



HamMUN 2018

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**UNITED NATIONS HUMAN RIGHTS
COUNCIL**

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WELCOME LETTER

Honourable delegates,

Welcome to the 2018 Hamburg Model United Nations' Human Rights Council. Katharina and I will be your chairs and we're both really excited to see you all and to witness fruitful discussions on the topics that we prepared for you.

Together we are proud to present to you our two topics: A. Protecting Social and Cultural Rights in Nations Affected by Terror and B. Freedom from Religion. This study guide should give you a good basis for further research. However, keep in mind that this is just the beginning of the preparation.

We're really looking forward to the conference, the debates, the amazing socials, and most of all, we're looking forward to meeting all of you in person! In case you have any questions, do not hesitate to contact either Katharina or myself at unhrc@hammun.de!

Sincerely,

Justyna Danilo & Katharina Kruger

Chairs of the Human Rights Council

INTRODUCTION TO THE COMMITTEE

The Human Rights Council is a subsidiary body to the United Nations General Assembly¹. It has 47 members who are selected by the General Assembly for a period of three years. There are a certain number of memberships allocated to each region of the world: 13 memberships for Africa, 13 for the Asia-Pacific region, 8 for Latin America and the Caribbean, 7 for Western Europe and 6 for Eastern Europe.

The mandate of the Human Rights Council is to strengthen the promotion and the protection of human rights worldwide, to address human rights violations, and to make recommendations on how to reduce human rights violations². The council convenes three times a year for these purposes, and beyond that can also hold special sessions to address emergencies if one third of its Member States requests to do so. Specifically, it is supposed to support and guide Member States in their fulfilment of human rights.

Its main instrument is the periodic review of Member States' behaviour concerning human rights³. To help with this, a working group reviews a human rights report submitted by every Member State every five years. Another instrument is the special procedures, which consist of independent experts, special rapporteurs, or five-person working groups appointed by the Council, who meet outside of regular sessions serve to discuss specific Member States or subjects. The Human Rights Council also has an advisory committee, with a range of thematic and regional experts. Last but not least, there are complaint procedures in place for gross human rights violations as well as for individual complaints.

¹ OHCHR, "Human Rights Council Info Booklet", pg. 4

² Ibid.

³ Ibid.

1.0 TOPIC A: PROTECTING SOCIAL AND CULTURAL RIGHTS IN NATIONS AFFECTED BY TERROR

1.1 INTRODUCTION

Terrorism is a problem that the world is facing to an extent it never has before⁴. While there is no official definition, it is broadly understood as the threat or use of violence to further a political aim. Some definitions include exploiting fear of the public, and some definitions also widen the scope of possible aims to include, for example, religious, economic or social goals. It is perhaps a modern form of war; and like all war it harms not only those at the scene of an event, but those surrounding the victims, and everyone that has a reason to be emotionally invested. Each one of those individuals affected is born with a set of inalienable rights, and these rights are not to be taken by states or other groups alike⁵.

Terrorism poses a threat to human rights in a variety of ways, not limited to life and wellbeing during and after an event. Organized terrorist groups threaten the power of governments, the organ responsible for providing and sustaining human rights⁶. Consequentially, governments have the difficult tasks of finding methods to ensure their monopoly of power over their citizens, and ensuring an adequate quality of life for their citizens. They need to eliminate the threat of violence, as violence from non-state actors is not permitted, and they need to ensure their own abilities to provide for their people, as well as prevent any harm done to established systems or structures that ensures a certain quality of life (i.e. infrastructure, schools, health care providers, water, and electrical networks).

For this conference, the committee will focus on the protection of human rights before, during, and after terrorism, specifically a certain set of human rights, that have received less attention up until now.

⁴ Roser, Nagdy and Ritchie, "Terrorism"

⁵ UN General Assembly, *Universal Declaration of Human Rights*

⁶ Roser, Nagdy and Ritchie, "Terrorism"

1.1. SOCIAL AND CULTURAL HUMAN RIGHTS

As many of you might be aware, what makes up human rights is not straight forward. Human Rights are moral principles or norms, which are specified in international legal documents, mainly the International Bill of Human Rights. The International Bill of Human Rights consists of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁷.

