them everywhere."[270] This time of crisis makes such a call more urgent than ever.*

*Our core responsibility as faith actors is to translate ethical values into concrete actions. A compelling way to do this is to promote human rights, fraternity and solidarity through the **"Faith for Rights" framework**. Beyond religious institutions and faith leaders, such a joint approach to face the current health crisis – and its severe economic and social implications – is also an individual responsibility. The "Faith for Rights" framework and its 18 commitments reach out to individual theistic, non-theistic, atheistic or other believers in all regions of the world to enhance cohesive, peaceful and respectful societies on the basis of a common action-oriented platform.*

*To fulfil this responsibility of believers, in this broad definition of religion or belief, we encourage faith actors to use the online **#Faith4Rights toolkit**. Now that we all have more time to reflect, you will find that this toolkit offers concrete ideas for learning, teaching, preaching and design community development projects. It also proposes several cases to debate, including a hypothetical case concerning reactions to an epidemic by religious and political leaders.*

Despite our apparent scientific and material progress, it did not take more than a virus to uncover the fragile state of our humanity. Greed, moral deterioration and lack of fairness and solidarity are weakening the spiritual grounds of our sense of responsibility. Far from surrendering to negativism and frustration, we urge all religious actors and individual believers to seize this exceptional opportunity to innovate while assuming their respective responsibilities in making faith stand up for the rights of all.

We count on all our members to mobilise action in what they believe are their priority areas of the commitments on Faith for Rights. It could be divine will that such a miniscule creature finally teaches us that caring for others renders valuable service to ourselves. Nobody is safe unless all are safe. This is the moral of the unfolding story of the virus."[271]

Peer-to-peer learning exercises

Unpacking: Participants break down commitment XVI into different elements, identifying required actions and corresponding responsibilities, including their own ones. Participants' diverse experiences would be a valuable source to shape this commitment in many concrete ways. It is a commitment that lends itself to a long list of implied actions that are predominantly contextual. Faith matters everywhere, but quite differently, depending on historical considerations and cultural particularities. (Individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings.)

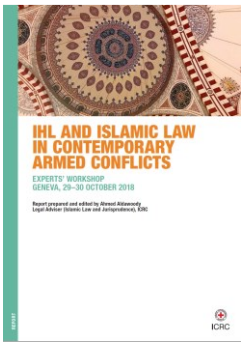
[270] http://www.vatican.va/content/francesco/en/travels/2019/outside/documents/papa-francesco_20190204_documento-fratellanza-umana.html
[271] https://rfp.org/statement-by-religions-for-peace-on-coronavirus-crisis/

Linking the dots: Discuss the relationship between these elements and link them notably to commitments I (on freedom of thought, conscience, religion or belief) and II (to use the "Faith for Rights" declaration as a common minimum standard of interaction between theistic, non-theistic, atheistic or other believers). (🕘Collective exercise for ten minutes.)

A number of questions can be used by facilitators both for unpacking and linking the dots related to the moral weight of religious and belief leaders in different societies: Where does push-back against religions come from in some societies? How would it be understood in light of an opposite trend in other societies? What is the impact of religious diversity on different religions or beliefs?



In this context, the facilitator could discuss the role of faith actors in armed conflict and in **enhancing compliance with international humanitarian law** (IHL).[272] Useful strategies can include peer pressure, peer cooperation and peer learning between States, non-State armed groups, religious leaders, faith actors and UN human rights mechanisms (see the roundtable with Religions for Peace Secretary-General Azza Karam and Special Rapporteur Ahmed Shaheed at the **Generating Respect Project Conference** on 10 December 2021).[273]



In the foreword of a 2019 report of the International Committee of the Red Cross (ICRC) on "IHL and Islamic Law in Contemporary Armed Conflicts", the **ICRC President Peter Maurer** considered human suffering as a starting point for collaboration with faith actors: "*Given the immense suffering caused by conflict, it is critical that we find common perspectives on preventing violations of IHL and protecting human dignity.*" He added that "*Individuals and communities affected by conflict, and influential local actors, play a crucial role in cultivating respect for the law. This is why we believe so strongly in building trustful relationships with cultural and religious actors, and why we engage in constructive dialogue on working together to uphold IHL, and thus prevent violations and protect communities*." The ICRC was among the first international organizations to deal with the links between religion and rights: "*Already in 1954, the ICRC was advocating the importance of engaging on humanitarian values with other cultures. Rodolfo Olgiati, a member of the Committee at the time, saw that all the great religions of the world contained the equivalent of the International Red Cross and Red Crescent Movement's ideals, and recognized the opportunity this presented for closer cooperation with faith actors. Since then, the many links between IHL and the world's various faiths have revealed themselves on numerous occasions, enabling us to reaffirm our common objective – to prevent and alleviate human suffering wherever it might be found, and to protect life and health, and ensure respect for the human being*".[274]

Critical thinking: A critical discussion on the relationship between these elements could start by asking if participants disagree with any of them. Can any of these elements stand alone? Are there missing elements in that commitment? (🕘Collective exercise for 20 minutes.)

Storytelling: Participants summarize relevant experiences pertaining to this commitment. In particular, how can the spiritual and moral weight of religions and beliefs be used to strengthen the protection of universal human rights? In which human rights area have participants seen and employed religious values effectively?

The facilitator could refer to the statement by **Zainah Anwar** (Director of the global civil society movement Musawah) during the 2018 OHCHR expert workshop on the role and contribution of civil society organizations, academia, NHRIs and other relevant stakeholders in the prevention of human rights abuses:

[272] See https://blogs.icrc.org/law-and-policy/2017/12/20/can-religious-leaders-play-a-role-in-enhancing-compliance-with-ihl-2/ and http://opiniojuris.org/2020/10/22/compliance-symposium-faith-for-rights-in-armed-conflict. During the Security Council's Arria-Formula Meeting on "Advancing the safety and security of persons belonging to religious minorities in armed conflict" on 22 August 2019, High Commissioner Michelle Bachelet emphasized the role of politicians and religious leaders in preventing and speaking out against hate speech (https://undocs.org/A/HRC/43/28, para. 35; https://webtv.un.org/en/asset/k15/k15strl7ul).
[273] https://www.generatingrespectproject.org/grp-conference; https://www.youtube.com/channel/UCPhndiTYCuIg4EL8W1tNp4Q
[274] https://shop.icrc.org/ihl-and-islamic-law-in-contemporary-armed-conflicts-experts-workshop-geneva-29-30-october-2018.html

"She asserted that religion could be a source of empowerment and liberation if ideological non-State actors ceased silencing any demands for equality. Musawah had undertaken capacity-building and engaged in international advocacy, including by submitting to the Committee on the Elimination of Discrimination against Women thematic reports and country-specific statements on reservations that justified the repression of women. Furthermore, she noted that the Beirut Declaration and its 18 commitments on "Faith for Rights" was important in order to turn the principles into action on the ground, for example by refining curriculums, teaching materials and textbooks wherever some religious interpretations, or the way they were presented, may give rise to the perception of condoning violence or discrimination (twelfth commitment). She stressed the importance of devising a human rights-based counter-narrative in order to build knowledge and prevent violent extremism."[275]

The facilitator could also share the example highlighted by **Special Rapporteur Heiner Bielefeldt** concerning a breakthrough in inter-faith communication reached by religious leaders in Cyprus: "*On 18 October 2013, the Grand Mufti of Cyprus, Dr. Talip Atalay, crossed the green line and held service at Hala Sultan Mosque near Larnaca for the first time. This was possible due to an agreement reached with the Greek Orthodox Archbishop Chrysostomos II, who personally facilitated Dr. Atalay's access to the areas controlled by the Government of the Republic of Cyprus. Two days earlier, Bishop Christoforos of Karpasia, who had been prevented for the previous 18 months from visiting the northern part of Cyprus and his diocese, was allowed to visit and worship at the monastery Apostolos Andreas on the Karpass peninsula in the north-east of Cyprus. 'While the Cyprus conflict is not per se a religious conflict, all cooperation between the religious leaders had stopped when the bi-communal conflict between Greek Cypriots and Turkish Cypriots escalated fifty years ago,' the UN Special Rapporteur added."*[276]



Exploring: Developing concrete small projects could be a good way to translate this commitment XVI into deliverables determined by the participants' local contexts. Participants can also be guided to learn how to transform their projects into fundraising proposals. Such projects could be focused on any given commitment or a number of inter-related commitments under the "Faith for Rights" framework.[277] Projects and fundraising proposals can also best be prepared by small groups among the participants. These are then presented to the plenary which acts as a hypothetical board of a funding institution and decides which project to select and why (🕐 discussion in working groups for 30 minutes, followed by presentation of the fundraising proposals in plenary).

This exercise can be extended, depending on the learning objectives and the priorities of the participants. The facilitator could refer to the above-mentioned examples of faith-based initiatives for and with children and adolescents as well as in the fields of protecting the environment and eliminating discrimination, for instance against persons affected by leprosy and their family members. What is the specific role and responsibility of religious leaders in this context? How could the specific project be sustainably funded, including through grassroots initiatives and crowdfunding? What are possible pitfalls and how can they be avoided?

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[275] https://undocs.org/A/HRC/39/24, para. 31. See also https://www.musawah.org/advocacy-toolkit/

[276] https://www.ohchr.org/en/press-releases/2013/10/un-expert-hails-key-breakthrough-religious-freedom-reached-cyprus

[277] For examples of concept notes concerning "Faith for Rights" projects, the facilitator may refer to the Rabat+5 symposium: https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/FORBlearning.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/IHEU.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/AIM.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Article19.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/RTCYPP.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/IEA.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/CPLP.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Musawah.pdf, https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/CILRAP.pdf https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/OffreJoie.pdf and https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/G20interfaith.pdf

Responding to pandemics: A concrete example that could be used by facilitators is the coronavirus crisis that began in 2020 and the related **Statement by Religions for Peace**[278] (see text above under Additional supporting documents). Participants could be asked how to conceive a project that alleviates any negative consequences in their local context. What are these consequences and where are the entry points to these issues in the 18 commitments? What is the specific role that faith actors can play in this respect in order to complement rather than duplicate the contributions of other actors? Which practices in the religious sphere could either prevent diseases or increase the risk of their propagation? What are the lessons learned that may lead to preventative action by the participants who could integrate this in their own work?

In this context, the facilitator could refer to the World Health Organization's document **Practical considerations and recommendations for religious leaders and faith-based communities in the context of COVID-19** (April 2020), which provides guidance on gatherings, conducting faith activities remotely/virtually, safe ceremonies and burial practices, strengthening mental health and resilience, faith leaders' role in COVID-19 education, upholding human rights and addressing stigma and discrimination. With regard to the latter point, WHO's guidance stresses the following: "*Religious leaders have a particularly important role to play in championing attention to and inclusion of, vulnerable populations including minorities, migrants, refugees, internally displaced persons, indigenous peoples, prisons, people with disabilities, and members of other marginalized groups, by creating supportive environments; advocating for their rights and access to diagnosis, treatment and vaccines; sharing evidence-based accurate information; and publicly standing against statements and acts that encourage violence and human rights violations against people. By drawing on language within their own faith tradition, religious leaders can promote positive messages that affirm the dignity of all people, the need to protect and care of the vulnerable, and inspire hope and resilience in those affected by, or vulnerable to, COVID-19. On the practical side, faith-based organizations can work with health and development agencies to identify mechanisms to increase access to information and services for vulnerable communities, including those that are provided by faith-based organizations themselves. Moreover, most of these faith traditions serve all people in need, without regard to national or ethnic origin, race, sex, or religious affiliation, and are motivated by universal values and ethical principles of 'do no harm', 'solidarity', and the 'golden rule'.*"[279]

At the virtual consultation for a **Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the UN** (May 2020)[280], the High Commissioner noted: "*We need your far-sighted leadership; your sense of principle; and your voices of authority and concern to combat these hateful divisions. The struggle for equality and justice is at the heart of the human rights agenda, and at the heart of the UN's work. Our virtual consultation today brings together as One-UN a wide range of initiatives, including two Secretary-General Plans of Action – on hate speech and on safeguarding religious sites; the Fez Plan of Action; the 18 commitments on "Faith for Rights"; and the recent Faith4Rights toolkit. This peer-to-peer learning tool, which we have been piloting online together with Religions for Peace, the UN Committee on the Elimination of Discrimination against Women, and the Special Rapporteur on freedom of religion or belief, includes exercises regarding the impact of COVID-19 on women, girls and minorities. Today's challenges related to COVID-19 may be followed tomorrow by other tests for humanity and for our universal values. My Office and our partners are committed to helping to make the Pledge for Action a powerful, results-oriented framework to advance the work of diverse faith actors at the grass roots level. Joining diverse faith actors within a shared vision and framework, we hope to nourish a* ***community of practise****,* ***learning from each other*** *and stimulating*



[278] https://rfp.org/statement-by-religions-for-peace-on-coronavirus-crisis/
[279] https://apps.who.int/iris/rest/bitstreams/1274420/retrieve
[280] www.ohchr.org/Documents/Issues/Religion/GlobalPledgeAction.pdf

promising initiative based on human rights and mutual collaboration and respect."[281] In July 2021, the High Commissioner welcomed the **action-oriented recommendations** of monthly webinars: "*Together, we have piloted the methodology of the 'Faith for Rights' toolkit, moving away from ad hoc events to a strategic process of peer-to-peer learning. This implies listening to each other, sharing experiences what works and what doesn't, and responding jointly to needs at the grassroots level."*[282]

Simulating: Simulation of an adversarial debate leading to an in-depth discussion, for example on a hypothetical case related to the spread of an epidemic (see **scenarios G** and **M** in the annex). The facilitator could point to the specific roles and responsibilities of religious leaders, whose actions may either positively or negatively affect the overall health situation and even lead to stigmatization of or discrimination against specific communities.[283] The Rabat Plan of Action and Beirut Declaration are also quoted by the Religious Liberty and COVID-19 Research Project in its living document on **Lessons from the COVID-19 pandemic**. This collective exercise, especially the case for debate in **scenario G**, would require at least an hour.

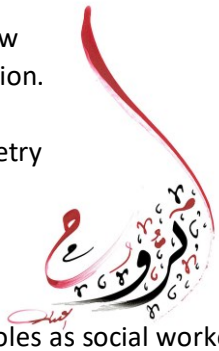
Tweeting: Summarize commitment XVI within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to leverage the spiritual and moral weight of religions and beliefs in order to strengthen the protection of universal human rights and develop preventative strategies*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Adding faith quotes: Find religious or belief quotes relevant to commitment XVI (individual exercise for five minutes, followed by a reading from each participant of his added reference). With regard to faith and environment, the facilitator could also refer to the following **Native American saying**: "*When the last tree is cut, the last fish is caught, and the last river is polluted; when to breathe the air is sickening, you will realize, too late, that wealth is not in bank accounts and that you can't eat money."*[284]



Inspiring: Participants share artistic expressions they know of that capture aspects of the commitment under discussion. There are numerous sources that may enrich inspiration for faith actors with respect to the roles of art, music, poetry and dance.[285] In addition, please find here the example of a cartoon,[286] calligraphy[287] and music.[288]



Learning objectives

- Participants realize and optimize their multiple roles as social workers, mediators and inter-cultural communicators.
- Participants understand that shared faith values matter to a point that can change attitudes and reverse situations of tension, animosity and injustices.
- Participants are inspired by concrete examples of faith actors from across the globe who have stimulated social transformations in order to tailor new approaches to their own social contexts.

[281] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25909&LangID=E
[282] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27279&LangID=E
[283] https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25757&LangID=E
[284] https://quoteinvestigator.com/2011/10/20/last-tree-cut/
[285] http://fims-fribourg.ch/ and http://www.festivalculturesoufie.com/
[286] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[287] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[288] https://www.soundcloud.com/faith4rights/commitment16

Module 17: Research, documentation and exchange

Full text of commitment XVII

*We commit to support each other at the implementation level of this declaration through **exchange of practices**, mutual capacity enhancement and regular activities of skills updating for religious and spiritual preachers, teachers and instructors, notably in areas of communication, religious or belief minorities, inter-community mediation, conflict resolution, early detection of communal tensions and remedial techniques. In this vain, we shall explore means of developing sustained **partnerships with specialised academic institutions** so as to promote interdisciplinary research on specific questions related to faith and rights and to benefit from their outcomes that could feed into the programmes and tools of our coalition on Faith for Rights.*

Context

This commitment is at the heart of the #Faith4Rights peer-to-peer learning approach. Nothing is more inspiring than success stories in real-life situations, including the most local and grassroots ones. Strangely enough, very few of the national and international efforts dedicate sufficient attention to compiling and spreading innovative practices in the field of human rights responsibilities of faith actors. There is plenty of information about general policy statements but much less on concrete projects. Even less attention has been paid to the research areas associated with faith actors' engagement. Modern communication technologies should facilitate knowledge management, including a database of actors, actions, results and lessons learned about the role of faith actors with respect to human rights and their corresponding Sustainable Development Goals. Partnership with research institutions across the globe could fill an important knowledge gap that needs to be adapted for faith actors.

Additional supporting documents

Since 2010, the **United Nations Inter-Agency Task Force on Religion and Sustainable Development** has been engaging with faith-based actors.[289] In order to leverage partnerships, the **UN Strategy and Plan of Action on Hate Speech** (2019) includes the following key UN commitment: "*The UN should establish/strengthen partnerships with relevant stakeholders, including those working in the tech industry. Most of the meaningful action against hate speech will not be taken by the UN alone, but by governments, regional and multilateral organizations, private companies, media, religious and other civil society actors.*"[290]

Peer-to-peer learning exercises

Unpacking: Participants break down commitment XVII into different elements. They identify its explicit and implicit actionable points. Participants define who should be responsible for which action and relevant stakeholders in their own environments who would be best placed to support faith actors' endeavours to optimize the moral weight of religion or belief in defending human dignity in all areas on which faith actors choose to engage (🕘individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings).

Linking the dots: This commitment provides another demonstration of the indivisibility of human rights and the corresponding interdependence among the 18 commitments on "Faith for Rights". Mutual support among faith actors who advocate "Faith for Rights" is a cross-cutting commitment. Two key words are partnerships and capacity-building. The intersectionality between these two areas is obvious. Its translation into concrete projects would benefit from a discussion among participants, linking them notably to commitments III, VI, VII and XII (🕘collective exercise for ten minutes).

[289] https://www.unfpa.org/publications/realizing-faith-dividend; https://wedocs.unep.org/bitstream/handle/20.500.11822/36318/UNIATFR20.pdf
[290] https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf

Critical thinking: A critical discussion on the relationship between these elements could also focus on which areas of research would be useful to strengthen the role of faith actors in implementing the 18 commitments on "Faith for Rights". Which academic centres could be interested in and capable of supporting their plans of action? Do participants agree on the need for sustainable knowledge updates and capacity development? Have any of the participants attended any related events or programmes of inter-faith collaboration? What benefit did they gain from such events or programmes? What do participants believe could be missing in the efforts deployed to this effect, both nationally and internationally? Can participants define their own needs in terms of capacity development and fundraise for its implementation? Are there missing elements in that commitment? (Collective exercise for 20 minutes.)

