

A WORLD REPORT ON FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION OR BELIEF

Prepared by the Human Rights Centre of the University of Essex, UK, in conjunction with Project Tandem, Inc., USA. Funded by the Pew Charitable Trusts, PA, USA.

Statement of Need

Freedom of thought, conscience and religion or belief is proclaimed by the Universal Declaration of Human Rights, 1948, and by many other international instruments, as a fundamental right of the individual, a right which all States should uphold. Yet there is little systematic, comparative knowledge or understanding of how different countries, either in theory or in practice, acknowledge and protect the right.

What is known is that freedom of conscience is frequently denied to those individuals and communities that hold the 'wrong' beliefs, and that persecution and discrimination on grounds of religion remain a lamentable reality in different regions of the world. But evidence of such persecution and discrimination is not systematically recorded or debated in world fora.

There is even less knowledge and understanding of positive initiatives that are undertaken to nurture harmony between religions or beliefs, apart from the often poorly publicised international inter-faith fora established by different faiths to pursue dialogue. Yet much good work goes on within countries, and this should be highlighted.

Generally, it is known that tension over religion or belief is an increasingly salient factor in internal and international conflicts in different parts of the world. In such cases as Northern Ireland, Sudan or Bosnia, for example, the exact weight to give to religious discord may be disputed, but no one would deny that violence and atrocity in such situations are inflamed by religious intolerance and prejudice. Equally, no one could doubt that such conflict might be more amenable to democratic and peaceful resolution if the divided communities could find means of recognising each other's different beliefs and traditions as being entitled to respect and understanding.

In the world of the 1990s, competition between secular ideologies could be replaced by religious tension, confrontation and conflict. Even if such a prediction should prove wide of the mark, the question of how to ensure, throughout the world, the individual's right and freedom to follow his or her conscience is of the first importance. Equally, the question of how to build, within and between countries, tolerance, understanding and accommodation for different religions and beliefs is likely in the years to come to present the world community with a considerable challenge.

Overview of the Project

The purposes of the project are to seek to fill the gap in information and understanding of freedom of conscience as an internationally guaranteed right, to contribute to raising global awareness of the significance for international peace and security of the widespread denial of this freedom, and to encourage action at all levels in defence of the spiritual dimension of the human being as a human rights concern.

The means adopted to fulfil these objectives are to research, publish and disseminate a World Report on Freedom of Thought, Conscience and Religion or Belief. This survey will report on a representative sample of at least 50 countries, examining in a common format the status of this freedom both in legal terms and in practice. Evidence of intolerance and discrimination will be reported on, but also highlighted, where they exist, will be developments that indicate efforts to strengthen protection for this freedom, and efforts to increase tolerance and understanding between different beliefs or religions. Each country entry will seek to give the reader a sense of the overall context of that society, its stage of development and its legal, social and political structure. Data on religious communities, freedom of publication and broadcasting, religion and education, and the impact of beliefs on the status of women will be among the types of information included.

The countries chosen for the World Report will be broadly representative in regional geographical terms, and will be selected to reflect the major faiths and cultures in the world. Reports will be commissioned from experts on each country, and each draft entry will in the first place be read by two independent readers from that country, to obtain a balance of perspectives. Each entry will also be read by at least one member of the International Advisory Board, which oversees the World Report. The Editor will be responsible for the final entries. The standpoint adopted will be independent and neutral between religions or beliefs, and will be based on the agreed international human rights standards in the field of freedom of thought, conscience and religion or belief.

Report Format

We do not wish to impose a rigid common format to each entry. We do expect that an entry will develop roughly as follows:

Formal Legal/Political Structure

(see 1981 Declaration: Article 4, Article 7)

First, the constitutional system of each country might be described in no more than a paragraph, i.e., republic or monarchy, federation etc. Is there a formal and real commitment to democracy to a competing political principle?