The UDHR is a declaration, and it consists of 30 articles, devoted to the different human rights.⁸ The content of the UDHR is specified in the ICCPR and the ICESCR, two treaties, that list the details of and limitations to civil and political as well as economic, social and cultural rights respectively. The UDHR is, hence, a summary of the ICCPR and the ICESCR, wherein articles 3-21 define the principles of civil and political human rights, and articles 22-28 define the principles of economic, social and cultural rights.

The International Covenant on Economic, Social and Cultural Rights is split into five parts. The first part is about the right to self-determination, which states that every person and people are allowed to pursue their goals, manage their resources, and cannot be deprived of what they need to live. The second part calls upon parties, especially legislative bodies, to try to realize the rights (albeit progressively) without discrimination of characteristics, such as race, sex, religion, etc.⁹

The third part lists the rights. They are, in summary:

- The right to chosen or accepted, decent, and safe work, which is fairly and equally paid. This includes appropriate training, and state measures directed at zero unemployment, as well as allowing trade unions and striking.
- The right to social security, meaning that the state must have a social insurance scheme aimed at protecting the sick, disabled, injured through employment, unemployed, elderly, and mothers.
- The right to protection of the family, as it is “the natural and fundamental group unit of society”¹⁰. States are required to protect and assist families, and ensure chosen and not forced marriages. Mothers must be provided with paid leave before and after childbirth, and children must be protected from exploitation (forced, dangerous, or harmful occupation).
- The right to an adequate standard of living, including food, housing, clothing, and measures that continuously improve living conditions. People must be able to live in peace, dignity, and security, with adequate privacy, space, infrastructure, and more.
- The right to physical and mental health. In addition, everyone has a right to control their physical and mental health. The state is responsible for providing access to healthcare, clean water, food, and sanitation.
- The right to education. The state must take measures to it being completely free.

⁷ OHCHRd, “Fact Sheet No. 2 (Rev. 1), The International Bill of Human Rights”, pg. 1

⁸ UN General Assembly, *Universal Declaration of Human Rights*.

⁹ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*.

¹⁰ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, Article 10.

- The right to cultural life, meaning the right to participate in cultural life, shared benefit from scientific advancement, and protection of authors' or creators' moral and material interests.

Beyond the ICESCR, there are further treaties that include economic, social and cultural rights, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, or the Convention on the Rights of Persons With Disabilities¹¹.

Economic, Social and Cultural rights are not unproblematic to implement in national law, and they have not been continuously accepted throughout history. Some Western countries were against them altogether, which is why there are two international covenants and not one¹². This is because governments of Western countries cannot guarantee the same standards of education, living, housing, nutrition or health for all its citizens, all of which are human rights stated in the ICESCR. This is due to the modern free floating market system, which allocates a large amount of freedom to private economic actors (compared to the preceding Bretton Woods era) at the cost of government controlled redistribution of capital from rich to poor. Because economic and social rights cannot be guaranteed unless economic actors have only limited freedom in the market, they were a nuisance to Western countries focused on dominating the global market in the second half of the 20th century.

Prejudice against economic, social and cultural rights was visible at the UN level as well. The International Bill of Human Rights was developed in the United Nations Commission on Human Rights, the predecessor of the United Nations Human Rights Council, and the United Nations General Assembly¹³. To monitor the implementation of the ICCPR by Member States, a subsidiary body to the Commission composed of independent experts was put in place, called the Human Rights Committee¹⁴. The monitoring of the implementation of the ICESCR started much later than that of the ICCPR, and it was carried out by the Economic and Social Council (ECOSOC) instead of the UNHRC, as economic and social rights were considered irrelevant to the work of the UNHRC.