Tweeting: Summarize commitment XVII within 140 characters (individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to develop sustained partnerships with specialised academic institutions to promote interdisciplinary research, programmes and tools for implementing the 18 commitments*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect in order to stimulate discussion about the most important elements and appropriate ways of simplifying the message, without losing the substance of the commitment.

Storytelling: Participants share relevant situations they have witnessed in relation to this commitment and what they concluded from such an experience. In particular, how can best practices be exchanged in the areas of training and outreach with respect to religious minorities, inter-community mediation, conflict resolution, early detection of communal tensions and remedial techniques? Did participants undertake their own research to find information on best practices that would support their work? How did they proceed with their search for resources and how do they evaluate the results? What would make this task easier for them in future? (Collective exercise for 15 minutes.)

Facilitators could also refer, as an example of innovative awareness raising, to the 2019 report of the **Special Rapporteur on freedom of religion or belief**, Ahmed Shaheed, with a thematic focus on combating antisemitism: "*In Sweden, the Living History Forum, a public body, produces educational exhibition material and materials for the classroom on democracy and human rights and uses the Holocaust and other crimes against humanity as a starting point. Many States provide Holocaust education in schools. However, the Special Rapporteur notes the concern among many stakeholders that Holocaust education is not enough to effectively teach people to recognize and respond to antisemitism. Empathy training, religious education and modern images of Jews should be promoted through education for children.*"[291]



Responding to pandemics: During a **panel discussion on multi-stakeholder action to address COVID-19** (December 2020), High Commissioner Michelle Bachelet stressed: *"The current crisis is one of public health that requires awareness, compassion and solidarity; faith actors are uniquely well placed to promote these values that are more needed than ever. And I think that such actions are particularly compelling if various faith actors join their hands and hearts in an inter-faith manner. Let me give you a recent example of such interfaith support: A Lutheran church in Berlin has hosted Muslim worshippers who were unable to take part in Friday prayers at their mosque because of social distancing rules. So the Imam led prayers in German and Arabic, stressing that the pandemic has brought people together. The church's pastor was moved by the Muslim call to prayer in the church and she **said** that 'we have the same concerns and we want to learn from you. And it is beautiful to feel that way about each other.' I would like to emphasize the powerful image of a male imam and a female pastor praying together and acting in solidarity."*[292]

[291] https://undocs.org/A/74/358; https://www.worldjewishcongress.org/de/events/fighting-antisemitism-through-peer-to-peer-learning; https://www.ohchr.org/sites/default/files/documents/issues/religion/faithforrights/faith4rights-berlin-panel-2024.pdf.
[292] https://www.youtube.com/watch?v=dlYpCBxj2Gg&t=74m42s

Exploring: Participants could be asked, in a collective discussion or in small groups, to define elements for a partnership project with a hypothetical academic centre that is specialized in producing short documentaries for educational purposes. What would be the list of topics and the features of the documentaries that participants would request to produce and why? What skills would be needed to promote an interdisciplinary understanding of specific questions related to faith and rights in the particular contexts where participants practice their faith functions? (Discussion in working groups for 30 minutes, followed by presentation of the project proposals in plenary, depending on time frame and objectives of the peer-to-peer learning.)

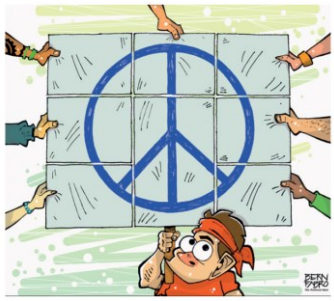
Adding faith quotes: Participants search religious or belief quotes pertinent to commitment XVII (individual exercise for five minutes, followed by a reading from each participant of his or her added reference and a telegraphic explanation of its added value to deepen the commitment under consideration).



Inspiring: Participants share artistic expressions they know of that capture aspects of the commitment under discussion. In this context, the facilitator could refer to the documentary series **"Believe to See"**, which showcases the beliefs, philosophies and teachings of 12 spiritual leaders from across the globe. The TV series was created by Gaby Herbstein, an Argentina-based photographer, who wanted to show that while belief systems and cultures may be different, they share messages of dignity and equal rights of all human beings. "*I think that change in the world will come from spirituality*," she said. "*For my documentary series, I have travelled to Argentina, Austria, Greenland, Malta, Mexico, India, Russia and the United States to meet with spiritual leaders and participate in their ceremonies.*" The series features not only leaders from the major religions but also indigenous faith leaders, offering their own words of inspiration. The series was scheduled for release earlier than June 2020, but the COVID-19 pandemic pushed back broadcast. Herbstein said the pandemic has only sharpened the need for and message of the series. "*This is a bridge. Believe to See is a project about believing in ourselves. It's a project about 'unity in diversity', where people will realize that all those teachers, elders and spiritual leaders are saying in different languages and with different tools the same thing. They help us to remember that everything is already within us*."[293]

In addition, please find here the example of a cartoon[294], music[295] and calligraphy[296].





Learning objectives

- Participants appreciate the value, for their own purposes, of empirical evidence, statistical data and other social observation methodologies.
- Participants develop the reflex of not reinventing the wheel but rather constantly seeking the wisdom of ideas and actions by other faith actors facing similar challenges.
- Participants acquire comparative experience emanating from best practices that should become a primary source of their inspiration. They know through this #Faith4Rights toolkit where to find and how to use data gathered by specialized non-state actors, academic institutions and relevant international agencies and mechanisms.
- Participants realize the extent of interdependence between all social forces and non-state actors to a point that makes building partnership a condition for progress.
- Participants are convinced that faith actors too need to build coalitions, both among themselves and with other actors within their areas of common interest.

[293] https://www.ohchr.org/EN/NewsEvents/Pages/Believe-to-See.aspx and http://www.believetosee.org/#documentary
[294] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[295] https://www.youtube.com/watch?v=ocpQ3duYZv0; https://www.concertrebels.com/recitals
[296] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf

Module 18: Creative outreach

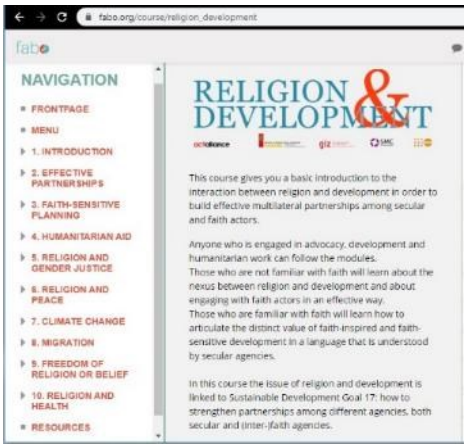
Full text of commitment XVIII

*We pledge to **use technological means more creatively and consistently** in order to disseminate this declaration and subsequent Faith for Rights messages to enhance cohesive societies enriched by diversity, including in the area of religions and beliefs. We will also consider means to produce empowering capacity-building and outreach tools and make them available in different languages for use at the local level.*

Context

A knowledge management momentum is at the heart of commitment XVIII. It ensures the sustainability of interfaith learning and collaboration. In an era of information technology, faith education and inter-faith engagement should not be confined to outdated techniques. Violent extremist groups understood the potential of this area and filled the void before the mainstream religious institutions. It is reassuring, however, to see that many faith-based organizations have started to dedicate increased attention to the role of technology in achieving faith goals and engagement within and across communities. This #Faith4Rights toolkit provides numerous examples of where to search in order to facilitate the task of religious educators and faith actors benefiting from human rights standards and methodologies. Innovative learning and communication approaches need to be further developed. The "three Ms" (MOOC, Moot, Masters) constitute promising avenues in this respect. Smartphone applications and websites provide cost-effective low-hanging fruit in terms of outreach and appeal to the younger generation. Faith actors should be able to log into user-friendly, dedicated databases to find the information they need regarding the impact of their work on human rights and the corresponding Sustainable Development Goals. Relevant information and developments should be readily available for faith actors through these mutually reinforcing tools to enhance their social impact. Interfaith dialogues are useful but their benefit could be lost once an activity is over. Enhancing the impact of inter-faith engagement in a sustainable manner is both needed and possible.

Additional supporting documents



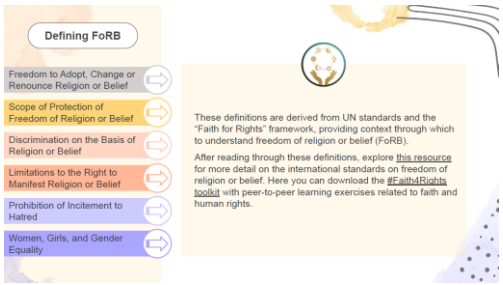
ACT Alliance (co-sponsored by the Swedish Mission Council, Gesellschaft für Internationale Zusammenarbeit and Danida) offers the online course "**Religion & Development**", which gives a basic introduction to the interaction between religion and development in order to build effective multilateral partnerships among secular and faith actors.[297] It contains sections on effective partnerships, faith-sensitive planning, humanitarian aid, gender justice, peace, climate change, migration, health and freedom of religion or belief. Its section on resources also refers to the Beirut Declaration and its 18 commitments on "Faith for Rights".



The **Freedom of Religion or Belief Learning Platform** provides resources to help individuals, communities and decision-makers learn, reflect upon and promote freedom of religion or belief for all.[298] The platform includes films and written **resources** for personal study and for group trainings, tailored to educators, facilitators, legislators, officials, diplomats and the media as well as for theological and ethical reflection.

[297] Free registration online at https://fabo.org/course/religion_development
[298] https://www.forb-learning.org/raise-awareness/

In June 2021, the United States Institute of Peace launched an online course on "**Religious Engagement in Peacebuilding - A Common Ground Approach**".[299] It is designed as a resource for those working in peacebuilding who may be unfamiliar with (or even wary of) religious engagement, or who are looking to gain greater confidence in working with religious actors and institutions. The online course also refers to the Beirut Declaration, #Faith4Rights toolkit and Rabat Plan of Action. See also the online conversation on a **"Faith for Rights" Approach to Promoting Sustainable Peace** (December 2021).[300]



Peer-to-peer learning exercises

Unpacking: Participants break down commitment XVIII into different elements (🕘individual exercise for five minutes, followed by ten minutes of full-group discussion on the differences between individual listings).

Linking the dots: Participants discuss the relationship between these elements and link them notably to commitments XII and XVII (🕘collective exercise for ten minutes).

Critical thinking: The facilitator could ask the participants if they disagree with any of these elements? Can any of them stand alone? Are there missing elements in that commitment? (🕘Collective exercise for 20 minutes.)

Tweeting: Participants summarize commitment XVIII within 140 characters (🕘individual exercise for five minutes). One possible result of this tweeting exercise could be as follows: "*We commit to use technological means more creatively and consistently in order to produce capacity-building and outreach tools and make them available for use at the local level*".

Translating: Similar to the tweeting exercise, participants could be asked to "translate" this commitment into child-friendly language or into a local dialect. Again, the idea is to stimulate discussion about the most important elements and appropriate ways of transposing and simplifying the message, without losing the substance of the commitment.

Storytelling: Participants discuss relevant situations that occurred to them personally pertaining to this commitment and how they handled them. In particular, how can technological means be used to disseminate "Faith for Rights" messages to enhance cohesive societies enriched by diversity, including in the area of religions and beliefs? (🕘Collective exercise for 15 minutes.)

Exploring: Develop projects for capacity-building and outreach tools in different languages for use at the local level (🕘discussion in working groups for 30 minutes, followed by presentation of the project proposals in plenary). Two examples of joint outreach activities are publishing an **interreligious calendar**[301] and organizing an annual **Walk of Faith for Rights**, as envisaged in the Beirut Declaration: "*We aim to achieve that goal in a concrete manner that matters for people at the grassroots level in all parts of the world where coalitions of religious actors choose to adhere to this declaration and act accordingly. We will support each other's actions, including through a highly symbolic annual Walk of Faith for Rights in the richest expression of our unity in diversity each 10th of December in all parts of the world.*"[302]



Simulating: This exercise is a competition, conducted and arbitrated by the participants themselves. It aims at crowning the whole "Faith for Rights" learning trajectory through the simulation of "Advice to the president".

[299] https://www.usip.org/academy/catalog/religious-engagement-peacebuilding-common-ground-approach
[300] https://www.usip.org/events/faith-rights-approach-promoting-sustainable-peace; https://youtu.be/9_1jZWZUtq4?t=14
[301] https://interreligieux.ch/wp-content/uploads/2020/09/THE-SPIRIT-OF-THE-RIVERS-PRESENTATION.pdf
[302] https://undocs.org/A/HRC/40/58, annex I, para. 12 and https://www.ohchr.org/Documents/Issues/Religion/FlyerWalk2018.pdf

It consists of either a group or individual exercise whereby participants play the role of an adviser to the president for religious affairs. Each "adviser to the president" will be asked to draft a single-page proposal as an advice to the president with respect to commitment XVIII as it relates to outreach and awareness raising of the whole "Faith for Rights" framework. However, participants should be free to add one or more areas within the scope of the 18 modules. The reason for this is that participants should be completely free, in this final exercise, to express their own understanding of the interdependence between the 18 commitments. The proposal can relate to a legislative change, a policy direction or an institutional innovation. The guidelines for this exercise are conciseness, clarity, action-orientation, substantiation of the proposal by standards and material provided by the #Faith4Rights toolkit, practical feasibility and description of action points needed to implement the proposal and how to measure its impact. These seven guidelines are at the same time the criteria for evaluation by each participant of the proposals written by other participants. At the end of the exercise, the three proposals with the highest scores will receive symbolic awards.

Adding faith quotes: Participants search religious or belief quotes for commitment XVIII (🕘 individual exercise for five minutes, followed by a reading from each participant of his or her added reference).

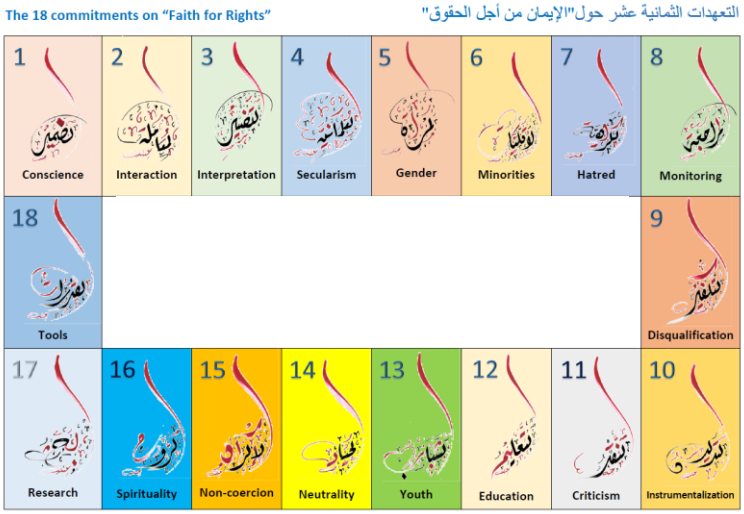
Inspiring: Participants share artistic expressions they know of that capture aspects of the commitment under discussion.



In addition, please find here the example of a cartoon[303], calligraphy[304] and virtual music making during the coronavirus crisis (remote recording of the composition "Seasons in the Time of Corona")[305].



Inventing:
The facilitator could also encourage the participants to think outside the box, for example by inventing a boardgame based on the 18 commitments on "Faith for Rights", such as by using the calligraphic illustrations as the board and drafting questions, action points and rules for the players. In terms of creativity, not even the sky is the limit.



Learning objectives

- Participants become aware of the need, as in all professions, to update their skills in areas impacting on their functions. This includes inter-cultural competencies, religious literacy, human rights literacy, planning activities, conflict resolution, mediation and new communication technologies.
- Participants gain familiarity with research tools and key resources of training and education on freedom of religion or belief in its fullest human rights spectrum.
- Communities of practice are born naturally over time and interested participants pursue their peer-to-peer learning in a sustainable, low-cost and environmentally friendly manner.
- Faith engagement becomes an interactive, creative and technologically supported process of learning through diversity.

[303] https://www.standup4humanrights.org/layout/files/Posters/30_cartoons_UDHR.pdf
[304] https://www.ohchr.org/Documents/Issues/Religion/Summary18Commit_Calligraphy.pdf
[305] https://youtu.be/U9IkI26gsUg and https://www.soundcloud.com/faith4rights/commitment18

Annex: Cases to debate

Context

The whole conception of the #Faith4Rights toolkit is interactive and participatory. In this annex, several short cases to debate (see below scenarios A, B, C, D, E, F and G) and longer moot cases (see below scenarios H, I, J , K, L and M) are proposed, which continue in the same direction.

The rationale of the cases to debate is to shed practical light on the 18 modules of the #Faith4Rights toolkit. In real life situations, there are no boundaries between the 18 commitments on "Faith for Rights". The overlapping between the different areas of human rights impact and responsibilities of faith actors is a fact of life. Such overlapping could blur the vision of faith actors and complicate their choices. Instead, debating true stories of tensions among rights, conflicting duties and competing priorities prepares faith actors for making difficult judgements as wisely as possible, inspired by lessons learned from the selected cases. Ultimately, all the seeds of wisdom planted across the preceding 18 Faith4Rights modules may blossom through the following cases to debate.

The list of cases remains flexible and expandable to better reflect the socio-cultural contexts of the peer-to-peer learning process in an engaging and participatory manner, particularly for the youth.

Introducing the cases to debate



These cases to debate could be seen as additional thematic modules serving a triple objective. First, they expand the thematic scope of the training, drawing upon the 18 commitments in a manner that is not strictly limited to their subject matter. Second, they address the intersectionality between the 18 commitments. In real life situations, challenges do not follow any conceptual clustering. The interaction between rights and beliefs quite often raise a number of issues that involve numerous commitments. This creates situations of competing rights and conflicting responsibilities that are quite interesting and instructive to discuss. Third, this type of exercise improves the expertise of the faith actors in a human rights-based approach. Moot cases actually prepare faith actors to real life situations and enhances their skills to manage them towards the shared aims of "Faith for Rights".

The following is a debating-exercise aiming at exploring the content and dynamics of the moving boundaries among several "Faith for Rights" commitments. The facilitator could divide this exercise into four phases.

First phase: Identifying limits of the exercise (🕘10 to 15 minutes)

- Participants are divided into groups formed of minimum two up to maximum four members.
- The case scenario is handed to groups and each small group shall collectively identify the relevant commitments to the case under consideration. (🕘5 minutes)
- A short full group plenary discussion (🕘maximum 10 minutes) shall define the commitments that will be discussed in phase two.