At the constitutional level is there included in a Bill of Rights, or elsewhere, recognition of freedom of thought, conscience and religion or belief. The exact formulation of such recognition of the freedom should be scrutinised, in particular, to see whether it recognises the principle of equality and non-discrimination between faiths and religions. A concern following on, but not necessarily written at this point should be whether there is any legislation on this freedom, such as a law on religious organisation. Equally, is it lawful to establish organisations that promote humanism or atheism? It would be desirable if copies of the wording of any such legislation could be sent to us. Similarly, it may be worth noting any significant judicial decisions - it would be useful if copies could be forwarded with the report. Finally at this legal level, it would be useful to note if there is a Ministry of Religion or a government level institution governing relations between faiths, religions etc.

Discrimination

(see 1981 Declaration: Article 2, Article 3)

Our interest here is whether there is any anti-discrimination legislation that extends to religions or beliefs (under the 1981 Declaration there is a duty on States to introduce such legislation). Any interesting features of such legislation, such as whether it encompasses positive discrimination or affirmative action, should be noted. Examples of practices or incidents of discrimination or persecution should be given where these exist.

The next section could discuss religion and culture within the country. A description of the main religions, churches and religious movements etc., should be given. It is likely to be impossible to itemise all such groups, but the majority and main minority religions/churches should be mentioned. A key concern here, of course, is relations between faiths and whether they can be said to have an acceptance of each others rights, even though they have conflicting versions of the truth. Examples of co-operation or sharing of facilities between religions etc. might be given here.

Each entry will inevitably be focused on religious belief. However, we are interested in what, if anything, can be said about acceptance of non-religious beliefs, for example, humanism, atheism to other, similar non-religious beliefs. If there are active organisations concerned with humanism or other, similar non-religious beliefs, they should be mentioned. And what of those who have no beliefs? In the case of all religions, churches or new religious movements identified, can one say that they suffer any disadvantage in terms of their right to exist and to practice their faith?

Promotion of Religion or Belief and Proselytising

(see 1981 Declaration: Article 1, Article 6 (d), (e), (j))

For some religions, promotion, missions and proselytising is essential to their faith. Are there any restrictions in the country in question on such activities. Are there any controversies over this issue between the State and different churches, or between the Churches themselves.

WRITER SECURITY PROTOCOL

Discussions with experts in the field of religious tolerance in particular, have highlighted the need for security. Each writer or reader we contact will be asked whether they wish their anonymity to be preserved, and whether they wish to be contacted directly or through an intermediary or organisation. In normal circumstances, writer and reader names will be stored in the Writer/Reader contact database. However, where the writer or reader wishes to remain 'protected', the following guidelines apply:

General

The names and addresses of protected writers/readers must **not** be stored electronically. That is, they must not appear in any database, nor in any other files, such as correspondence files, stored on a computer system, including e-mail. NO writer or reader names, protected or not, are to be published in any media.

Need to Know

It will not be necessary for everyone working on the World Report to know the names of all the writers, readers etc. Therefore, names will be distributed on a 'need to know' basis.

Database storage

References to the **country only** will be used in the research database, with a note stating that this country has a protected writer/reader. No reference to the author, or the author's organisation should be made. Draft and final reports must be checked for any reference to the author, which should be removed before the report is transferred to the research database.

In the address database, all name, address, title, organisation, telephone, fax and e-mail fields will be left blank. Contact information (names and addresses of intermediaries etc.) will be stored securely as hardcopy only. The only fields containing information on protected writers/readers in the address database should be:

(Country field:) Burkina Faso - protected writer
(Writer field:) Contact by fax only.

The names of contacts should **not** be stored electronically.

Communication

Some writers/readers may wish to have only fax or only phone or only e-mail contact; others may wish to use an intermediary. Information on how protected writers are to be contacted will be stored as hardcopy only.

Correspondence to writers/reader, where requested, must not be kept on any computer system. Letters to protected writers/readers should be stored, where necessary, on floppy disks, and these disks should be kept securely. Copies of correspondence to protected writers should be kept securely.

Writer lists

It may be necessary to transmit writer lists between Essex, Tandem and Australia. Again, when transmitting writer names, writer anonymity, where this has been requested, must be preserved. That is, names of protected writers are not to be transmitted.

WRITER LISTS ARE FOR INTERNAL USE ONLY and writer names, whether protected or not, are NOT to be published or otherwise transmitted except between members of the Editorial Board*.