Similarly, while the tool that allowed the filing of complaints for human rights violations was adopted by the UN in 1966 for civil and political rights, it wasn't adopted until 2008 for economic, social and cultural rights¹⁵. In 2006, the UN attempted to resolve the criticism of the outsourcing of the ICESCR to the ECOSOC by establishing the UN Human Rights Council. With this revision, the Committee on Economic, Social and Cultural Rights was placed under the discretion of the UN Human Rights Council, whereas before, it was under the discretion of the ECOSOC. This is a group parallel to the Human Rights Committee, but responsible for monitoring the implementation of the ICESCR¹⁶. Since then, both covenants are under the discretion of the Human Rights Council and function analogously.

¹¹ OHCHRa, "Frequently Asked Questions on Economic, Social and Cultural Rights", pg. 3

¹² Kirkup and Evans, "The Myth of Western Opposition to Economic, Social, and Cultural Rights? A Reply to Whelan and Donnelly", 225

¹³ OHCHRd, "Fact Sheet No. 2 (Rev. 1), The International Bill of Human Rights", pg. 2.

¹⁴ De Albuquerque, "Chronicle of an Announced Birth: The Coming into Life of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights-The Missing Piece of the International Bill of Human Rights", pg. 148.

¹⁵ Ibid.

¹⁶ OHCHRb, "Committee on Economic, Social and Cultural Rights".

The ICESCR has been criticized for being imprecise in content and for being difficult to implement into national law¹⁷. Furthermore, opinions on the importance of these rights in comparison to civil and political rights vary. Specific rights are contested as well, and in total, even the Office of the High Commissioner for Human Rights admits that they have been relatively neglected¹⁸. The economic, social and cultural rights generate nowhere near the same political response, their violations are not criticized as much, and there are less supportive campaigns than for civil and political rights¹⁹. Several countries, such as the US, South Sudan, Saudi Arabia, Singapore, Oman, Bhutan, and Malaysia, have not ratified the treaty at all,²⁰. Scholars note that there are neither incentives nor sanctions for ICESCR violations²¹. As a result, the reports that states are to give every five years are often either incomplete, late, or not along committee guidelines.

2.2. TERRORISM AND THE CURRENT SITUATION

The number of worldwide terrorism-related incidents has increased drastically since 2010, as has the number of deaths resulting from these incidents²². Before 9/11, South American countries were most affected by terrorism, but this has since shifted to Arab and Asian countries²³. States are not exempt from protecting social and cultural rights during an emergency or an armed conflict, such as an act of terrorism²⁴. On the contrary, these rights require special attention in states affected by terror, especially those of marginalized groups, who's social and cultural rights are often dismissed. Social and cultural rights must be respected without discrimination; this is one of the main pillars of the rights.

In 2006, the UN adopted the Global Counter-Terrorism Strategy. This strategy demonstrates that Member States agree that terrorism is unacceptable, and they will implement actions that will combat the spread of terrorism as well as reduce the impact of existing terrorist groups²⁵. This strategy has four key objectives: addressing the conditions that foster the spread of terrorism, preventing and combating terrorism, strengthening the United Nations and states' mechanisms to prevent terrorism, and protecting human rights and the rule of law in acts of counter-terrorism.

In addition, the UN established the United Nations Office of Counter-Terrorism in 2017²⁶. Its tasks are to coordinate counter-terrorism efforts across Member States and UN working groups and entities, take charge of the General Assembly counter-terrorism mandates, ensure the implementation of the Counter-Terrorism Strategy, and improve visibility, advocacy and resources for UN counter-terrorism efforts.

In addition, other UN bodies must address issues related to terrorism and their respective mandate. The UN Office of the High Commissioner for Human Rights has admitted that "efforts to address the human rights implications of terrorism and counter-terrorism have

¹⁷ Mishra, "Social Rights as Human Rights: Globalizing Social Protection", pg. 10

¹⁸ OHCHRa, "Frequently Asked Questions on Economic, Social and Cultural Rights" pg. 1

¹⁹ Oloka-Onyango, "Beyond the Rhetoric: Reinvigorating the Struggle for Economic and Social Rights in Africa", pg. 1.

²⁰ OHCHRf, "Status of Ratification: Interactive Dashboard"

²¹ Mishra, "Social Rights as Human Rights: Globalizing Social Protection" pg. 10.

²² Roser, Nagdy and Ritchie, "Terrorism".