Second phase: Preparation for debate (20 to 30 minutes)

- Between 20 and 30 minutes shall be left to the participants to discuss the case scenario within each team. Participants explore the issues based on the file of sources provided with the case. They will determine a **list of issues** that the facts of the case raise in light of the 18 commitments on "Faith for Rights". However, participants are strongly encouraged to add resources on their own, particularly from within their respective faith texts and domestic/regional jurisprudence. The facilitator would encourage participants to transform the issues they identified into specific questions that will form the basis of the third phase of this exercise, that of debating the case.
- Each group shall prepare arguments representing both sides of the case. All participants must thus be ready to defending contradictory judgements on the same facts, not what they personally think is right.

Note for facilitators: In case the factual scenario is a short one, and the group of trainees are limited in number (10 or less), a facilitator could assign the whole case, with all issues raised, to all groups. If the factual scenario is longer and the group of trainees is more than 10 participants, a facilitator could assign one specific issue (or more) of the case scenario to two groups, and other issue to other two groups. This aims at avoiding the repetition and redundancy in the debating phase that will follow.

Third phase: Debating phase (roughly 30 to 40 minutes)

The facilitator shall assign randomly roles to each group to defend one side or another in a way that one group defends a view and the other responds in disagreement. Each group shall present its views within 2 or 3 minutes.



Note for facilitators: The debate is not meant to end by a winner and a loser, the whole idea is to make sure that arguments on both sides are well represented. Therefore, there is no need to determine who was better from the arguing team, neither by the facilitator nor by the rest of the participants. The question should rather be to ensure that all aspects of the case are considered.

Fourth phase: Summing up discussion (roughly 20 minutes)

The facilitator aims at building upon the points that were raised and shall animate a group discussion. It is important to show that it is always possible to argue a specific case in different ways, sometimes even contradictory. This phase results in listing on a board a list of lessons learned from the case.

Learning objectives

- Participants realize how real-life situations related to "faith" and "rights" are often at the border line between competing norms and priorities and that this requires from them humility, thoughtfulness and constant re-evaluation on a case-by-case basis.
- Participants practice dynamic role play simulations of real or hypothetical situations, further enhancing the range of critical thinking and communications skills they have developed along the preceding modules.
- Participants get inspired by landmark decisions of different authorities on deeply divisive social issues, some of which are susceptible to conflicting views even among specialists.

Scenario A: A case to debate on blasphemy charges

Adam is a born-Muslim student in his twenties in a country whose population is 80 % Muslims and 20 % Christians. He started losing faith in his inherited beliefs due to what he considered to be extreme and illogical discourses of some of his country's religious leaders.

His family members and his friends were alarmed by this change and tried to counter his doubts. Feeling the pressure from his entourage, Adam posted a long post on his Facebook page, which was only accessible to his Facebook friends. In the post, he declared that he had become an atheist and explained why Islam was not convincing for him anymore. His post was shared on a large scale by some of his Facebook friends.

A local newspaper published his name and wrote an article about him, depicting his actions as "an insult Islam that constituted an offense to believers". In a TV debate, a well-known Sheikh declared him to be an apostate (*murtad*) and called upon the formal religious authorities to take action. Following this, Adam was physically harassed and verbally attacked and threatened by his neighbours and by strangers in public places.

When Adam tried to file a police complaint against some persons who attacked him, the police arrested him and accused him of disrespect and contempt of Islam. Adam is sentenced to one year in prison under his country's blasphemy law.

Assignment: Teams shall argue which actions may have violated any of the 18 commitments?

A tip for facilitators

During the fourth phase, the facilitator could make use of questions that he or she would have prepared in advance to animate the debate. The facilitator would draw the attention of participants to points they may have omitted in their preparation of the list of questions defined during their group discussion (in phase two).

A sample of questions related to this case could include the following:

- Is there a difference between criticizing a religion and questioning doctrines based upon them? Does criticising human interpretation of religion equal criticising religions?
- Where is the demarcation line between the dogma itself and its human interpretation? What principles, in law or in religious tradition, define that often thin line?
- Are satirical expressions in relation to religious figures and sacred texts acceptable? What are the criteria of acceptability: the law, religion or morality? Is satire acceptable in principle as an artistic expression in the religious sphere? What do international norms stipulate in this respect?
- How can we assess anti-blasphemy laws in principle? How do they stand in international human rights law and, comparatively, in your own faith tradition?
- How can we determine if there is a case of blasphemy? How are anti-blasphemy laws misused and violate freedom of religion or belief and freedom of expression? Does freedom of religion include the right not to be religiously insulted or offended?
- What is the Government's role in protecting freedom of expression and freedom of religion or belief?
- The facilitator may insert some modifications to the scenario, for instance:
- Would the outcome of the case change if Adam was a Christian doing the same thing in the same country, i.e. renouncing his faith to become an atheist?
- What would you say if he was a Muslim in a country with a majority of Christians?
- How would the case be different if Adam announced that he became a Christian and not an atheist?



- How would you apply the **six-part threshold test** of the Rabat Plan of Action on this particular case with a view to determining if the participants had crossed the line of incitement to hatred?
- Should their conduct be considered in a civil case or should they be criminally prosecuted, if at all?
- Participants may wish to check the online guides and calculators for analysing hate speech at: **https://pjp-eu.coe.int/en/web/human-rights-speech/analyse**



Additional ideas for facilitators:

The facilitator could also refer to the **open letter by High Commissioner Volker Türk** of 5 November 2022, who called for Twitter's content moderation policies to continue barring hatred that incites discrimination, hostility or violence on the platform, and he stressed that "hate speech has spread like wildfire on social media platforms in countries with starkly different cultural, political and religious contexts – with horrific, life-threatening consequences for thousands of people."[306]

Scenario B: A case to debate on radicalization

M., 45 years old, is a woman of Moroccan origin who has been living in Brussels for the past 30 years. Her teenage son S. was born in Belgium and went to the public school. When he was 17 years, she noted some worrying changes in her son's attitudes after Friday prayers, who also spent several hours per day locked in his room chatting with his new acquaintances online. However, M. thought that her son's changing ideas and growing beard were due to his age and she did not link them to his increasing radicalization. When the mother finally realised the gravity of the situation, she went to speak to the Imam of the mosque where her son went. The Imam declined any intervention and advised the mother to talk to the police. M. did not do it for fear of her son being arrested. Shortly after the 18th birthday of S., he took his passport and flew to Istanbul and then went to the Syrian border. The last news M. received from her son was a text message sent when he started his initiation at an ISIL camp in Syria.

Questions:

A sample of questions related to this case could include the following:

- How to distinguish early signs of radicalization from religious practice?
- What is the role of the family in this respect?
- What role should the Imam play?
- Who to resort to when both fail?
- Are available sources of remedy against radicalization sufficient?
- If no, what is missing?
- If the role of the Imam in this case was clearly passive, what skills would be needed for him to engage on such cases in terms of knowledge, skills and responsibilities?

A tip for facilitators

The main elements to debate in this case are the different courses of action and available remedies to resort to for help in cases of early signs of radicalization. This case also highlights the grey zones among shared responsibilities where inaction, late action or wrong action increase the risk of non-detection of religious radicalization to violent extremism.

[306] https://www.ohchr.org/sites/default/files/documents/press/2022-11-05/22-11-05_Letter_HC_to_Mr_Elon_Musk.pdf. See also Volker Türk's tweet on the International Day to Combat Islamophobia: https://twitter.com/volker_turk/status/1636001027680813059.

Scenario C: A case to debate on economic and social rights

The newly elected Government of the State of "Charitana" prepared and conducted a large fundraising campaign to help the poor and needy of its citizens. The campaign coincided with a holy season of the year and intensely employed religious references of the predominant religion, Acharita, to which around 80% of the population belong. State official religious institutions contributed to this campaign and offered stewardships of the monitoring of managing funds emanating from solicited donations. The campaign included elaborated references to the benefits of giving and severe warning to those who do not give, arguing that the State's name of "Charitana" for good reasons resembled the name of the main religion "Acharita". Interviews with the poor and needy individuals were also used in this campaign, showing real manifestations of extreme poverty, hunger, illness and homelessness. Poor children addressed messages through these campaigns and were supported financially.

Questions:

A sample of questions related to this case could include the following:

- Does this campaign provide a positive illustration of faith and economic/social rights mutually reinforcing each other?
- Is charity a good answer to combat poverty?
- What are the obstacles to development whose removal is rooted in faith teachings?
- How does faith view the difference between charity and empowerment?
- Are there tensions in practice between these two concepts?
- How could these be resolved?
- Is the participation of children strengthening the campaign or rather unduly instrumentalizing children, in light of the related human rights norms enshrined in the Convention on the Rights of the Child as well as commitments X and XIII?

A tip for facilitators

Facilitators may wish to refer to the "**Faith in Human Rights**" Statement (2008): "*9. The Universal Declaration of Human Rights demands meeting basic human needs. The abject and dehumanizing conditions of extreme poverty to which more than a billion people are currently subjected, must be decisively altered. The human destruction of the environment has to be stopped. […] 12. Humbled by the authority that is vested in the religions of the world and conscious of our shared responsibility to defend human rights, we fervently desire that this Statement will initiate a wider process, and will become a catalyst for transformation and change. In order to widen and deepen the support for human rights by religious communities we invite religious leaders around the world to endorse this Statement. We call upon believers everywhere to disseminate this Statement as widely as possible and act upon it.*"[307]



[307] https://www.oikoumene.org/sites/default/files/File/faith_human_rights.pdf

Scenario D: A case to debate on environment

An interfaith group of religious leaders in the State of Secularita took the initiative of posting faith-based quotes in places where the environment is being subject to continuous degradation. This included stickers that were posted above water taps in public schools ("Save water, it is a divine gift!"), large posters displayed in areas of collection of garbage in public areas ("Don't waste your and everyone's lives!") and in public parking spaces ("Live carbon-neutral, otherwise our Creator will turn everything back into carbon!"). Some women also started publicly wearing headscarves with environmental inscriptions ("Save the creation!"). An atheist NGO filed a complaint requesting the banning of these slogans as ostentatious religious symbols that violate the constitutional provision guaranteeing secularism in the State of Secularita.

Questions:

A sample of questions related to this case could include the following:

- Is this campaign a good implementation of commitment XVI or rather violating Secularita's constitution?
- What aspects of the environment are closely linked to faith traditions and religious teachings?
- What other environmentally friendly initiatives could faith actors conceive and implement?
- How can places of worship and faith communities become environmental models?



A tip for facilitators

Facilitators may also refer to recent statements such as from the OIC Independent Permanent Human Rights Commission on "**Climate change and environmental protection**",[308] the World Council of Churches' "**Roadmap of Communities and Churches for an Economy of Life and Ecological Justice**"[309], and 2021 decision by the **Committee on the Rights of the Child** on failure to prevent and mitigate the consequences of climate change.[310]

Climate change and environmental degradation are becoming the most important systemic risks facing humanity. **High Commissioner Michelle Bachelet** has noted that "*the pace of technological change and environmental destruction is quickening. And we are breaking our planet: catastrophic climate change, declining biodiversity, mass extinctions, plastic-polluted oceans are urgent threats. But the motivation of key world leaders to constructively address these issues are flagging. The movement to advance human rights for all human beings is under great pressure. Faith-based organisations can be vital actors in this context.*"[311] The facilitator may also wish to refer to the Beirut Declaration, which stresses that: "*We intend to transform the messages of mercy and compassion into acts of solidarity through inter-communal social, developmental and environmental faith-based projects at the local, national, regional and global levels.*"

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308 https://www.oic-iphrc.org/ckfinder/userfiles/files/Final%20Outcome%20document%20of%2016th%20%20Session%20Thematic%20Debate%20on%20Environmental%20Protection%20and%20Climate%20%20Change.pdf: "*Guided by the Islamic principles of 'Tauheed' (oneness of Allah) and creation of human being as 'Khalifah' (trustee) on the basis of 'Fitra' (natural state) highlights that Allah has created the universe and its various resources as a trust in our care for the use and welfare of all people and for all living beings who are encouraged to benefit from these resources while avoiding extravagance and wastefulness and conserving for the progeny; Affirmed that 'Islamic worldview represents a unique model for a transition to sustainable development by focusing on justice, degrowth (low consumption) and harmony between human and nature'. In Islam utilization of natural resources is the right and privilege of all people and all species. Hence, every Muslim is ordained to ensure the interests and rights of all others as equal partners on earth. Islamic governance models emphasize building and maintaining a healthy and clean environment based on sustainable development and consumption for human benefits and fulfillment; Reaffirmed that a clean, healthy and functional environment and ecosystem is a right in and of itself, integral to the enjoyment of all other human rights, such as the rights to life, health, food, water, housing, and an adequate standard of living*".

309 https://www.oikoumene.org/sites/default/files/Document/Roadmap%20Magazine_3.4_homeprinting.pdf: "*(1) Living in Accordance with the Covenant with God and Creation: Support and practise small-scale, life-giving agriculture; Create community gardens; Provide access to clean water. (2) Renewable Energy and Climate Protection: Monitor energy consumption and move towards renewable energies; Promote climate-friendly mobility; Deal with energy and materials consciously. (3) Just and Sustainable Consumption: Buy ecological, fair, and regional; Reduce waste; Reuse and recycle. (4) Economies of Life: Create places for moneyless interaction; Practise alternative economic models; Practise just finance. (5) Networking: Name contact persons for economic and ecological justice; Raise our voice on economic and ecological issues in our communities and beyond; Network with other communities and initiatives*".

310 https://undocs.org/CRC/C/88/D/104/2019

311 https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24670&LangID=E

Scenario E: A case to debate on collective apprehensions

In the State of Polis, the police routinely checks identities and conducts searches in a village that its inhabitants call "Makhoura" (oppressed) because of what they conceive as chronic police brutalities against its inhabitants. This village has a remote suburb where public services are weak and extreme poverty is overwhelming. Drug dealing is rampant in this suburb. The majority of inhabitants of this suburb belong to Oura, a religious minority constituting around 10% of the overall population of Polis.

Whenever a police intervention occurs, it unleashes social unrest in the form of demonstrations against allegedly arbitrary and racially motivated police intervention. Such demonstrators raise slogans from Oura religious texts and take refuge in their places of worship. When the police intervened to evacuate the Oura place of worship from manifesting crowds, it found licenced arms that the Oura religious leaders claimed were for self-defence purposes. Searching the place of worship met resistance and led to causalities. As always when such incidents routinely occur, their press coverage accelerates polarisation between those who believe that law enforcement is a State responsibility that should not be sacrified under any alleged sensitivities and those who believe that the police demonstrated a bias against religious minorities and assumed their guilt in advance based on stereotypes and hostile media.

A member of parliament submitted a draft legislation prohibiting arms, even licenced, in places of worship and prescribing closure as a penalty of non-compliance. In response, a group of religious leaders issued a statement condemning police actions as well as this draft legislation.

Questions:

A sample of questions related to this case could include the following:

- Is this a case of law enforcement or rather an example of commitment VI on the rights of religious minorities?
- Is there a tension between law enforcement and protection of religious minorities?
- Would the search by the police of places of worship constitute a violation of freedom of religion or belief or any of the 18 commitments on "Faith for Rights"?
- What is your position on the draft legislation suggested by the Member of Parliament?
- If a group of religious leaders issues a statement condemning certain police interventions in or around of places of worship, would this be a welcomed joint action in favour of commitment VI or rather a violation of commitment X that prohibits the instrumentalization of religion for political purposes?
- What are the parameters that plead in favour of each of these possibilities in the case under discussion?
- What to do when law enforcement is perceived as infringing upon the rights of religious minorities?



A tip for facilitators:

Facilitators could encourage a role play, where participants take on the roles of members of parliament, religious leaders and an atheist civil society organization. They could simulate a parliamentary hearing of the different views in order to inform the legislative process concerning the draft law. Participants may either refer to existing procedural possibilities in their respective society or invent such a consultative process.



Scenario F: A case to debate on individual interventions by religious actors

Domestic violence routinely occurs in the State of Domestico. Affected family members, usually women and children, rarely report domestic violence to the authorities for obvious reasons, including lack of trust in the male-dominated police and administration of justice. Women brought the systemic problem of domestic violence to the attention of various religious leaders at their places of worship and requested to remain anonymous and not to file a complaint to the police. A religious leader from the majority religion in the State of Domestico made this issue the topic of his regular sermon service, alerting husbands to their responsibilities and to the devastating impact of domestic violence on children. This approach did not yield any improvements, as indicated by the continuously rising informal complaints by women. The religious leader in question decided to call upon concerned husbands and dissuade them from their misbehaviour and threatening to inform the police. The situation of women affected worsened after this intervention. The religious leader issued a religious edict to the effect that persistence in harming one's partner disqualifies the belief of this person. Women stopped complaining to religious leaders but nothing indicates that men changed their attitudes and action.

Questions:

A sample of questions related to this case could include the following:

- Was the religious leader's action right?
- What could he have done better?
- Would this case have been easier to handle if there were women religious leaders and why?
- Is a police intervention more effective than a faith-based intervention in this case?
- How would participants have handled this case differently?
- Going beyond of the scope of this particular hypothetical case, participants could be asked if they had issued themselves a religious edict, participate in or know of that would constitute an interesting training module in terms of relationships, tensions or complementarity between faith and rights, religious teachings and positive law? Why?

A tip for facilitators

The rationale of this case to debate is multiple: it helps participants to own the training exercise, then apply what they learn, link human rights and faith, and admit that human interpretations are subject to scrutiny.

Facilitators may also wish to refer to the 2017 **statement of the religious leaders of Cyprus condemning all forms of violence against women and girls**: "*We strongly condemn violence committed against women and girls and express our commitment to share this message with our respective faith communities and society as a whole. We categorically reject the misuse of religion to vindicate any form of violence against women and girls and express our united voice against all forms of violence against them. We pray for healing and wholeness and reach out to all women and girls that have fallen victim to violence. We are committed to ensure that violence against women and girls are recognised, condemned and that there are legal frameworks and institutions capable of dealing with it. In this regard, we are committed to work together with state and civil society partners to end violence against women and girls in Cyprus.*"[312]



[312] http://www.religioustrack.com/joint-statements/

Scenario G: A case to debate on an epidemic

Independent media in the State of Itneconni report about a new infectious virus called ANOROC-20, which allegedly originated from the poor neighbouring country Mulam and is now spreading within and beyond both States. The severe consequences of the disease have created a mass panic since the virus leads to the death of around 20% of those infected but is difficult to detect due to an incubation period of 20 days. A vaccination against ANOROC-20 is not yet fully tested but will be rolled out shortly in Itneconni.

The leader of A-Religion, which has around 10,000 followers both in Mulam and Itneconni, has been criticized for his lack of transparency in dealing with the virus. During an international pilgrimage by 500 followers of A-Religion who performed ritual washing ceremonies in the border river, the virus ANOROC-20 was reportedly brought to Itneconni. For fear of repercussions, the leader of A-Religion did initially not want to disclose any information on attendees, citing their right to privacy, and also refused to be tested himself concerning a possible infection with ANOROC-20. He also claimed that believing in A-Religion would protect against getting infected and he strongly opposed cremation and any vaccination because the latter would alter the body's blood system which is considered sacred by the holy scripture of A-Religion. After receiving some threats via social media, however, he agreed to be tested for ANOROC-20, which turned out to be negative.

The Prime Minister of Itneconni has ordered the closure of his country's borders to Mulam, while nationals of Itneconni are still allowed to return home if they self-quarantine for three weeks. However, followers of A-Religion are held in closed mandatory confinement centers, even if they want and can go back to Mulam. The Prime Minister's emergency order also declared that "in view of obvious public health and safety concerns, it is compulsory that all followers of A-Religion are treated with the new vaccination against ANOROC-20." It also imposed cremation as the only option for handling the bodies confirmed or suspected of ANOROC-20.

The leader of B-Religion, which constitutes the vast majority of Itneconni's religious demography, stated in an interview broadcasted by the public TV that "All members of the shameful 'A-sect' should either go back where they belong to or be imprisoned if these insects dare to remain in Itneconni". Furthermore, he claimed without any further proof that the transmission of the virus during the international pilgrimage of A-Religion had happened due to a funeral service where all followers allegedly kissed the coffin of a deceased person.

The followers of A-Religion, who publicly wear the insignia of their religion (a small necklace with an "A"), are being verbally harassed and even physically attacked in Itneconni, without intervention by the police.

Questions:

A sample of questions related to this case (see also **modules 5**, **6**, **16** and **17**) could include the following:

- What are the reprehensible acts and statements by the leaders of A-Religion and B-Religion?
- How does the order of the Prime Minister of Itneconni violate international human rights law?



A tip for facilitators

The facilitator may wish to refer to the **op-ed** by UN High Commissioners Filippo Grandi and Michelle Bachelet concerning the coronavirus outbreak as a test of our systems, values and humanity (10 March 2020): "*When fear and uncertainty kick in, scapegoats are never far away. We have already seen anger and hostility directed at some people of east Asian origin. If left unchecked, the urge to blame and exclude may soon extend to other groups – minorities, the marginalised or anyone labelled 'foreigner'. […] Ceding space to rumour, fear mongering and hysteria will not only hamper the response but may have broader implications for human rights, the functioning of accountable, democratic institutions. No country today can wall itself off from the impact of the coronavirus, both in the literal sense and – as falling stock markets and closed schools demonstrate – economically and socially. An international response that ensures that developing countries are equipped to diagnose, treat and prevent this disease will be crucial to safeguarding the health of billions of people*."[313]

[313] https://www.unhcr.org/news/latest/2020/3/5e69eea54/coronavirus-outbreak-test-systems-values-humanity.html

Scenario H: Price Media Law Moot Court Competition Case

Hypothetical case *A, B and X v Surya*

2020 Moot Court Competition by the University of Oxford, Bonavero Institute of Human Rights[314]

Surya

1. Surya is a country with a population of approximately 25 million people. 90% of Surya's population identify as 'Suryan', which is an identity strand that has both ethnic and religious connotations. A majority of Suryans adhere to the 'Suryan' faith, which is considered the official religion in Surya, and involves the worship of the sun. Census statistics in 2019 confirm that around 8-10% of Surya's population comprises of economic migrants from neighbouring countries.

2. Chandra is a small island nation approximately 200 miles from the coast of Surya. The island has been plagued by an ethno-religious civil war for decades, and has prompted many families to travel on makeshift boats to Surya to seek asylum. A majority of asylum seekers are 'Tarakan', which is a belief minority in Chandra who fight for an independent homeland, as they claim that they are being persecuted by the adherents of the majority Chandrean religion. By 2019, Surya had a population of approximately 10,000 registered Tarakan asylum seekers. The laws of Surya permit registered asylum seekers to obtain employment and to access social services.

Hiya!

3. Hiya! is an online messaging application ('app') popular in Surya. It is a registered company in Surya, and is specially licensed as a public broadcaster under Surya's Communications Act. Over 75% of the population use the app on their mobile phones and other devices. The app can be downloaded free of charge. A user must have a valid mobile phone number to use the app. Once the app is downloaded onto a device, a user may register using their phone number. A text message with a code is sent to the user via a mobile service provider's regular Short Message Service. The user may then enter the code and begin using Hiya!. The application has two basic functions that correspond to two 'tabs' at the bottom of the application screen.

4. First, a 'bilateral chat' function permits users to chat with other users on a one-to-one basis. These conversations are visible only to the two users in the conversation. A user can correspond with any user on their 'contact list'. This list comprises the mobile phone numbers of other users. A user can send a message to any other user who uses the app. Knowing the mobile phone number of the user is adequate to add the user to a contact list and begin messaging them. Users can share photographs, audio and video files, and links to online material on bilateral chats.

5. Second, a 'broadcast' function permits users to 'live stream' or stream pre-recorded audio and video content to any user that 'subscribes' to their 'broadcast channel'. A live stream involves conveying an audio or video usually through the camera function on a user's device. For example, a 'broadcaster', i.e. the user who owns a broadcast channel, can turn on their camera and convey an audio-visual stream in real-time to all their subscribers. A broadcaster also has the option of pre-recording audio or video content and 'scheduling' a broadcast to their subscribers. The words 'live' will appear if a broadcast is being conveyed in real-time. Pre-recorded broadcasts display the words 'pre-recorded'.

6. Any user can subscribe to another user's broadcast channel by searching for and clicking on a channel appearing on the 'broadcast' tab, and selecting the option 'subscribe'. The broadcast tab has a search bar to enable a user to search for channels. It also displays the channels that a particular subscriber has subscribed to. The subscriber can then listen to or view the material that any channel is broadcasting at the time. The function has been compared to switching between channels on a radio or television. Many users

[314] www.law.ox.ac.uk/sites/files/oxlaw/2019-2020-competition-case-price-media-law-moot-court_0.pdf

subscribe to the broadcasts of celebrities and political actors. Organisations also use this function to broadcast their messages.

7. Each broadcast channel also has a unique 'link'. A subscriber can share this link with others either by copying and pasting the link, or by clicking on the 'share' icon that appears alongside any broadcast channel. The 'share' icon enables a subscriber to share the link with other Hiya! users as a bilateral chat. Any user with the link to a broadcast can view the broadcast even without subscribing to the channel.

8. A broadcaster can also use the 'ping' function to proactively alert their subscribers whenever a broadcast is about to begin within the next few minutes, or has begun. When a broadcaster selects the 'ping' icon, a 'star' appears over the broadcast tab on each subscriber's Hiya! app interface. The subscriber is then alerted to the fact that one of their subscribed broadcast channels is about to launch a new broadcast, or has already launched one. Once a broadcast ends, the star disappears. A broadcaster can use the bilateral chat function to communicate with any of its subscribers. It also has the option of sending a mass message to all its subscribers using this function. For example, it can send the link to the broadcast channel, and any other information about a particular broadcast, to all its subscribers.

9. A subscriber can save and download a broadcast as a separate audio-visual file, which can be re-shared. However, the option to save and download a broadcast is only available for 30 seconds after a broadcast ends. This is the default option for all broadcasts. A broadcaster can choose not to make their broadcasts downloadable by selecting the 'protected' icon prior to launching a broadcast. Hiya! has also developed an upload filter called 'first Artificially Intelligent test of hatred!'(fAIth!), which automatically screens any broadcasts and blocks them – even in live feeds – if they contain content considered to be 'hate speech' as per Hiya!'s 'Standards on Hate Speech'. The Hiya! Standards define the following content as 'hate speech':

> 'Content promoting violence or hatred against individuals or groups based on age, disability, ethnicity, gender, nationality, race, immigration status, religion, belief, sex, sexual orientation, or veteran status.'

The algorithm of 'fAIth!' requires specific training for the detection of such content. In January 2019, an independent university study found that, if properly trained, the upload filter could detect 87% of 'hate speech' content correctly.

Campaign against andha

10. In January 2019, a campaign was launched by Suryan nationalist groups demanding that the government introduce laws to ban any blasphemy in relation to the Suryan faith (and the 'Sun'), and prevent proselytism and conversion of Suryans into andha, a Tarakan philosophy. One prominent group with a high standing in Suryan society, called 'SuryaFirst', claimed that Tarakans were corrupting the social fabric in Surya as they were 'insular' and possessed an 'irrational' culture that was antithetical to the Suryan faith. Specific emphasis was placed on the Tarakan philosophy of andha which had come to be associated with the symbolic wearing of blindfolds. The practice of wearing blindfolds is based on the belief that 'sight was the principal means of temptation'. Many Tarakans believed that andha is a way of life that involves 'turning a blind eye to temptation'. Only a handful of Tarakans have adopted the practice of literally wearing blindfolds in public, and even when such blindfolds are worn, it is in the context of public meditation or during processions. SuryaFirst nevertheless demanded that Tarakans be prohibited from wearing blindfolds in public, as it was 'promoting the andha faith' and was 'tempting' Suryans to adopt this 'faith'.

11. Meanwhile, some ethnic Suryans have begun to adopt the philosophy of andha. According to 2019 census statistics, around 2% of those who identified as 'Suryan' by ethnicity claimed to be adherents of the andha philosophy. This statistic is in sharp contrast to the 2015 figure where less than 0.2% of Suryans claimed to be adherents of andha.

12. On 20 January 2019, the Suryan government announced that it was holding public consultations during the next week on the costs and benefits of a new law to regulate proselytism and 'forced conversion from

one faith to another'. The government did not refer in its announcement to any planned anti-blasphemy provisions, but specifically mentioned its intention to protect the 'forefathers of the original faith'.

13. SuryaFirst maintains a broadcast channel on Hiya! called 'Seeing is Believing'. The channel had over 100,000 subscribers in Surya. SuryaFirst launched a series of broadcasts during this period advocating for a new law and urged subscribers to demand that the government enact such a law. By 27 January, the link to an online petition with over 30,000 signatures was being circulated over Hiya!.

14. On 15 February, the government amended Surya's Penal Act to include the following new provisions:

> Section 220(1): No person shall convert or attempt to convert, either directly or otherwise, any person from one faith to another faith by the use of force.
>
> Section 220(2): The term 'force' in the law includes a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication.
>
> Section 220(3): Voluntarily returning to the forefathers' original faith or to one's own original faith shall not be construed as conversion under this Act.
>
> Section 220(4): A person found guilty of an offence under subsection 1 of this section shall be liable to serve a term of imprisonment of no more than five years, or a fine of no more than USD 1,500, or both.

15. At 4pm on 16 February, SuryaFirst pinged its subscribers notifying them that a new live broadcast was about to begin. It also sent out the link of the broadcast channel to all its subscribers informing them that an important broadcast on the situation in Surya would begin at 4.15pm. A number of subscribers began to share the link with other users on Hiya! through bilateral chats. By 4.15pm approximately 30,000 subscribers and a further 5,000 viewers were tuned into the broadcast.

16. The broadcast began with a video message by a masked individual who identified himself as the 'Sun Prince'. He made the following short statement: Surya is under a dark cloud. Those from beyond the seas have come to this bright land to bring gloom. The Divine Sun is under threat since many who see the light are now turning away to darkness. Today, the true Sons of Surya must rise against the unlawful actions of the sightless. We shall strip them of their blindfolds, and force them to see the light. And if they refuse to abandon their ways, they will incur the wrath of the Sun.

17. The message was followed by a video featuring a well-known street in Surya's capital, Sun City. The word 'live' appeared at the top of the screen. The video depicted a group of masked individuals walking up to a male person who was wearing a blindfold and walking towards the entrance of a building. The masked individuals began to shout at the blindfolded person demanding that he remove the blindfold as it was 'against the law'. Some within the group also began to chant 'seeing is believing'. The exchange lasted for approximately three minutes after which the blindfolded person gestured to the group to stop shouting. The group leader then walked over to the blindfolded person and tore off the blindfold. There did not appear to be any resistance from the blindfolded person. The video then returned to the 'Sun Prince' who ended the broadcast with the words: 'Immediately go shine a light on Suryans who have adopted the andha blindness. Seeing is believing'.

18. The SuryaFirst broadcast was downloaded and saved by around 3,000 Hiya! users (both subscribers and viewers), and was shared with other users. The upload filter 'fAIth!' did not identify the SuryaFirst broadcast as 'hate speech' because it had been trained by Hiya! staff to accommodate the special position of Suryan faith pursuant to section 220(3) of the Penal Code.

19. By 17 February, over 250,000 users had viewed the video and sharing continued over the next few days. From 18-28 February, similar videos were shared on Hiya! depicting groups of persons – some masked, some without masks – accosting blindfolded individuals on the streets of the capital. Over a hundred such videos were shared on the app during this week. In one broadcast that had been saved and shared as a video file, a group of persons were seen pushing a blindfolded individual to the ground and forcibly removing the person's blindfold. In another video, a group of men were seen shining bright flashlights into

the face of a young woman, who appeared to be visually impaired. The men jeered 'seeing is believing'. None of these videos featured on the SuryaFirst broadcast channel. However, on 28 February, a short 'pre-recorded' broadcast was launched on the SuryaFirst channel in which the Sun Prince thanked 'faithful followers for taking the message of light to the dark streets of Surya'.

Complaints and investigations

20. On 1 March 2019, two separate complaints were filed under sections 220 and 300 of Surya's Penal Act respectively.

21. The first complainant, S, claims to be the person depicted in the SuryaFirst live broadcast of 16 February. He explained that he is an ethnic Suryan who had adopted the andha philosophy. He further explained that he was on his way to attend an 'andha meditation' when the masked group depicted in the video confronted him. Moments before the confrontation took place outside the building that hosted the meditation, he had put on a blindfold in preparation for the ritual meditation. He then complained that the broadcast of 16 February humiliated him and subjected him to hostility and exclusion from his ethnic community. He claimed the incident was an attempt to 'forcibly convert him from his belief'. He further complained that the 'live streaming' function of the broadcast prevented him from complaining against his attackers in time to prevent the broadcasting of the video.

22. Meanwhile, the second complainant, T, submitted a complaint under section 300, which provides:

> Section 300(1): No one shall advocate or recklessly cause the advocacy of hatred against any group in a manner that constitutes incitement to discrimination, hostility or violence.
>
> Section 300(2): A person found guilty of an offence under subsection 1 of this section shall be liable to serve a term of imprisonment of no more than ten years, or a fine of no more than USD 3,000, or both.
>
> Section 300(3): The term 'advocacy' shall include the sharing of photographs, audio and video files, and hyperlinks to content on the Internet.

23. T explained that she was a person of Tarakan origin who was visually impaired since birth. She had experienced 'intended and unintended discrimination' throughout her life, and claimed that such discrimination had increased since February 2019. She claimed that since mid-February 2019, she had been experiencing a high level of anxiety over what she described as an environment that was 'hostile and demeaning' towards persons with visual impairments. She explained that although the rhetoric and propaganda was mainly directed at a 'faith group' it had adverse effects on her dignity – both as a Tarakan and as a 'person with disabilities'. She then stated that she had experienced verbal insults from strangers on more than one occasion in public and has preferred to minimise her public travel as a result. She also furnished an affidavit from a witness who claimed that on one occasion a group of persons shone flashlights at T's face as she was travelling in public with the aid of a guide dog.

24. The government prosecutor's office decided to launch investigations into both complaints. It contacted Hiya! to seek assistance in the investigation. Hiya!'s legal team responded by stating that it was fully prepared to cooperate with the investigation and would share the personal data of specific users if a formal request to do so was sent to the Head Office. The prosecutor's office thereafter sent a formal letter to the Hiya! Head Office requesting all personal data pertaining to the 'broadcasters' of the SuryaFirst broadcast channel, and the user identifying himself as the 'Sun Prince', who had featured in a broadcast that was streamed at 4.15pm on 16 February 2019. The legal team responded 24 hours later with the mobile phone numbers of the two broadcasters associated with the SuryaFirst broadcast channel. Hiya! also immediately blocked the SuryaFirst broadcast channel without notifying the broadcasters or subscribers. The legal team advised this course of action, as it was concerned that any notification of the reasons for blocking the channel would alert potential criminal offenders of the existence of an investigation and enable them to abscond.

25. The prosecutor's office, with the aid of police investigators, managed to track down the broadcasters of the SuryaFirst channel: A and B. Both A and B were then taken into custody. During police interrogations, A and B revealed that X was in fact the masked individual who had described himself as the 'Sun Prince'. A lawyer representing A and B was present during the interrogations. There was no complaint was made with respect to any coercion during the interrogations. A and B were subsequently released on bail.

Criminal proceedings

26. On 1 May 2019, the prosecutor's office indicted X under section 220 of the Penal Act and A and B under section 300 of the Act. The Criminal High Court of Sun City heard evidence on the case and convicted X. It sentenced X to two years imprisonment but suspended the sentence for two years on the condition that no repeat offences are committed during such time. It also convicted A and B under section 300 of the Act, and directed each of them to pay a fine of USD 2,000.

27. A, B and X appealed their convictions before the Appellate Court of Surya, where final criminal appeals are heard. According to Surya's Criminal Procedure Act, any person convicted of an offence may challenge the conviction before the Appellate Court on the basis that the conviction violated one of the rights guaranteed under the Suryan Constitution.

28. In their submissions, A, B and X claimed that the convictions were unlawful as they violated their rights to privacy and freedom of expression respectively guaranteed by articles 8 and 10 of the Suryan Constitution. Articles 8 and 10 provide:

> Article 8: No one shall be subjected to unlawful or arbitrary interference with his privacy or correspondence.
>
> Article 10(1): Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds.
>
> Article 10(2): The exercise of the freedom of expression may be subject to limitations that are provided by law.

29. X argued that his statement was not intended to forcibly convert any person and was merely an expression of an opinion. He explained that he was a strong believer that the andha 'faith' was regressive and that it encouraged insulation from the real world. He said that his message was meant to encourage victims of this 'faith' to turn away from it. He also asserted that domestic law specifically protected the Suryan faith. He claimed, however, that provisions of the Rabat Plan of Action and of the Beirut Declaration on 'Faith for Rights' had no legal bearing on his case. A and B meanwhile argued that they did not intend to advocate hatred against any particular group through their broadcasts. They stressed that the upload filter 'fAIth!' had not blocked the SuryaFirst broadcast as illicit content on Hiya!. Furthermore, they claimed that they ran the broadcast channel as a commercial enterprise to generate advertising revenue. They argued that any attacks on 'persons with disabilities' or any other group were unforeseeable.

30. X argued that the collusion between the government and the service provider led to the discovery of his identity, and that his anonymity was protected under the Suryan Constitution. A and B stated that the government had colluded with the service provider Hiya! to obtain personal data from the service provider, which was protected under the Constitution. They argued that there was no law in the country requiring a service provider to provide personal data to the government, and that the appropriate standard would have been to obtain a judicial warrant to that effect.