²³ Ibid.

²⁴ OHCHRa, "Frequently Asked Questions on Economic, Social and Cultural Rights", pg. 25.

²⁵ United Nations Office of Counter-Terrorism a, "United Nations General Assembly Adopts Global Counter-Terrorism Strategy"

²⁶ United Nations Office of Counter-Terrorism b, "United Nations Office of Counter-Terrorism: Home"

tended to focus on the protection of civil and political rights.”²⁷ Nonetheless, the Office recognizes two areas in which terrorism and social and economic rights overlap. The first one is socio-economic structures in countries affected by terror, and the second is the impact of counter-terrorism measures on social and economic rights.

The first topic concerns countries in which organized terrorist groups are active. Social and economic underdevelopment fuels support for terrorist groups, and is also an environment in which terrorist groups thrive²⁸. Therefore, countries need to address socio-economic marginalization, especially poverty and economic discrimination. Good governance, international assistance and cooperation are measures that aid in achieving this goal. Countries need to work towards long-term social and economic stability.

The second topic concerns current and future counter-terrorist measures all over the world. These measures sometimes restrict the enjoyment of economic and social rights of certain individuals²⁹. Countries are encouraged to utilize a variety of non-violent methods to disrupt the function of terrorist groups. Specifically, countries must be careful that sanctions or restrictions do not cut off the access to adequate water, food and sanitation to groups or regions. In addition, security measures should not impede access to education or employment. All the while, non-discrimination is one of the foundations of human rights.

1.3. QUESTIONS A RESOLUTION SHOULD ANSWER

- How can the economic and social situation of a country be improved in a way that especially benefits marginalized or discriminated groups?
- What is your country's definition of terrorism?
- What are effective counter-terrorism measures that do not violate social and economic rights?
- Should counter-terrorism measures be limited by economic and social rights? Should countries that have not ratified the ICESCR face the same limitations on counter-terrorism measures as those who have ratified it?

1.4. RECOMMENDATIONS

- The International Covenant on Economic, Social and Cultural Rights

Even though it is summarized above, this is certainly worth having a look at to familiarize yourself with (economic,) social and cultural rights. It will give you ideas for specific problems that terrorism poses.

- The OHCHR webpage on the Committee on Economic, Social and Cultural Rights

²⁷ OHCHRg, “Human Rights, Terrorism and Counter-Terrorism”, pg. 46.

²⁸ Ibid, pg. 47

²⁹ Ibid.

Even though you will not be able to act as this committee, it may be helpful to familiarize yourself with how this committee works in addition to the Human Rights Council, because it is responsible for monitoring rights violations and receiving complaints

- “Terrorism” from Our World in Data

This article/report gives a good overview of the evolution of terrorism, why it happens, as well as data on countries affected.

- The Status of Ratification Dashboard

This interactive webpage provides information on the ratification of human rights-related resolutions, such as the ICESCR. It shows which countries signed and or ratified which treaty, as well as the declarations made by each country concerning the treaties.

1.5. CLOSING REMARKS

When preparing, it will help you to find out where your country stands on economic, social and cultural rights in general. Remember that some countries find these rights essential, whereas others prefer they have minimal importance. This will give you an idea whether it would be fitting to block suggestions or push for specific changes. In addition, it will be essential to know your countries’ relationship to terror, and what efforts your country contributes to the worldwide fight against terror.

In general, this topic can be discussed along a very traditional line of east vs. west, or it could be oriented on the countries most affected by terrorism. It is up to the delegates!

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2.0 FREEDOM FROM RELIGION

2.1. HISTORY AND BACKGROUND OF THE PROBLEM

In the past few years, Freedom from Religion has become a popular topic in a public debate.³⁰ Different entities, such as academics, practitioners, organisations or activists, started pursuing an idea that if there is a freedom of religion, there has to be a freedom from religion as well.³¹ This idea came from an already known concept of the existence of both positive and negative freedoms, which can be defined as “freedoms to” (positive) and “freedoms from” (negative)³². The acknowledgement of this concept led to a conclusion that freedom of religion should be accompanied by its “negative” aspect.³³ For instance, since there is freedom to profess a religion, there also should be a freedom not to belong to a religion and not to practise it.³⁴

However, the concept of the existence of freedom from religion came with many different definitions of it -- not all of which are correct. For example, this term is often misunderstood with radical ideas of it going as far as to defining it as the right to be free from *exposure* to manifestations of religion in the public sphere.³⁵ Due to existence of such misinterpretations, it is crucial to recall, in the next paragraphs, the several rights and freedoms that have already been recognised as consisting freedom from religion/ negative freedom of religion.