31. The prosecutor assigned to the cases argued that X's actions contravened section 220 of the Penal Act, as it was an attempt to convert persons from the andha faith to the Suryan faith through threats that constituted the 'use of force'. She also argued that the complaint made by S confirmed that persons actually faced social excommunication as a result of X's widely viewed statements, and felt pressured to change their faith. She then argued that A and B's maintenance of the SuryaFirst broadcast channel created a hostile and demeaning environment that targeted persons who subscribed to the andha faith, and persons who actually suffered from visual impairment. She also contended that they deliberately shared

links to their broadcasts, which constituted 'advocacy' under the Act. She contended that the complaints of S and T confirmed that persons actually faced hostility and violence as a result of the 'toxic material' that was being transmitted over the broadcast channel.

32. On the question of privacy, the prosecutor contended that Hiya! is a privately-owned service provider and chose on its own volition to share personal data with the prosecutor's office. She argued that the question of obtaining a judicial warrant did not arise as the service provider decided to cooperate with the prosecutor's office. She further argued that A and B voluntarily provided information about the identity of X and that his right to privacy did not extend to a right to remain anonymous in the context of a criminal offence.

33. The Appellate Court decided to uphold the convictions of A, B and X and confirmed the sentences issued by the High Court.

34. Upon learning of the convictions, Hiya! decided to permanently ban A, B and X from the app, and terminated the SuryaFirst broadcast channel.

Universal Court of Human Rights

35. The Universal Court of Human Rights exercises exclusive jurisdiction to receive and consider applications from persons alleging the violation of rights recognised in the International Covenant on Civil and Political Rights (ICCPR). Surya ratified the ICCPR in 2001. At the time of ratification, it deposited the following declaration: The provisions of subparagraphs 2 and 3 of article 19 are interpreted as guaranteeing to every person the right to express and disseminate opinions within the laws of Surya.

36. A, B and X have exhausted all domestic remedies. They filed applications before the Universal Court of Human Rights alleging violations of article 17 and article 19 of the ICCPR.

37. The Court decided to hear the applications together and certified the applications on four discrete issues:

> Issue A: Whether Surya's decision to obtain personal data from Hiya! and from certain other users violated X's rights under article 17 of the ICCPR.
>
> Issue B: Whether Surya's decision to obtain personal data regarding A and B from Hiya! violated their rights under article 17 of the ICCPR.
>
> Issue C: Whether Surya's prosecution and conviction of X violated his rights under article 19 of the ICCPR.
>
> Issue D: Whether Surya's prosecution and conviction of A and B violated their rights under article 19 of the ICCPR.

38. A, B and X sought from the Universal Court of Human Rights: (1) declarations that their rights under the ICCPR have been violated, and (2) directions to Surya to take immediate measures to fulfil its obligations under the ICCPR.



Hypothetical case *N.E. v Republic of Seculana of the Amerigos*
2020 Moot Court Competition by the Brazilian Center of Studies in Law and Religion[315]

1. The Republic of Seculana of the Amerigos (ROSA) is a landlocked country on the continent of Amerigo. According to the latest census of October 2019, ROSA has around 21 million inhabitants, of which 80% identified themselves as secular, 15% as Kneelers and 5% belonging to other religious minorities.

2. Until 1998, ROSA was part of Kneelana, the biggest country on the continent of Amerigo, with around 200 million inhabitants, consisting of over 90% Kneelers and around 9% atheists. Kneelers are religiously very devout persons and derive their name from worshipping by kneeling and praying to the Supreme Being. During the late 19th century, when the Kneelers were founded, some of their religious leaders led a polygamous life, however, in 1907 their highest spiritual authority, the Kneeler Council, decided that polygamy was prohibited for any Kneeler. They historically wear knee cap guards during pilgrimages, with pilgrims walking the last mile to the Nesanctuary in the capital city of Kneelana on their knees with the aid of knee pads. In Kneelana, many men – albeit no women – nowadays wear a knee cap guard on the head to show their faith publicly.

3. After a successful referendum in Kneelana on 20 November 1998, ROSA became independent peacefully and elected its first parliament and prime minister in March 1999. One of the first steps taken by the government and parliament of ROSA was to adopt in July 1999 a Constitution (whose substantive provisions in articles 3 to 30 copy verbatim the related articles of the American Convention on Human Rights, ACHR) and to join the Amerigo Human Rights Commission (whose founding texts are similar to the Inter-American Commission on Human Rights, including articles 34 to 51 of ACHR).

4. Furthermore, in December 1999, ROSA ratified the International Covenant on Civil and Political Rights (ICCPR) as well as its first Optional Protocol (OP1) on individual communications to the UN Human Rights Committee. Upon ratification of OP1, ROSA entered a reservation excluding the Committee's competence to consider cases that are being or have been examined under another procedure of international investigation or settlement. In addition, ROSA declared that its constitutional articles 13 to 16 on freedoms of expression, assembly and association will be implemented in accordance with the ACHR.

5. The Constitution of ROSA states in article 1 that "All human beings are born free and equal, in dignity and human rights, and being endowed by nature with reason and conscience, they should conduct themselves as brothers and sisters one to another." Its article 2 provides for details of the Secular Doctrine: "ROSA is a Secular Republic, which strictly separates the State and religions pursuant to its foundational Secular Doctrine (SecDoc). Accordingly all religious belief is purely personal. The State and all persons holding public office must not dictate any religious belief. No one shall assert his or her religious belief as a legal reason to disregard this Constitution or any other law." Furthermore, article 12 of the Constitution guarantees freedom of conscience and religion, with the same text as article 12 of ACHR.

6. In May 2018, the yellow press of ROSA ran several articles predicting significant demographic changes due to a higher fertility rates of Kneelers (with an average of 3.4 children per couple) in comparison to secular persons (with an average of 2.6 children per couple) and warning against Kneelers "taking over first schools and then the whole society".

7. The governing SecDocParty subsequently introduced the draft Law to Preserve Secular Doctrine (LPSD), which prohibits wearing conspicuous religious symbols, both in public schools (article 4 of LPSD) and in public places or circumstances (article 5 of LPSD). Contravening articles 4 or 5 of LPSD may lead to fines of up to two monthly wages or two months imprisonment pursuant to article 8 of LPSD. While the opposition parties, mainly from the KneelParty, argued fervently against the draft law, the absolute

[315] https://www.direitoereligiao.org/moot/2022/Case

majority of SecDocParty in Parliament adopted LPSD on 20 November 2018 as part of a comprehensive legislative package on the occasion of the 20th anniversary of ROSA's independence referendum.

8. Another part of the 2018 legislative package was the Law to Reform School Education (LRSE). Article 11 of LRSE introduced in all public schools a compulsory SecDoc subject starting in secondary school on 1 January 2019. The Minister of Education, who is also the Vice-President of SecDocParty, already prepared since early 2017 a detailed SecDoc curriculum and teaching materials. These SecDoc classes include discussion of history and philosophy of religions and beliefs, describing Kneelers in a negative manner and as "morally backward and polygamous". The Ministry of Education had not held any consultations with Kneelers in elaborating the curriculum and teaching materials. In addition, pursuant to article 12 of LRSE, each day in public schools starts with all pupils and teachers jointly reciting (called "secdocing") the full text from article 2 of the Constitution. LRSE does not foresee any opt-out possibilities from jointly secdocing and participating in SecDoc classes.

9. After gaining independence, ROSA had issued a standing invitation to all thematic Special Rapporteurs of the UN Human Rights Council. From 10 to 17 December 2018, the UN Special Rapporteur on freedom of religion or belief visited ROSA in order 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. In his press statement at the conclusion of his visit, the Special Rapporteur he stressed that according to the Beirut Declaration and its 18 commitments on "Faith for Rights" all stakeholders should prevent the use of "doctrinal secularism" from reducing the space for religious or belief pluralism in practice. He also warned against increasing polarization in ROSA and the risk of incitement to hatred and violence, pointing to the six-part threshold test of the Rabat Plan of Action.

10. Neil Eel (N.E.) is a television journalist at public broadcaster ROSATV, hosting a popular daily show in which he interviews individuals from society and politics in ROSA. N.E. is a devout Kneeler and in his pasttime he leads a small congregation of around 20 believers who meet once a week in his house. In December 2018, N.E. started wearing a knee cap guard on his head, occasionally also while walking on the streets and at work (but not when he was live on air), to make a point against the adoption of LPSD, which he says was clearly discriminatory against Kneelers and their beliefs. In January 2019, he had to renew his passport and for that purpose he submitted an identity photo that showed him wearing a tibia protector on his head (instead of a knee cap guard). However, the Ministry of Interior rejected his request for passport renewal, stating that he should submit an ID photo showing him without any conspicuous religious symbol and arguing that the tibia protector was obviously intended by N.E. to substitute the knee cap guard. On 7 February 2019, N.E. also got fined two monthly wages by the police for wearing a knee cap guard while he walked on the street to work.

11. Neil's son Keed Eel (K.E.) was born in 2009 and entered secondary school at the public Rosario school when the new school year started on 6 January 2019. However, from the first day, K.E. refused to attend SecDoc classes and to participate in secdocing the text of article 2 of the Constitution. In addition, he insisted wearing a knee cap guard on his head, which led to him being reprimanded first by his teacher, then by the headteacher and ultimately the school board decided on 10 February 2019 to expel K.E. from Rosario school for one month or until he agrees to wear no conspicuous religious symbols in school and participate in SecDoc classes and secdocing. N.E. refused to have K.E. comply with these conditions and enrolled him in a private school run by the local Kneeler Community, mainly through distance learning and online classes provided by Kneelana University.

12. On 11 February, N.E. posted on his private account at the social media site Faithbook the photo of a famous player from ROSA's national soccer team, which N.E. had digitally altered by adding a knee cap guard on his head and by putting as a caption „Kneemar (by Neil Eel ;-)". While N.E.'s account was only intended for his friends, one of his followers reposted this altered photo and caption on his public channel on InstaSeculana. The daily newspaper YellowRosa picked this up on its website and also included a link to N.E.'s account on Faithbook. This triggered 1.2 million visits of YellowRosa's webpage within one week, with about 80% of the comments being negative against N.E. and Kneelers in general. N.E. also received hate messages and threats

via his Faithbook account, which he decided to close on 20 February. However, the altered photo is still readily accessible via hundreds of other social media sites from individual Kneelers in ROSA and Kneelana.

13. George Oakholy, the speaker of Parliament, who had been nominated by the SecDocParty in 2010, on 21 February 2019 called for a new provision in the Criminal Code of ROSA in order to avoid defamation of public figures and safeguard SecDoc. After two readings, on 28 February 2019, the Parliament adopted the amendment to article 220(d) of the Criminal Code, which now reads: "Whoever defames in print media or online any public figure with conspicuous religious symbols shall be liable to a fine of maximum six monthly wages or six months imprisonment. 'Public figures' in the sense of this provision include any member of parliament, cabinet minister, head of administration and all those who play for a national sports team of ROSA." In addition, article 220(e) was introduced in the Criminal Code, obliging all social media companies based in ROSA to develop and use artificial intelligence software to filter any photo that is digitally altered to include a knee cap guard. If social media companies cannot show efficient filters within six months of the entry into force of this provision they may be fined up to 10% of their annual profit.

14. On 1 March 2019, N.E. hosted George Oakholy on his daily TV show. N.E., wearing a knee cap guard on his head, started the interview with the following question: "Welcome, Mr. Speaker to my series of interviews 'The Hot Spot'. Yesterday, the Parliament amended the Criminal Code, which now effectively prohibits blaspheming doctrinal secularism. The UN Special Rapporteur had also been critical in this regard last December. As a lawyer by training, wouldn't you agree that this new law goes bluntly against the provisions of the Rabat Plan of Action and Beirut Declaration?" George Oakholy replied the following: "We in ROSA don't care about declarations and action plans, and it was a mistake to invite this UN special rapporteur in the first place. And your opening question shows a serious lack of respect for the speaker of Parliament. Look at yourself, you even dare breaking the law publicly by wearing this horrible sign of submission. You should be kicked out of your cushy TV seat and even better also out of ROSA, together with your followers!" George Oakholy then angrily stood up and left the TV studio. The interview was viewed by around 200,000 people live, but subsequently it trended online with more than 2 million views alone on the private video portal RosaTube.

15. On the following days, N.E. faced various negative comments from colleagues and unknown persons, including the words "Go home! ROSA is not for Kneelers!" being sprayed on the entrance door of his house. On 4 March 2019, K.E. had a fist fight on his way home with three kids from the neighbourhood, leading to a broken nose for K.E.

16. On 6 March 2019, N.E. filed a case with the court of first instance in ROSA, claiming that his and K.E.'s rights had been violated through the: (a) Rejection of N.E.'s passport renewal and imposition of a fine for wearing a knee cap guard on the street; (b) Expelling of K.E. from public school and lack of adequate State action against incitement to hatred; and (c) Amendments to the Criminal Code in articles 220(d) and 220(e).

17. The Court of first instance of ROSA rejected all his claims on 12 March 2019 without giving a detailed reasoning while referring to applicable domestic norms. N.E.'s lawyer advised him not to appeal this decision because it was clear that ROSA's legislation and courts do not afford due process of law for the protection of his rights as a Kneeler.

18. On 27 March 2019, N.E. submitted his case to the Amerigo Human Rights Commission, reiterating the above-mentioned claims at the regional level. On 2 October 2019, the Amerigo Human Rights Commission held the application inadmissible since not all remedies under domestic law had been pursued and exhausted by N.E. in accordance with generally recognised principles of international law.

19. On 10 October 2019, N.E. submitted an individual communication to the UN Human Rights Committee, again raising the above-mentioned claims now at the global level. The Committee is scheduled to discuss the case on 16 June 2020.

20. Please prepare written memorials of behalf of N.E. (applicant) and the Government of ROSA (respondent) addressing both admissibility and merits.

Scenario J: International Moot Court Competition in Law and Religion



Hypothetical case *Maryam Karama and Martha Geist v Freeland*
2020 Moot Court Competition by the European Academy of Religion[316]

John Flowerfieds, having experienced a heart attack, is hospitalized in Freecare Hospital, a state facility located in downtown Freetown, the capital of the State of Freeland. A Freeland statute governs religious accommodations in the following terms: "Private and public institutions cannot discriminate on the basis of religion and must put in place appropriate means to accommodate personal and group needs and preferences stemming from religious belief or affiliation."

At the Freetown Hospital, many employees wear religious symbols, such as, a hijab, crucifixes or a kippah while working. John was taken there when he had the heart attack because the hospital was the closest facility to where the event occurred which provides affordable healthcare under a public insurance scheme.

John is a strong believer in secularism. After the surgery, he complained that he was being assisted by nurses wearing a hijab and crucifixes. He argued that, since Freeland is a secular state and the hospital is a place of public accommodation, nurses should not be wearing religious symbols while taking care of him. After his complaint, more patients and visitors complained to the hospital about the widespread custom among its employees of wearing religious symbols. The governing board of the hospital then passed a policy that moved all nurses and other employees who wear visible religious signs into areas not accessible to the public.

A group of employees wrote a letter of complaint arguing that this policy violates their right to manifest their religious beliefs 'in practice' in the public sphere. After receiving this complaint, the hospital board passed general rules establishing that all employees who work in direct contact with patients in any capacity must wear a religiously neutral uniform, which the hospital provides. The hospital's general rules also establish that employees who refuse to wear the uniform provided can opt for jobs with no interactions with patients and visitors.

Maryam Karama, a nurse, and Martha Geist, a receptionist, brought a legal challenge to the regulation arguing that the choice between a "symbol-free" uniform or the back office compels them to choose between manifesting their faith in 'practice' or working in a non-public sphere. This, they allege, relegates them to the status of second-tier employees. They argue that the hospital's board failed to grant them an appropriate accommodation as is required by statute. In their view, the option of working in areas not accessible to the public operates as a general rule, regardless of the concrete duties that an employee might discharge. The hospital's policy, they argued, therefore, stigmatizes them and thereby violates their dignity and their right to religious freedom.

Freecare Hospital argued that its rules were necessary and appropriate on two grounds. Firstly, they prevented the spread of infection and, secondly, they not only reconciled but also prevented philosophical or religious clashes within the hospital's premises. The state courts dismissed the appeal.

- **For the European version of the competition:** Freeland is a State and a Contracting Party to the European Convention of Human Rights. Maryam Karama and Martha Geist lodged an application with the ECtHR against Freeland, alleging a violation of Art. 9 of the ECHR in conjunction with Art. 14 in that the state had failed to protect their right to religious freedom.
- **For the U.S. version of the competition:** Freeland is a Member State of the United States. Maryam Karama and Martha Geist sued Freecare Hospital for violating their Free Exercise rights under the First Amendment and the state RFRA. The EEOC has not issued a right to sue letter so any potential Title VII claims may not be raised.

[316] https://www.europeanacademyofreligion.org/moot-court-competition

Scenario K: Nelson Mandela World Moot Case



Hypothetical case *Médicos de Caridade v United Perrigma*

2020 Moot Court Competition by the Centre for Human Rights at University of Pretoria, in partnership with the Academy on Human Rights, Washington College of Law, American University and OHCHR[317]

1. United Perrigma (UP) is a Federal Republic comprising the states of Perrigma, the Isle of Penguins (IP) and Mousia, and is located on the east of Tierra-helada Continent. UP is bounded on the south-east by the Republic of Grootman and Wasun Republic, which were once colonies of UP. All 25 States forming part of Tierra-helada Continent are Members of the Tierra-helada Continental Union (TCU).

2. In UP's federal system, Perrigma, IP and Mousia are empowered to pass, enforce, and interpret their own laws, provided that such laws are consistent with UP's Constitution and Federal Laws. The Federal Government of UP has the power to pass Federal Laws that are binding on Perrigma, IP and Mousia. UP's Constitution contains substantive rights similar to those in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). While UP has one Constitutional Court that has exclusive jurisdiction on human rights and constitutional matters, Perrigma, IP and Mousia each has its own Magistrates' Courts, High Courts and Supreme Court. The Magistrates' Courts are the lowest and the Supreme Court is the highest court of appeal on all issues other than constitutional matters. Constitutional matters can reach the UP Constitutional Court through two avenues: The Supreme Courts of Perrigma, the IP and Mousia may refer any matter giving rise to a constitutional question to the UP Constitutional Court for its final determination; and the UP Constitutional Court may allow direct access to any UP citizen in respect of any constitutional question that requires the Court's 'urgent determination'.

3. UP is a member of the United Nations (UN). Prior to 1970, Perrigma constantly claimed sovereignty over IP and Mousia. Claiming to be independent and separate nations from Perrigma, IP and Mousia over a protracted period engaged in a low-intensity civil war against Perrigma. The people of IP and Mousia have, for a long time, argued that on account of their race, culture and religious beliefs, their nations belong with other States on Natasia Continent, to the east of TC. All 30 States comprising Natasia Continent are Members of the Natasia Continental Union (NCU).