Accordingly to the International Humanist and Ethical Union (IHEU) Director of Advocacy, Elizabeth O’Casey, the rights guaranteed by the freedom from religion are as follows:

- freedom from coercion to adopt a religion,
- freedom to have no religion,
- freedom to leave a religion,
- freedom to criticise a religion³⁶.

A similar definition was adopted by United Nations Special Rapporteur on Freedom of Religion of Belief, Dr. Ahmed Shaheed. Dr. Shaheed stated that freedom from religion is protected by the right to freedom of religion or belief, while also highlighting the fact that humanist, atheist and secular bloggers are under attack.³⁷ He added that the right to freedom of religion or belief protects the individual, not the religion or belief itself³⁸.

The issue of freedom from religion was also tackled by the European Court of Human Rights. In its various interpretations of Article 9 of the European Convention on Human Rights, the Court stated that freedom of religion or belief exists not only in the positive, but also in the

³⁰ Roberts C., *Interpreting freedom from religion: a step too far?*, University of Bristol Law School Blog, June 13, 2016, <https://legalresearch.blogs.bris.ac.uk/2016/06/interpreting-freedom-from-religion-a-step-too-far/>, accessed 20.09.2018.

³¹ *Ibid.*

³² *Positive and Negative Liberty*, Stanford Encyclopedia of Philosophy, August 2, 2016, <https://plato.stanford.edu/entries/liberty-positive-negative/>, accessed 20.09.2018.

³³ Bielefeldt H., *Freedom of Religion or Belief—A Human Right under Pressure*, Oxford Journal of Law and Religion, Volume 1, Issue 1, 1 April 2012, p. 22, <https://doi.org/10.1093/ojlr/rwr018>, accessed 20.09.2018.

³⁴ *Ibid.*, p. 22.

³⁵ Roberts C., *op. cit.*

³⁶ O’Casey E., *Actually, ‘freedom from religion’ is a human right, IHEU tells Vatican at the UN*, International Humanist and Ethical Union, March 9, 2018 <https://iheu.org/actually-freedom-religion-human-right-iheu-tells-vatican-un>, accessed 20.09.2018.

³⁷ *Ibid.*

³⁸ *Ibid.*

negative form, and has directly stated that it includes, the freedom not to belong to a religion and not to practice it³⁹.

Moreover, the Court stated that as a result of those rights:

- the State cannot require a person to conduct an act which might reasonably be seen as swearing allegiance to a given religion,⁴⁰
- individuals cannot be required to reveal their religious beliefs or be forced to adopt behaviour from which it might be inferred that they hold – or do not hold – a certain belief,⁴¹
- State authorities are not free to interfere (even indirectly) in individuals' freedom of conscience by asking them about their religious beliefs or forcing them to express those beliefs.⁴²

Lastly, the Human Rights Council in its General Comment No. 22 of Article 18 (Freedom of Thought, Conscience or Religion) of the International Covenant on Civil and Political Rights (CCPR) stated that:

- Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief,⁴³
- no one can be compelled to reveal his thoughts or adherence to a religion or belief,⁴⁴
- the holders of all beliefs of a non-religious nature also enjoy the protection of the right to reveal their beliefs,⁴⁵
- the fact that a religion is recognized as a State religion, or that it is established as official or traditional or that its followers comprise the majority of the population, shall not result in any impairment of the enjoyment of any of the rights under the Covenant nor in any discrimination against adherents to other religions or non-believers.⁴⁶

2.2. CURRENT SITUATION

As was previously stated, Freedom from Religion is the negative form of Freedom of Religion. Therefore, it is important to start with noting the actions taken by the international community that led to the establishment of Freedom of Religion as an international human right.