4. With the civil war having dissipated, Perrigma, IP and Mousia in 1970 signed an agreement establishing the Federal Republic of UP. The Unity Accord of 1970 stipulates as one of its primary conditions that UP "must join and remain a member of the TCU and its human rights system". Before 1970, Perrigma had resisted joining the TCU on account of its nationalistic policies. On the basis of the Unity Accord, UP joined the TCU in 1971. The TCU's functions are similar to those of the European Union. In the 1975 general elections in UP, the Nationalist Party (NP) for the first time lost political power to the Democrats of United Perrigma (DUP).

5. The TCU's human rights system is founded on the basis of the 1968 Tierra-helada Human Rights Convention (THHR Convention). The THHR Convention is similar in substance to the American Convention on Human Rights. The THHR Convention is enforced through the Tierra-helada Human Rights Court (THHR Court) whose jurisdiction "encompasses protection of human rights in Tierra-helada and extends to all cases and disputes concerning the interpretation and application of the THHR Convention and any other relevant human rights treaties ratified by the States concerned". There is also the Tierra-helada Human

[317] https://www.chr.up.ac.za/world-moot-documents

Rights Commission (THHR Commission) whose functions and procedures are similar to those of the African Commission on Human and Peoples' Rights. Any person or NGO enjoying observer status with the THHR Commission has legal standing before the THHR Court. UP became a State Party to the THHR Convention in 1971 and accepted the jurisdiction of the THHR Court in 1972.

6. UP is also a State Party to all human rights treaties in the UN framework. When it ratified the Convention on the Rights of the Child (CRC) in 1993, UP made the following declaration and reservation: "UP enters a reservation with regard to the provisions of Article 1 of the CRC and does not consider itself bound by the same when it is inconsistent with UP's domestic law. Further, UP declares that Article 1 must be interpreted to the effect that a child or human being becomes such at the moment of conception". UP's Children Act sets the age of majority at 15 years. At the end of 1993, 12 Member States of the NCU objected to UP's declaration and reservation, arguing that invoking national law may cast doubt on the commitments of the reserving state to observe the object and purpose of the CRC.

7. UP's outstanding information technology (IT) and artificial intelligence (AI) industries led to its rapid economic growth and it is now recognised as a developed State. Its capital city has since been dubbed "the Silicon Valley of UP". While people in Perrigma and Mousia mainly rely on IT and AI industries, the population of IP has largely remained agro-based.

8. Monteiro Rosario is a successful farmer in IP. He retired from his earlier profession as a scientist after losing his eyesight. His wife, Professor Jessy Rosario, was born blind and is well-known for winning a swimming gold-medal in the Paralympics. She is also the author of the widely read book "Blindman's Paradise: The world as I see it" published in 2018. In an interview where she was asked what inspired her to write the book, she responded: "I was just amazed at many people's assumptions that because they have eyesight, they see the world better than me or anyone who is blind. There is an assumption that our lives are of sub-quality when compared to theirs". Mr and Mrs Rosario's daughter, Cartalia Rosario, was born on 15 July 2006. Back then, her doctors diagnosed her as having a more than 50 per cent risk of hereditary blindness in the upcoming years.

9. IP is also known for fishing tourism, which has brought millions of dollars in foreign revenue to UP. Avid deep-sea anglers from across the globe come to IP to fish the hark. IP is one of the few places in the world where the hark is found. The hark is very resilient to IP's cold maritime conditions and famous for feeding on young penguins.

10. The Rosario family founded *Rosapest Inc.* and to date remain the major shareholders. *Rosapest Inc.* is a local company based on IP that produces and sells farm pesticides. In December 2018, *Rosapest Inc.* partnered with a foreign company and since then it has been able to produce cheaper and affordable pesticides that have helped the IP community to maximise harvests. *Rosapest Inc.* has also ventured into manufacturing agricultural drones and autonomous humanoid robots (AHRs) that are used in spraying pesticides and performing other forms of farm work.

11. These AHRs have contributed to higher yields than ever seen before in IP and UP. However, they have also resulted in the loss of jobs of thousands of farm workers, and they have further caused a number of accidents. Following campaigns by labour unions in UP, the Federal Government passed laws requiring companies using AHRs anywhere in UP to pay tax and settle claims for damage resulting from the acts of AHRs, whether intentional or negligent. Some victims of AHRs-related accidents have successfully sued companies using AHRs in the courts of UP for damage caused by the AHRs. In February 2019, an unapproved solidarity march by farm workers at the *Rosapest Inc.* headquarters turned violent when IP riot police, dispatched to the scene, could not get the farm workers to disperse from the premises. The ensuing confrontation resulted in four fatalities on the farm workers' side and four injured police officers. In a legal challenge against the state government and local police, the IP Supreme Court, reversing the High Court's decision, held that it was prohibited under UP common law to assemble, protest or demonstrate on private property.

12. Between July 2019 and June 2020, thousands of harks were found dead on the shores of IP, Mousia, Wasun Republic and the Republic of Grootman. Fishing tourism in IP dramatically declined. The stocks of other fish and sea birds such as penguins also decreased. An investigation by UP's federal authorities revealed that the harks and other animals living in the sea were dying from chemical deposits in the sea. The Federal Government, some scientists and newspapers alleged that the catastrophe was a result of the use of the cheap pesticides produced by *Rosapest Inc.*

13. In her quest to save the hark, Loneamor Salvador, a firebrand environmentalist and citizen of Perrigma, approached the Constitutional Court arguing that the Federal Government was in violation of the hark's right to a clean environment. On 15 October 2019, the Constitutional Court granted her request for direct access, and ruled in her favour, holding that "any UP citizen has a right to act on behalf of the hark. Although non-human, they have a right to a clean environment just like humans. Chemical wastes and deposits into sea violate the hark's legal rights".

14. On 30 October 2019 and claiming to follow the Constitutional Court's *Hark* judgment, the Federal Government sent a written provisional instruction to *Rosapest Inc*. "to stop production, use or distribution of the '2018 cheaper version of pesticides' for one season". Local farmers in IP could not afford other pesticides, which are only available at a higher cost – five times higher than that of *Rosapest Inc.* By the end of the season, in February 2020, local farmers' crops were devastated by pests. In March 2020, an NGO by the name of Médicos de Caridade (MDC) started reporting cases of severe malnutrition and indicated that the majority of the population of IP faced starvation. The situation was linked to the shortage of food in IP resulting from pest plagues.

15. MDC is registered in Perrigma and enjoys observer status with THHR Commission. It is staffed by local and international medical doctors with varied expertise, as well as some IT specialists and a few lawyers. The NGO has reported various cases of human rights violations in UP and has treated several victims of such violations. It also conducts research on AI-empowered methods of curing any form of blindness. One of its research reports, conducted together with the UP Federal Medical Research Council, found that these methods have a 90% chance of success and are 99% safe. On the basis of these results, the UP Federal Government registered this form of treatment in UP.

16. In March 2020, *Rosapest Inc.* approached the Constitutional Court arguing that the Federal Government's provisional instruction violated IP people's right to food. The Constitutional Court determined that *Rosapest Inc.* lacked standing to approach the Court directly, and that, in any event, UP's action was proportionate and reasonable. This decision was followed by a wave of protests in IP under the hashtags #RetainPesticides and #EndHungerGames.

17. Since the 1970 Unity Acord, the UP's Constitution guarantees freedom of religion or belief, but also enshrines in the Constitution the secular doctrine of "living UP in community", which requires respect for the minimum requirements of life in society and specifically prohibits concealing one's face in public spaces. About 66% of UP population are believers in the sky goddess, most of whom ardently defend the principle of "living UP in community". The 30% of the population is constituted by Penguinatics, while 4% follows other religions. Penguinatics are people who believe in Mother Penguin – believed to be the Goddess of the Sea. In the 12th Century, Penguinatics made a huge statue of Mother Penguin, measuring 87 meters high. During the wars of independence against Perrigma, the statue was confiscated by Perrigma from IP. In 1963, Perrigma built a special Museum to preserve the special materials used to build the statue of Mother Penguin. In the present day, part of the museum is used for daily prayers by Penguinatics who live in Perrigma. Of all the Penguinatics in UP, some 75% live in IP, about 5% in Perrigma and 20% in Mousia. Now and then, there have been protests in IP with Penguinatics demanding that the statue of Mother Penguin must be returned "home" under the hashtag #ReturnMotherPenguin.

18. UP has made significant advances on the rights of lesbians, gays, bisexual and transgender (LGBT) people over the past three decades. In 2011, the Perrigma Supreme Court by a majority of 10 judges to 1

voted in favour of the granting of marriage rights to same-sex couples on equal terms with opposite sex couples. Perrigma has a vibrant LGBT community who together with their allies organise a yearly pride march to celebrate all forms of diversity in society. These pride marches are well attended by people of all sexualities and religions in UP. Despite these advances, following the widely publicised claims of conservative politicians and religious leaders that persons in the LGBT community are recruiting children into changing their sexualities, there has over the past three years been a surge in attacks against LGBT people. Some religious leaders - especially in IP - have even called for the imposition of the death penalty on LGBT persons and the closure of organisations that support them. These comments and aniti-LGBT campaigns have led to the rise in attacks in LGBT persons, including fatalities in a few instances recorded in IP and Mousia.

19. Following the Constitutional Court's Hark judgment, there were fierce debates and discussions in academia and political corridors on the utility of anthropomorphising the environment and non-human entities. UP's Minister of Justice appeared on national television and stated: "I don't think there is anything amiss here. In any event, how is this any worse than those who believe and worship a Penguin? It is all about our beliefs and how we think of the world. Such beliefs and thoughts are firmly protected in our Constitution".

20. Some Penguinatics firmly believe that crop failure is due to Mother Penguin not being in IP to protect her home. The Federal Government dismissed this belief when it adopted the April **2020 Federal Law on Pesticides** (FLP). The FLP preamble reads: "The devastation to the environment and the unnecessary deaths of harks and penguins is because of negligent human activity, in particular, use of toxic pesticides. It is not because of lack of protection from Mother Penguin. Further, the Federal Government believes the Statue is better protected in the museum in Perrigma where all Penguinatics are free to visit". In article 2, FLP permanently bans "the production, stock-piling, use or distribution of the '2018 cheaper version of pesticides'". The Minister of Justice brazenly responded to a journalist's question on whether Federal Government was selfishly prioritising the life of fish over that of humans with the following: "It's not selfish to save fish. Instead, I do say this to you: It's senseless to serve penguins."

21. Penguinatics' religious dress is known as the "Robe of the Galapagos Penguin" or simply the "Galapagos". Fashioned and styled after the penguin-plumage, the Galapagos is an enveloping black and white cloak worn by Penguinatics from the top of their heads to the ground. According to the Penguin Book – a sacred religious text that contains Penguinatic religious laws – "when a girl becomes a woman, and when she is in the company of men or mixed company, she shall wear a Galapagos with a face veil that leaves only her eyes uncovered". In terms of the Penguin Book, "a girl becomes a woman at the age of twelve". Furthermore, the Penguin Book provides that soon after birth, a child should be bathed in the sea in order to meet Mother Penguin. Only after that bath is a child considered to be born and only then can the child be given a name. Cartalia Rosario and her parents are Penguinatics.

22. Following the registration of AI-empowered methods of curing blindness, on 13 September 2019 UP passed the **Federal Law on Blindness** (FLB). FLB compels parents and health practitioners to register children with visual impairments for gene therapy or other AI-empowered methods of curing blindness.

23. The FLP and FLB led to various protests. The protests were fuelled by videos posted by learners on social media demeaning persons with disabilities, on the one hand, and making outrageous claims about the negative effects of the AI technologies, on the other. Sporadic cases of violence occurred in public schools. UP police intervened, and some injuries resulted among both learners and the police. Investigations have been difficult as the suspects involved are shown in videos wearing veiled Galapagos. The massive use of social media in the protests has also resulted in a scourge of misinformation and disinformation, as well as homophobia. There is a huge number of fake videos circulating on the internet. The Government and some NGOs have been accused of using or manufacturing such videos.

24. The circumstances in the public schools led UP to pass the Federal Law on Education (FLE). FLE's preamble states that "the education curricula should prepare children for an inclusive society within which public safety, order and national security are of paramount importance"; and that "freedom of expression in schools is fundamental to foster knowledge and develop a tolerant society". Section 1(a) of FLE provides: "Hate speech is forbidden. Section 1(b) of FLE provides: "Any use of materials, weapons or clothing that menace or contribute to the menace of the safety or security of learners in public schools is prohibited."

25. Meanwhile, on 27 December 2019, Jessy Rosario discovered that she was pregnant. After several visits to the hospital, the doctors attending to her noted that she was going to be blessed with a baby boy but there were also high chances of hereditary blindness. They noted that Jessy was required to register for AI-empowered methods that would prevent such an eventuality for the unborn child. They also required her to register Cartalia for gene therapy. Families that can show that they cannot afford the treatment under the affordability test are admitted to the programme for free. The Rosario family noted its strong objections to the program. Monteiro argued that "their religion forbids altering Mother Penguin's will". "The goddess of the Sea has taught us that in our blindness, we see better than what you see", added Jessy. The IP Supreme Court ordered the Rosario family to comply with FLB. The Supreme Court referred the matter to the Constitutional Court which, on 16 January 2020, ruled in favour of UP Government noting that the best interests of the child take precedence. In an interview after the ruling, Cartalia said: "I don't care if I lose my eye-sight. I would not mind being like my parents, they are my heroes! Why am I not allowed to make my own decision as a woman? Why should I be forced to undergo this medical process that causes emotional stress?"

26. Following the passing of the FLE, Cartalia's school amended its curricula to teach all pupils and students about sexuality and rights of LGBTI people. The Head of the school explained as follows: "It ought to be easy for a pupil to understand why their friend has two dads or two mommies as parents". Furthermore, many schools also banned students from wearing veiled Galapagos while at school. This was met with different reactions from parents, with some of them applauding while other parents – in particular, those of Penguinatic beliefs – condemning it as "Government conspiracy to corrupt innocent kids while stifling Penguinatic beliefs". Soon after, there was a video of the Minister of Education within which she says: "Nothing sensible can come from Penguinatic imbeciles whose lives are defined by kowtowing to penguins for solutions. How can they insist on kids turning up at schools looking like penguin robbers? Our country is neglecting some serious mental health issues here. Sometimes, I feel like IP is a cancer that needs to be cut off and sunk to the bottom of the Sea, together with all those charlatan believers. Let's finally live UP in community!". This video was first put online on the unverified twitter handle of the Minister of Education on 20 January 2020, but subsequently it trended on social media with over 2.2 million views after an anonymous user had shared the video with the hashtag #SinkThem.

27. On 30 January 2020, after 45 years in power, DUP lost the general elections to NP. The NP Federal Government of UP – characterised by populism and its parochial nationalism – quickly changed the foreign policy of UP. By 1 March 2020, it had secured the majority vote for UP to leave the TCU which was eventually done on 15 March 2020. On 23 March 2020, IP announced its independence from UP. Within a week, IP's independence was recognised by 23 States on the NCU. Consequently, IP lodged its application for membership to the NCU – which functions like the African Union. Although Member States of the NCU are yet to make a decision on that application, the Football Federation of the Cup of Natasian Nations accepted IP to participate in the qualifiers for the 2021 games scheduled for October 2021. IP has issued IP citizen cards and passports but have also allowed dual citizenship for those who want to maintain ties with Perrigma. UP's Minister of Foreign Affairs has told local and international newspapers that the Federal Government is preparing a case on territorial dispute over IP to be submitted to the International Court of Justice in due course.

28. On 1 April 2020, Cartalia and her friends urgently approached the Constitutional Court arguing that FLE and its implementation in IP public schools violates several of their human rights. On 5 April 2020, the

Constitutional Court ruled that given the current political situation concerning IP, it lacked jurisdiction. The ruling was also followed by an unverified and leaked recording of Chief Justice of the Constitutional Court talking to his wife wherein he says: "The students may protest all they want, but the recent Federal Laws are here to stay. They are completely spitting in the wind and, more often than not, it always come right back in your face".

29. Cartalia and her friends – between the ages of 13 and 21 – were eager to demonstrate in front of the private residence of the Governor of IP but feared for their physical safety since the house is heavily guarded by local police. They also wanted to avoid the requirements of UP's **Assembly, Public Order and Security Act** (APOSA). APOSA requires any person who intends to organise a "public assembly" to notify the UP Police one week in advance. In terms of APOSA, a "public assembly" is defined as "a means a gathering in a public place of two or more persons for a common expressive purpose". Any "public assembly" for which such notification has not been given is considered an unlawful assembly.

30. On the evening of 3 May 2020, and without notifying the UP Police, Cartalia and her friends staged a hologram "procession" in front of the private residence of the Governor of IP. The "protestors" in the holograms, dressed in Galapagos, held placards with hashtags such as #GalapagosMyReligion, #Faith4Rights, #NoDoctrinalSecularism, #StopForcedMedication, #RetainPesticides, and #ReturnMotherPenguin. Some of them also appeared to carry spears. The light beams of the holograms were from laser boxes that were held by AHRs which Cartalia borrowed from her father. Monteiro reluctantly lent them to his daughter, protesting that "this is not the work for which the company is paying tax on these AHRs". The AHRs moved slowly towards the Governor's house, accompanied by a shrieking noise, without entering the premises. The AHRs then projected the holograms through the wrought iron gate. The front ranks of the "protest" marched further and continued inside the premises of the Governor's residence, with the noise waking up the entire household and alerting the police stationed at the residence. The police warned: "Any person who takes one more step will give us no choice but to shoot. We instruct you to stop the demonstration". When the AHRs moved again, the police officers shot at the holograms with live ammunition, leaving the AHRs, which had remained outside the see-through fence, tattered in hundreds of bullets. The holograms stopped as a result. Police officers saw, after the shooting, that what they thought were humans were, in fact, holograms projected by the AHRs.

31. Cartalia and her friends who were watching and controlling the hologram demonstration from a remote place were subsequently diagnosed with post-traumatic stress disorder. They are currently being treated by doctors from MDC. One of the doctors treating Cartalia is quoted by a journalist as saying "It really didn't matter that the students knew that it was AHRs that were being shot. They have seen police murdering real people before in their schools. To them, what happened on 3 May was equally murder, and a callous use of force". Cartalia and her friends have been charged under the APOSA for holding of an unlawful gathering.

32. On 26 May 2020, after consultation with all the victims, MDC decided to bring a case against UP in the THHR Court and asks it to adjudicate the following:

a) UP's **Federal Law on Pesticides** (FLP) violates the Rosario family and others' human rights.

b) UP's **Federal Law on Blindness** (FLB) violates Cartalia Rosario's and her family's human rights.

c) UP's **Federal Law on Education** (FLE) violates the rights of Catalia and other Penguinatics.

d) The prosecution under the **Assembly, Public Order and Security Act** (APOSA) and UP agents' use of lethal force on 3 May 2020 violates Cartalia Rosario and her friends' human rights.

INSTRUCTION: Prepare written memorials for MDC (Applicant) and UP (Respondent) addressing jurisdiction, admissibility, merits and appropriate remedies.