Freedom of Religion was recognized by the international community for the first time in Article 18 of the Universal Declaration of Human Rights, which states:

³⁹ European Court of Human Rights, *Guide on article 9 of the European Convention on Human Rights: Freedom of thought, conscience and religion*, May 31, 2018, https://www.echr.coe.int/Documents/Guide_Art_9_ENG.pdf, accessed 20.09.2018.

⁴⁰ *Buscarini and Others v. San Marino*, European Court of Human Rights, February 1998, §§ 34-39, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-63465%22%5D%7D>, accessed 20.09.2018.

⁴¹ *Alexandris v. Greece*, European Court of Human Rights, May 2008, §38, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-85188%22%5D%7D>, accessed 20.09.2018.

⁴² *Sinan Isik v. Turkey*, European Court of Human Rights, February 2010, §§ 51-60, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-97087%22%5D%7D>, accessed 20.09.2018.

⁴³ UN Human Rights Committee (HRC), CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion), 30 July 1993, CCPR/C/21/Rev.1/Add.4, available at: <http://www.refworld.org/docid/453883fb22.html>, accessed 20 September 2018.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”⁴⁷

In 1976, this statement was included in Article 18 of the International Covenant on Civil and Political Rights (CCPR), which solidified the statement as part of international law. As a result, if one agrees with the existence of both positive and negative freedoms, since that time in both the freedom of (positive) and freedom from (negative) religion became part of international law, even though the negative part was interpreted out of it later on. However, the discussion about Freedom from Religion is still very recent and there is very little legislation implemented. It is mainly referred to in academics and court rulings (mostly of the European Court of Human Rights).⁴⁸

There are not many countries that have introduced legislation related to Freedom from Religion. The United States of America in December 2016 introduced the HR15 amendment to the Frank R. Wolf International Religious Freedom Act, which redefined the freedom of religion to the following meaning:

“The freedom of thought and religion is understood to protect theistic and non-theistic beliefs as well as the right not to profess or practice any religion”⁴⁹

The action was seen positively by the UN High Commissioner for Human Rights Ahmed Shaheed, whom called it *“an important development, as believers, atheists and non-believers must all be equally protected”⁵⁰*. However, it failed to spark any international discussion on the topic. An international discussion on this topic is crucial:

- many humanists and non-believers are still widely stigmatized and persecuted around the world,⁵¹
- in some countries, promotion of atheist thought in any form is considered an act of terrorism,⁵²
- in some countries, any expression of non-belief or atheism is condemned as blasphemy or apostasy and is harshly punished:⁵³
 - 22 countries criminalize apostasy, out of which 12 punish it by death,⁵⁴
 - blasphemy is punishable by death in a further 6 countries: Afghanistan, Iran, Nigeria, Pakistan, Saudi Arabia and Somalia.⁵⁵
 - 85 countries severely discriminate against non-religious individuals; seven countries actively persecute them,⁵⁶

⁴⁷ The Universal Declaration of Human Rights, UN General Assembly, 1948, art. 18, https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf, accessed 20.09.2018.

⁴⁸ Roberts C., op. cit.

⁴⁹ Worley, Will, *Atheists now legally protected in US under religious freedom bill signed by Barack Obama*, Independent, December 22, 2016, <https://www.independent.co.uk/news/world/americas/atheists-legal-protection-us-religious-freedom-bill-signed-barack-obama-a7489641.html>, accessed 20.09.2018.

⁵⁰ *UN expert hails US move placing atheists on equal footing with faith groups*, UN News, 28 December 2016, <https://news.un.org/en/story/2016/12/548582-un-expert-hails-us-move-placing-atheists-equal-footing-faith-groups>, accessed 20.09.2018.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Churchil, Bob, *Freedom of Thought: Editorial Introduction to the 2017 edition*, International Humanist and Ethical Union, <https://freethoughtreport.com/editorial-introduction/>, accessed 20.09.2018.

⁵⁵ Ibid.

⁵⁶ O'Cassey, op.cit.

- in Bangladesh, India and the Maldives, bloggers and writers have been murdered for being secularists, ⁵⁷
- in Saudi Arabia, Pakistan, and Iran countless individuals are imprisoned, flogged or on death row for insulting or rejecting religion, ⁵⁸
- many countries, while not outlawing people of different religions, or no religion, forbid leaving the state religion, ⁵⁹
- there are legal restrictions against expressing “blasphemy”, defaming or insulting religion or religious beliefs, or offending religious feelings in 74 countries, of which 43 include a prison term for this crime, ⁶⁰

As the UN High Commissioner for Human Rights Ahmed Shaheed noted, people often do not fully understand the scope of the international human right to religious freedom.⁶¹ The delegation of the Vatican to the 37th UNHRC session, for instance, argued that freedom from religion is not a human right.⁶² Due to these conditions, further steps have to be taken in order to ensure respect for the right to freedom from religion.

Therefore, there is a need for an international discussion about Freedom from Religion. Such discussion should first of all re-define Freedom of Religion so as to set boundaries on its radical interpretations. Secondly, it would ensure the proper implementation and respect of the nations and individuals toward freedom of religion.

2.3. QUESTIONS A RESOLUTION SHOULD ANSWER

- What is Freedom from Religion?
- Is it important to ensure that the existence of Freedom from Religion and the international community's recognition of it?
- How can we make sure the right to Freedom from Religion is respected by both the governments and individuals?
- How can we reduce discrimination against atheists, humanists and secularists?
- What measures can be taken in order to stop the ongoing criminalization of apostasy and blasphemy? Are such measures justified?
- How can we protect the individuals whose right to freedom from religion is endangered or violated?

⁵⁷ O'Cassey, op.cit.

⁵⁸ Ibid.

⁵⁹ Churchil, op. cit.

⁶⁰ Ibid.

⁶¹ *UN expert hails US move placing atheists on equal footing with faith groups*, op. cit.

⁶² O'Cassey, op.cit.

2.4. SUGGESTIONS FOR FURTHER RESEARCH

- Freedom of thought report

<https://freethoughtreport.com>

This document will help you a great deal with researching your country's policy as it contains data on each country in the world related to discrimination and persecution against humanists, atheists and the non-religious.

- Guide on Article 9 of the European Convention on Human Rights (Freedom of thought, conscience and religion)

https://www.echr.coe.int/Documents/Guide_Art_9_ENG.pdf

This document gives you better theoretical background on how to understand freedom from religion and how it is interpreted by an international judiciary body, that is European Court of Human Rights.

- CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)

This document gives you a better understanding on what is the freedom of religion and what negative rights were already interpreted from it by UNHRC.

- International standards on freedom of religion or belief

<https://www.ohchr.org/en/issues/freedomreligion/pages/standards.aspx>

This website is helpful in gaining basic knowledge about international standards on freedom of religion or belief. You may use it to find out what are the primary sources of this human right and what are the issues related to it as well as what were the measures taken so far by the UN.

- Freedom of Religion or Belief—A Human Right under Pressure

<https://academic.oup.com/ojlr/article/1/1/15/1547673>

The article gives a basic understanding of the right to freedom of religion and it also tackles the issues related to its negative aspect. As a result, it can give a better understanding of what is freedom from religion.

- Interpreting freedom from religion: a step too far?

<https://legalresearch.blogs.bris.ac.uk/2016/06/interpreting-freedom-from-religion-a-step-too-far/>

This article will be helpful in understanding which interpretations of freedom from religion are too radical and therefore, will make it easier to create a more balanced definition of freedom from religion.

2.4. CLOSING REMARKS

While researching your country policy try to find out whether a state that you are representing respects the freedoms guaranteed by the right to freedom from religion and if not, what is their reasoning behind it. Consequently, during the debate try to follow your country's policy by arguing with others and trying to convince them (in a diplomatic way) that your policy respects international law and that you are entitled to actions that you are taking. This will keep the debate heated, especially since in this topic there are countries that have strongly different views on the matter.

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