Scenario L: National Schools Moot Court Programme

Hypothetical case *Prince and his parents v School Governing Body of Saint Thomas Christian School*

2019 Moot Court Competition by the South African Department of Basic Education and the South African Human Rights Commission[318]

1. Prince Tlou is 15 years old Grade 10 learner enrolled in the Saint Thomas Christian School (the School) in the Eastern Cape. The School was formed in 1939 and has, since its establishment, served learners of the Christian faith from Grades 8 - 12. The School created its own statement of faith and based it on their philosophy of education which is rooted in the belief that "Jesus Christ is the Author of all Truth," which is found in the Christian Bible. Teachers are committed Christians who deliver lessons from a Christian viewpoint in all subjects. Learners attend a weekly bible service in which they can participate actively through the worship team that leads the School's praise and worship activity. Parents are also encouraged to discuss and study scripture with their children on a daily basis.



2. In December 2016, Prince's parents were presented with the School's Code of Conduct, which they signed without delay as they were very happy that Prince would be enrolled in such a reputable school that observed the Christian religious practices.

3. Section 23 of the School's Code of Conduct provides that: "Saint Thomas Christian School is a faith-based school committed to the spiritual growth of all learners, who must at all times observe the Christian religious practices."

4. In addition to this, Section 24 of the School's Code of Conduct provides that: "All learners must wear their hair in its natural state and may under no circumstances wear hair extensions of any kind."

5. After enrollment, Prince participated in all the School's activities, and was elected as a class representative at the beginning of the 2019 school term. In March 2019, he joined the learners' worship team, and proceeded to lead the School's praise and worship team.

6. During the June school holidays, Prince and his parents decided to abandon the Christian faith and convert to Rastafarianism, joining a local Rastafarian congregation, which meets every Friday afternoon. As an expression of their new-found faith, his father bought dreadlock hair extensions for each family member. The dreadlocks are bought from a local salon owner who repairs and refurbishes old dreadlocks and attaches them to the new owner's hair. Each Tlou family member started to proudly wear these dreadlock extensions in celebration of their new religious identity.

7. Upon returning from the School holiday, the School Principal, Mr. Adams, noticed Prince's hair and immediately called him to his office and reminded Prince of Sections 23 and 24 of the School's Code of Conduct. He also requested that Prince remove his dreadlocks, a request he refused to follow. Instead, he informed Mr Adams that his family are now Rastafarian and no longer observe the Christian faith. In light of this, Prince requests permission to be excused from the weekly bible sessions, and to leave early on

[318] https://www.education.gov.za/Programmes/MootCourt.aspx

Friday's. Mr Adams informs Prince that as a Christian School, they are unable to make an exception for him. He also tells Prince that Rastafarianism is not a religion but a social movement.

8. On the 13th of July 2019, during a formal disciplinary hearing and after following the proper procedures, the School Governing Body (SGB) made a decision to suspend Prince for contravention of sections 23 and 24 of the Code of Conduct.

9. Prince and his parents decided to approach a legal aid clinic to challenge the constitutionality of the School's Code of Conduct as well as the decision to suspend Prince from School in the local High Court. The case was heard in the High Court on 16 August 2019. The lawyer acting on behalf of Prince argued that Prince's freedom of religion and right to a basic education has been violated and that there is no reason why he should not go back to school. The SGB argued that Prince's parents knowingly signed the Code of Conduct, which was aimed at maintaining discipline in the School and to further the founding Christian values of the School, and that his wearing of dreadlocks, for whatever reason, is in contravention of the School's Code of Conduct. The High Court ruled in favour of the SGB.

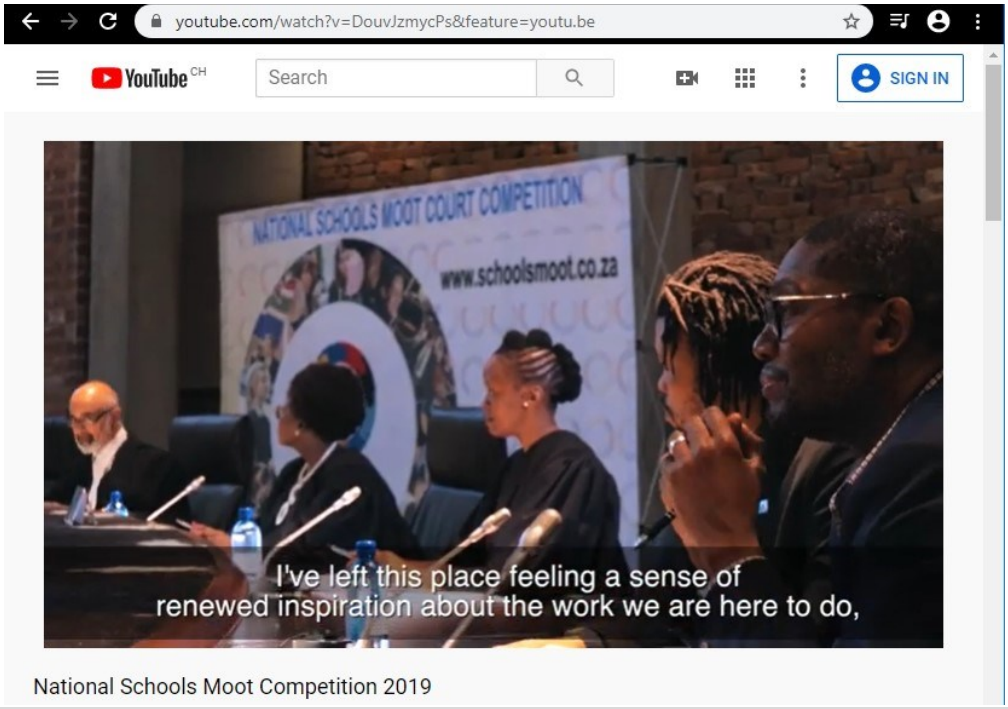
10. Prince and his parents applied for leave to appeal to the Supreme Court of Appeal, but leave was refused. Thereafter, they applied for leave to appeal directly to the Constitutional Court, where leave to appeal was granted. The appeal is set down for hearing in October 2019.

The Applicants (Prince and his parents) must argue that

(a) the application of sections 23 and 24 of the School's Code of Conduct is unconstitutional and violates Prince's constitutional right to freedom of religion, belief and opinion in terms of Section 15 of the Constitution of the Republic of South Africa; and
(b) the SGB's decision to suspend Prince violates his right to a basic education in terms of Section 29(1) of the Constitution.

The Respondent (The SGB of the School) must argue that

(a) the application of sections 23 and 24 of the Code of Conduct is not unconstitutional and does not violate Prince's constitutional right to freedom of religion, belief and opinion in terms of Section 15 of the Constitution; and
(b) the SGB's decision to suspend Prince does not violate his right to a basic education in terms of Section 29(1) of the Constitution.



National Schools Moot Competition 2019

Scenario M: Nelson Mandela World Moot Case 2021

Hypothetical case *Papa Tommy Tomato v Republic of Rhakatah*

2021 Moot Court Competition by the Centre for Human Rights at University of Pretoria, in partnership with the Academy on Human Rights, Washington College of Law, American University and OHCHR[319]

1. The Republic of Rhakatah is a developing coastal state on the Continent of Kanthiyeyu (pronounced *can't-hear-you*). Rhakatah gained its independence from Siya-something in 1979 with a population of about 6 million people. Siya-something is a developed state. Both Rhakatah and Siya-something are members of the United Nations (UN). Rhakatah is a member of the Union of Kanthiyeyu (UK) whose functions are similar to those of the European Union. UK's human rights system consists of the Kanthiyeyu Charter on Human Rights (KCHR), the Commission of Kanthiyeyu (CK) and the Kanthiyeyu Human Rights Tribunal (KHRT). The rights provided for in KCHR are similar in substance to those provided for in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). KHRT has jurisdiction to decide complaints that allege violations of KCHR and any other relevant human rights treaties ratified by the state concerned. KHRT rules on legal standing and admissibility of claims are similar to those of the European Court of Human Rights.

2. Rhakatah accepted the jurisdiction of KHRT in 1992 and has ratified KCHR and all the UN human rights treaties. The Constitution of Rhakatah's Bill of Rights is similar in substance to the ICCPR and ICESCR. Rhakatah has Magistrates' Courts, High Courts and a Supreme Court. The Magistrates' Courts are the lowest courts and the Supreme Court is the highest court of appeal on all issues other than constitutional matters. The Constitutional Court of Rhakatah has jurisdiction over human rights matters. It may be approached directly "in cases of urgency or exceptional importance". When a party raises a human rights-related matter before the Magistrates' Courts, High Courts or the Supreme Court, the relevant court has a discretion to refer the matter to the Constitutional Court if the court considers it to be "a human rights matter that is likely to affect the outcome of the matter". On 13 November 2019, the Government of Rhakatah passed the Rhakatah *Cyber Security and Data Protection Act* (CSDP Act) addressing increased challenges of cyber security and protection of data of citizens. The CSDP Act provides that a Magistrates' and High Court of Rhakatah may be designated to act as a Court for Cyber Security and Data Protection (Cyber Court).

3. The *Rhakatah Liberation Front* (RLF) has been in power since 1979. In all the successive elections since 1979, RLF faced little opposition until the formation of the *Democratic Angels of Faith* (DAF) in 2009 under the leadership of the charismatic prophet, Papa Tommy Tomato, the founder of *Tomato Faith Ministries*. Members of *Tomato Faith Ministries* do not tolerate anyone who criticises their Papa and, on many occasions, they have resorted to violence to promote their cause. On a regular basis, there are violent and fatal clashes between Papa Tommy Tomato's followers and those of other beliefs.

4. Tommy Tomato, or simply "Papa" as he is affectionately called by his followers, is among the richest people on the Continent of Kanthiyeyu. He is the Founder of Hello-Jah, one of the biggest telecommunication networks company on the Continent of Kanthiyeyu. It is amongst the world companies that are in the 5G race and other emerging AI technologies.

5. Some women who are members of TFM live under life-time vows of chastity and are known as Tomato Sisters. As a co-founder of DAF, Sister Betina is a famous Tomato Sister. She also played a critical role in the drafting of the DAF Constitution. Section 2 of DAF Constitution, known as the "relay leadership clause",

[319] https://www.chr.up.ac.za/world-moot-documents

provides as follows: “In line with the national presidential term limit, all DAF presidents shall lead the party for two terms only. Subject to their availability and unless disqualified under this Constitution or national laws, DAF shall contest in the 2010 and 2015 national elections under the presidency of Tommy Tomato and in the 2020 and 2025 national elections under the presidency of Sister Betina.”

6. While Rhakatah and Siya-something have maintained diplomatic and consular relations since 1980, politicians from the ruling party, RLF, constantly accuse Siya-something of “neocolonialism and of having an imperialist agenda geared towards subverting the revolutionary gains of Rhakatah.” Siya-something maintains sanctions on a number of RLF politicians for alleged human rights violations. Nevertheless, Siya-something companies continuously invest in Rhakatah, particularly in areas of emerging technologies. Recently, following an unprecedented hike in cases of online hate and harmful speech in the form of Sinophobia, racial slurs, misogyny, xenophobia and incitement to hatred against religious minorities that worsened with the outbreak of the Covid-19 pandemic and many people spending their time online, *SiyaTech Cloud*, a Siya-something artificial intelligence (AI) Company, sold the Government of Rhakatah an algorithm that is designed to automatically detect and delete certain hate speech online. While many people have raised concerns about violations of freedom of expression through such an algorithm, Rhakatah scientists have moreover also criticised the algorithm as a tool that was developed and trained using data sets that are more specific to the context of Siya-something than that of Rhakatah.

7. In the 2010 and 2015 national elections, DAF won a parliamentary majority although it lost the national presidency to RLF. This has made it difficult for Mr Bosha, President of Rhakatah and leader of RLF, who has resorted to rule by decree, passing presidential statutory instruments instead of waiting for Acts of Parliament. One of the Bosha Government’s initiatives that has been resisted by DAF parliamentarians is the adoption and use of mass surveillance AI monitoring technologies from *SiyaTech Cloud*. On many occasions, Bosha has referred to his Government’s lack of majority in the Rhakatah Parliament as “a pebble in the shoe that makes him wish to walk barefoot”.

8. In March 2019, there was a huge political fall-out between Sister Betina and Papa after the latter insisted that DAF should hold a plebiscite to decide, through votes of DAF members, whether he should continue as the presidential candidate of DAF in the 2020 national elections regardless of Section 2 of the DAF Constitution. Sister Betina, on the other hand, argued that there was no need for such a plebiscite since the DAF Constitution is clear on the matter. Papa went ahead to hold a plebiscite which resoundingly decided in his favour.

9. In October 2019, Sister Betina approached the High Court of Rhakatah with a case against Papa (*Sister Betina v Papa & DAF*) in which she asked the High Court for an order compelling Papa and DAF to recognise her as the legitimate leader of DAF as provided for in DAF Constitution. While the case was still pending at the High Court, Sister Betina registered for the 2020 elections in terms of the *Rhakatah Electoral Act* (REA) and the procedures of *Rhakatah Electoral Commission* (REC). Her party was identified as DAF-B, the “B” standing for Betina. REC is provided for in terms of the Rhakatah Constitution and is a nominally independent Commission which controls elections at all levels of Rhakatah politics.

10. DAF’s criticism of the RLF Government has intensified since 13 February 2020 when President Bosha announced lockdown measures and policies following cases of Covid-19 in Rhakatah. In the morning of 12 February 2020, Rhakatah recorded its first case of Covid-19. By the evening of the same day, 11 more cases had been recorded in Chi-Town, the capital city of Rhakatah. In the evening of 13 February 2020, President Bosha appeared on *Rhakatah National Television* (RNT) and announced as follows:

> My fellow Rhakatians, it is a sad moment to announce that 12 cases of Coronavirus infections have been recorded in our beloved nation. Our country is now confronted with a severe threat that demands an extraordinary response and much sacrifice. We have seen how the coronavirus pandemic has taken a heavy toll on our neighbours. We do not have to wait for fatalities to do the right thing. As such, the following measures have been put into place from 14 February 2020:
> • All non-essential travel is banned.
> • Any gathering of more than 20 people is prohibited.

- All political gatherings and in-person political campaigns for the 2020 elections are hereby suspended.
- Opening of accommodation, hospitality venues, churches, restaurants, bars, taverns and tours is prohibited.
- Family and social visits are banned.
- Social distancing, wearing Covid-19-approved-face-masks and good hygiene must be observed."

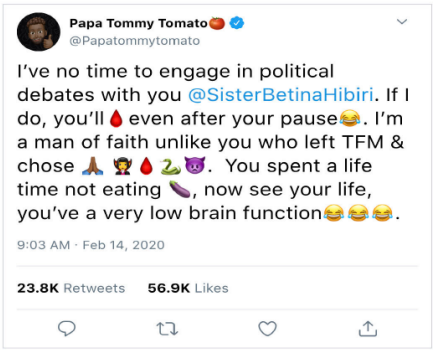
11. These lockdown measures were greeted with different reactions by the citizens of Rhakatah. While some applauded them as legitimate measures for public health, others condemned them as "disproportionate measures on a day when people are supposed to go out to celebrate love". Sister Betina was one of the politicians who commended the measures as something good for the nation as a whole. Her political rival, Papa, commented as follows:



12. In the early morning of the Valentine's Day, while many prepared and adjusted to celebrate their love in their homes, *twar* – "twitter war" – between Sister Betina and Papa continued. In one of her tweets, Sister Betina noted as follows:



13. Papa responded within six minutes. His response was something that would convert *twar* into "lawfare" before the courts of Rhakatah. He responded as follows:



14. The above tweet was neither flagged nor deleted by Rhakatah's AI that detects and deletes various forms of online hate speech. Nevertheless, after Sister Betina replied on 14 February 2020 that "The tweets by @Papatommytomato are dangerous misogyny and also contravene the 18 commitments on #Faith4Rights!" and tagged Rhakatah's Ministry of Information, the latter took Papa to the relevant High Court sitting as Cyber Court, alleging violations of Sections 13 of CSDP Act. Section 13 provides that "any person who unlawfully and intentionally through a computer, digital platform or information system uses language that incites to hatred or tends to lower the reputation or feelings of persons for the reason that they belong to a group of persons distinguished on the grounds set out in Section 75(5) of the Rhakatah Constitution or any other grounds whatsoever shall be guilty of an offence". Section 75(5) of the Rhakatah Constitution provides that "every person has the right not to be treated unfairly in a discriminatory manner on such grounds as their nationality, race, colour, tribe, place of birth, ethnic or social origin, language, class, religion or belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status, or birth". In terms of Section 39 of CSDP Act, the Cyber Courts are empowered to sanction the deletion of tweets, suspension of Twitter handles and ban offenders from using Twitter or other digital platforms for a specified period of time.

15. The Cyber Court found Papa's tweets to be in violation of Section 13 of CSDP Act. The Court ordered the deletion of Papa's offending tweets and imposed a one-year ban on him from Twitter, Instagram and

Facebook. Following the ruling and outside the court house, a journalist asked Papa how he felt about the ruling to which he responded: "I do not understand how those judges arrogated to themselves the right to attach secondary meanings to emojis and what I mean when I use certain emojis. I feel violated, not only as a political and spiritual leader but also as a human being. My rights have been violated. But since the Court only banned me on Twitter, Instagram and Facebook, I have created a TikTok account."

16. Between 14 February 2020 and 29 April 2020, President Bosha and the First Lady were seen on various occasions distributing food packages to hundreds of people – including those in DAF strongholds – while encouraging them to vote for RLF. Responding to many political players who complained about this, President Bosha responded: "You have to understand that my obligations as the leader of this country are not the same as yours. I am alive to the fact that the lockdown measures have adversely affected our people and they face starvation. We are risking our own lives to make sure that everyone, including your own supporters, are cushioned during these difficult times. An appreciation of our efforts will go a long way. We need not politick every good deed."

17. On 26 February 2020, *Siya-Pharm Inc.*, a Siya-something pharmaceutical company, announced that it had made a breakthrough and found a Covid-19 vaccine which it named *Muto*. Siyasomething's Department of Health approved *Muto* attesting that it is effective and safe. Nevertheless, tabloids in Siya-something criticised the move noting that the *Muto* was approved while still under a phase I trial, having been used only on 94 people and without published results. The tabloids relied on an open letter that was written by some scientists in the region noting that *Siya-Pharm Inc.* had used some "questionable" data in its clinical trials. When reached for comment, an unnamed scientist from *Siya-Pharm Inc.* said that phase IV of *Muto* will be done outside Siya-something and the company had its eyes on the Continent of Kanthiyeyu.

18. Meanwhile, the faction of DAF led by Papa coalesced with other opposition political parties and called itself the DAF-Alliance. The DAF Alliance Agreement provides that parties have the option of leaving or remaining part of the Alliance after the 2020 national election. The DAF-Alliance was recognised as a political party by REC for purposes of the 2020 national elections. Nevertheless, because DAF-B used the original logo of DAF, DAF-Alliance was asked to choose another logo, with which it complied. Since the DAF faction led by Papa was the biggest in the DAF-Alliance, there was agreement in terms of the DAF Alliance Agreement that the DAF faction led by Papa should provide 80% of the candidates to contest in the parliamentary elections and that Papa should be the leader of DAF Alliance. These candidates were chosen through an internal election. The national elections were scheduled for 30 April 2020 and lockdown measures were relaxed to allow millions to vote. A system of postal voters was also put in place. Since the first Covid-19 infection cases in February 2020, infection rates have remained steady and very low in March, April and May. Medical and pandemic management experts have attributed this feat to president Bosha's comprehensive lockdown measures.

19. Notwithstanding the ban on Twitter and the inability to hold in-person public campaigns as per the 13 February lockdown measures, Papa's DAF Alliance won 68% of parliamentary seats in the national elections that were held on 30 April 2020. Papa narrowly lost the presidential election, getting 3 607 514 votes while President Bosha got 3 700 260 votes. Papa claimed that Bosha rigged the presidential election. Sister Betina received 36 928 votes in the presidential election and DAF-B won 3 parliamentary seats – less than 2 percent of the total votes. In a bid to facilitate peace in Rhakatah, Bosha invited all political parties for a political dialogue that was scheduled for 2 June 2020. Papa called Bosha's initiative an attempt to pacify real opposition and create a one-party state. On 2 June 2020, the day that the leaders of opposition political parties met with Bosha, Papa did not attend. He chose, instead, to meet with the Ambassador of Siya-something, Ms. Ally Gator, who has become his close friend in recent years. There are rumours that Papa and the Ambassador of Siya-something are in a romantic relationship. Some local newspapers and RNT carried a story that Bosha was thoroughly dismayed and felt disrespected by Papa's snub of his proposed political dialogue and vowed to decimate the DAF-Alliance. When asked how he planned to do that, President Bosha replied: "We must be respected. We are the ruling party. We are the Government.

We are the police. We are the army. We are the intelligence officers. We are the courts. We are the law. We are everything you can think of."

20. On 10 June 2020, the High Court of Rhakatah delivered its judgment in the case of *Sister Betina v Papa & DAF*. It held that Papa and the leadership of DAF had violated DAF Constitution by holding a plebiscite to extend the presidency of Papa. It further held that the rightful leader of DAF is Sister Betina, and ordered Papa to vacate the headquarters of DAF and surrender assets of DAF to Sister Betina. The High Court emphasised that political parties play a fundamental role in strengthening constitutionalism at the national level and as such must respect their own constitutions as charity begins at home. The High Court judgment was strongly criticised by local legal experts and political commentators who argued that the judge failed to take judicial notice of the political reality of the case. On 12 June 2020, the DAF Alliance appealed to the Supreme Court of Rhakatah.

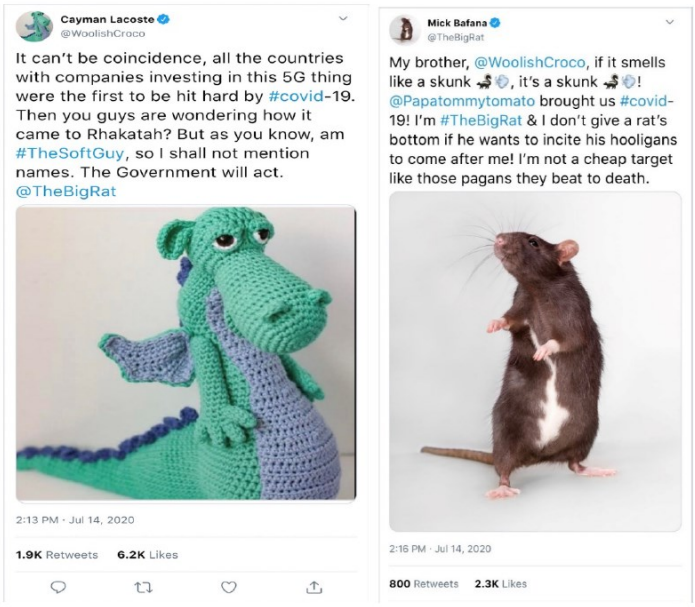
21. On 13 June, *Hello-Jah* announced its breakthrough on one of its projects on 5G holographic augmented reality. To showcase the product, *Hello-Jah* created a 5G holographic augmented reality of Papa dancing all evening on top of Chi-Town City Council Buildings. While dancing, he sang:

"If you believe in the virus-corona
I crown you the moron-ah
Come get your corona (crown)"

While some drones projected the show, some recorded it. Papa posted the recorded video on his TikTok account and it immediately went viral under the hashtag #FakeCovidDanceChallenge. Thousands of people participated in the #FakeCovidDanceChallenge. On 14 June 2020, TikTok deleted Papa's #FakeCovidDanceChallenge as part of its rules against misinformation on Covid19. The video was, however, reposted by the Embassy of Siya-something in Rhakatah (@SiyaInRhakatah) on Twitter with the comment: "We disagree with this but we should all be free to express ourselves. In any event, this video entertained many in this lockdown."

22. Meanwhile, on 15 June 2020, the Government of Rhakatah, reasoning that Sister Betina was the legally recognised and legitimate leader of DAF, allocated funds to Sister Betina's DAF faction, funds that are disbursed in terms of the *Rhakatah Political Finances Act* (APFA). In terms of Section 4 of APFA on state financing of political parties, political parties whose candidates received at least five percent of the total number of votes cast in the most recent national election are entitled to the same proportion of the total monies allocated to qualifying political parties in terms of the APFA.

23. On 14 July, there was an uproar in Rhakatah following the tweets below from Bosha's Presidential Spokesperson, Mr Cayman Lacoste who tweets from @Woolishcroco and from the Permanent Secretary in the Rhakatah Ministry of Information, Mr Mick Bafana, who tweets from @TheBigRat. Regional and international inter-governmental organisations to which Rhakatah is a party were concerned about the tweets and contacted Rhakatah Government seeking clarifications. The Ministry of Information held a press conference that was aired live on RNT and emphasised that the issue was an internal matter which the Government was looking into, "to get to the bottom of what transpired regarding the tweets". The tweets in question read as follows:



24. In the morning of 15 July 2020, the Supreme Court of Rhakatah dismissed with costs, Papa's appeal in *Papa & DAF v Sister Betina*. In the afternoon of 15 July 2020, President Bosha officially recognised Sister Betina as the Leader of Opposition in Rhakatah Parliament, a role that is provided for in the Constitution of Rhakatah. In the evening of 15 July 2020 and on the basis of the Supreme Court decision in *Papa & DAF v Sister Betina*, Sister Betina, invoking Section 75 of Rhakatah Constitution and Section 44 of *Rhakatah Electoral Act* (REA), recalled 43 DAF Parliamentarians who were elected under the ticket of the DAF Alliance and had publicly announced their allegiance to Papa.

25. Section 75 of Rhakatah Constitution provides for the tenure of Seat of Member of Parliament. In Section 75(3), it provides that "the seat of a Member of Parliament becomes vacant if the Member has ceased to belong to the political party of which he or she was a member when elected to Parliament and the political party concerned, by written notice to the Speaker or the President of the Senate, as the case may be, has declared that the Member has ceased to belong to it." When the 43 named DAF-Alliance Parliamentarians heard that Sister Betina had submitted a notice in terms of Section 75, they approached the High Court, seeking an injunction against Sister Betina whom they claimed had no authority to recall them.

26. While the High Court was still to make its determination in regard to the recalls, REC announced in *Rhakatah Gazette* that vacancies had arisen in Parliament in terms of Section 44(5) of REA, which provides as follows: "In the event of a vacancy occurring in terms of Section 75 of the Rhakatah Constitution, the President of the Senate or the Speaker, as the case may be, shall notify Rhakatah Electoral Commission (REC) of the vacancy, in writing, as soon as possible after he or she becomes aware of it. Upon being notified of a vacancy, REC shall, without delay, notify the public of the vacancy by notice in the *Rhakatah Gazette* and invite the political party in writing to submit the name of a qualified person to fill the vacancy, for which purpose the political party must lodge with REC a nomination paper that is countersigned by any two of the designated national office-bearers of the political party." Sister Betina submitted a list of replacements drawn from politicians from DAF-B faction. She also included her own name. Following the parliamentary recalls, various supporters of DAF Alliance and voters sought to demonstrate against what they perceived as a clamp down on their fundamental human rights but were arrested for violating lockdown measures.

27. Late in the evening of 15 July 2020 and following the Ministry of Health's report of 2717 new cases of Covid-19, a hike from the 722 cases that had been recorded since February 2020, President Bosha made another national address and stated as follows:

> Fellow Rhakatians, once again, I come back to you in these difficult times of covid-19. I am aware that since the announcement of the first lockdown measures, we managed, until recently, to keep infection rates very low. This was not an easy feat and I am aware that this has been very difficult for all of us. Now we are confronted with a terrible increase in the number of infections. We are, indeed, faced with difficult choices. The choice between the right to freedom of movement and the right to privacy; the choice between the right to freedom of association and the right to health; the choice between the right to freedom of speech and irresponsible information sharing that affect the right to health; the choice between the right to privacy and the right to health. But I can assure you, the right to health is intrinsically linked to the right to life. We are only able to exercise all these other rights because we are alive. It is, therefore, a necessary evil. A necessary sacrifice. Yes, we may have the lowest infections at the moment but we have seen a number of people who are not respecting the lockdown measures and it is difficult to monitor such people or track those they may have potentially infected. The slightest lapse in our alertness or efforts can lead to catastrophic fatalities. Don't listen to DAFT PROPHETS and their fake news campaign against vaccination! We have all seen what have been happening in neighbouring countries because they failed to see that sometimes what may be seen as evil is for the greater good. The Government of Rhakatah has procured essential technologies from *SiyaTech Cloud* and a vaccine from *Siya-Pharm Inc.* that will make a difference in the fight against the deadly virus. Through SI/15/07/2020, I am announcing the following new and additional measures:
>
> • The installation of mass surveillance and facial recognition technology across Rhakatah to enable the Government to monitor people, identify and punish those who break lockdown rules.
> • The use of AI algorithms to monitor people's smart-phones for purposes of checking people's body temperature, medical condition, identifying suspected coronavirus carriers, and tracking their movements and those they may have infected.
> • In the interest of public health, there will be compulsory *mutowenyemba* vaccination.

• *Hello-Jah's* 5G license is hereby suspended pending conclusions on corona-related investigations.
• We are aware that these measures will anger some politicians whose supporters are known for violence and have already exhibited their violent intentions to spread covid-19. As such, all political assemblies are hereby prohibited for the next three months.
• Rhakatah soldiers are henceforth deployed to help Rhakatah Police in enforcing lockdown measures and helping with compulsory vaccinations.

28. Following these developments, there were various online protests from different stakeholders in Rhakatah, from citizens and human rights non-governmental organisations. On 16 July 2020, the Embassy of Siya-something in Rhakatah which was closely following the developments also tweeted as follows:



29. Thirteen minutes after the tweet from the Embassy of Siya-something, the Government of Rhakatah responded through the Ministry of Information. It noted as follows:



30. A week later, on 23 July 2020, to celebrate the 22nd anniversary of Tomato Faith Ministries and address various instances of police brutality in enforcement of lockdown measures, Papa went to Tomato Faith Ministries in Chi-Town to make a virtual address. The event was livestreamed on Twitter through @SiyaInRhakatah Twitter handle. In his opening address, Papa said:

> We have always maintained that covid-19 is a political and capitalist excuse to exploit the vulnerable of this earth. For a long time, DAF has resisted these AI technologies that are unnecessarily intrusive and violate our people's fundamental rights. Now, Bosha's Government, knowing that it does not have a parliamentary majority, is now using covid-19 as an excuse to normalise the deployment of mass surveillance technologies that the people have rejected for a long time. As a man of faith, the hidden has been revealed to me by the sacred spirits: Covid-19 is the work of the devil; the devil is using capitalist governments of this world who engineered and orchestrated this fake pandemic in order to suck us dry. Even if one was to get sick, one can take hydroxychloroquine. Medical research by our esteemed medical doctors has shown that if you take hydroxychloroquine, you will totally be fine. There is no need to hide in your houses like rats afraid of cats or vampires afraid of the sunlight. Yet, Bosha's Government refuses to listen to us; it prefers to continue pandering fear. Medical evidence which it presents on covid-19 is neither unanimous nor conclusive. Yet, Bosha's Government unjustifiably prefers one medical evidence to another. Medical research that does not support their narrative of fear is demonised and branded as fake news. To this Government

and its cabals, fear is profit. We hear that Bosha's wife has shares in *SiyaTech Cloud*. Bosha's two daughters have shares in *Siya-pharm Inc.* He has not denied it. It is corruption that stinks to the highest level, risking our health. All these measures that are being taken are not only disproportionate but unnecessary. Why should I be forced to wear a mask? If you think a mask works, then good for you, it means I won't be able to infect you if I have the fake virus, so why do you worry about whether or not I am wearing a mask myself? It is my choice. If you insist that *muto* works and prevents infections, why should you be worried about me not getting the vaccination? If it simply means you can't be infected if you get a *muto* shot, surely, you shouldn't be bothered by those who don't get it. We must refuse to be anyone's guinea pigs! This is a watershed moment that if we do not resist these intrusions, they will forever alter – if not destroy – the human rights project as we know it today. It is the poor who continue to be hit hard by these lockdown measures; losing their jobs, their trade and failing to feed their families, their health compromised while dictatorial governments like that of Bosha are taking it as an opportunity to invade our rights *en-masse*. I say let us end this now. Go out there and live your life. We only live once after all.

31. As he continued his address, over 500 people streaked to Tomato Faith Ministries – the majority of them not wearing masks – and started cheering Papa. Many were met with the brutal force of Rhakatah Police and Army. Armed with a search warrant, special squads of Rhakatah Police were immediately dispatched to Tomato Faith Ministries where, upon arrival, they seized an iPad device from which the event was being livestreamed. During the livestream, the iPad was pitched on a stand. As the police seized it, the Ambassador of Siya-something who was attending the event protested that the iPad was hers and thus covered under diplomatic privileges and immunities. Citing violations of lockdown rules and Article 7 of CSDP Act, the Police stopped the livestreaming and deleted all the videos and press-statements of Papa that were posted on @SiyaInRhakatah's timeline. Article 7 of CSDP Act provides that "any person who unlawfully and intentionally through a computer, digital platform or information system misinform or disinform the public in a manner that menace public health, public order and national security shall be guilty of an offence". The videos that were deleted concerned Papa's consistent views on the Covid-19 pandemic. The Police also used the AI algorithms to track through their smart-phones the movement of 834 people, mostly supporters of DAF Alliance, in order to identify those who were close to Tomato Faith Ministries on 23 July 2020 and charged them with violating the measures under SI/15/07/2020. During the first appearance of the 843 accused persons before the Magistrates' Court, a week later, their lawyers requested that the constitutionality of the lockdown measures be referred to the Constitutional Court. The Magistrate declined the request on the basis that "no court is likely to find the measures to be unjustified".

32. The incident at Tomato Faith Ministries resulted in a diplomatic fall out between Siya-something and Rhakatah who are now before the International Court of Justice to adjudicate the dispute. Papa approached the Constitutional Court of Rhakatah arguing that the Police actions on 23 July 2020 violated his right to administrative justice. The Constitutional Court ruled in favour of the State noting that public health takes precedence in the matter. Meanwhile, two weeks after the incident of 23 July 2020, Rhakatah's Ministry of Health reported a shocking 4 420 new cases of Covid-19 infections.

33. On 16 November 2021, Papa and 43 recalled Parliamentarians approached the Kanthiyeyu Human Rights Tribunal alleging the following:

a) The recalling of Democratic Angels of Faith Alliance's Members of Parliament violates the Kanthiyeyu Charter on Human Rights and other relevant human rights treaties.

b) The deletion of tweets from @papatommytomato and @SiyaInRhakatah, and the ban of Papa Tommy Tomato from Twitter by the Rhakatah Government violate the Kanthiyeyu Charter on Human Rights and other relevant human rights treaties.

c) The lockdown measures of 13 February 2020 and 15 July 2020 violate the Kanthiyeyu Charter on Human Rights and other relevant human rights treaties

Instruction: Prepare memorials for **Applicant** (Papa Tommy Tomato and 43 others) and **Respondent** (Republic of Rhakatah) addressing jurisdiction, admissibility, merits and remedies.



Participants at the OHCHR expert workshops in Collonges

13-14 December 2018



18-19 December 2019



3-4 October 2022

Religious and other quotes as well as artistic expressions contained in this #Faith4Rights toolkit emanate from the expert workshops in Beirut and Collonges. The views expressed in this toolkit do not necessarily constitute positions of OHCHR or any other UN entity whose reports are quoted in this toolkit.

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2nd edition (version 2.3 of 1 November 2024)

The “Faith for Rights” framework provides space for a cross-disciplinary reflection and action on the connections between religions, beliefs and human rights. The objective is to empower faith actors to contribute to fostering peaceful societies, which uphold human dignity and equality for all and where diversity is not just tolerated but fully respected and celebrated.

The United Nations High Commissioner for Human Rights has stressed that religious leaders are potentially very important human rights actors in view of their considerable influence on the hearts and minds of millions of people. The 2012 Rabat Plan of Action on the prohibition of incitement to hatred already laid out some of religious leaders’ core responsibilities against incitement to hatred. Expanding those responsibilities to the full spectrum of human rights, the faith-based and civil society actors participating at the OHCHR workshop in March 2017 adopted the Beirut Declaration and its 18 commitments on “Faith for Rights”.

The Beirut Declaration has been supported by and reaches out to various actors belonging to religions and beliefs in all regions of the world, with a view to enhancing cohesive, peaceful and respectful societies on the basis of a common action-oriented platform which is open to all who share its objectives.

This #Faith4Rights toolkit aims at translating the “Faith for Rights” framework into practical peer-to-peer learning and enriching capacity-building programmes. It contains 18 learning modules, mirroring each of the commitments on “Faith for Rights”. These modules offer concrete ideas for learning exercises, for example how to unpack the 18 commitments, share personal stories, search for additional faith-based quotes or provide for inspiring examples of artistic expressions. The whole concept is interactive, result-oriented and conducive to critical thinking. The toolkit is open for adaptation by facilitators in order to tailor the modules to the specific context of the participants.

This toolkit builds on a wealth of comparable tools by several UN agencies that have been integrated into the #Faith4Rights toolkit. It also illustrates artistic expressions as learning tools and offers built-in links to relevant resources faith actors would need. The annex proposes several cases to debate, which illustrate the intersectionality of the 18 commitments and enhance the skills of faith actors to manage religious diversity in real-life situations towards the shared aims of “Faith for Rights”. For any enquiries, please send an email to: **OHCHR-faith4rights@un.org**

