

## **Script: The contents of Freedom of Religion or Belief - the right to manifest religion and beliefs**

The second core element of freedom of religion or belief is the freedom to manifest your beliefs in teaching, practice, worship and observance. This is known as the external dimension of freedom of religion or belief. Unlike the right to have or change religion or belief, the right to manifest is not absolute. In some circumstances the right may be limited.

To manifest means to express faith or beliefs in words and actions. International human rights law gives people the right to do that publicly or privately, alone or together with others.

You are entitled to pray privately and to express your religion or belief as part of a community, with collective worship and traditions.

And that community has rights too – not rights over their members, but rights in relation to the state. One of the most important of these is that the state has to ensure that religious and belief communities that want to gain a legal identity can, so that they can hold bank accounts, employ people, own buildings and run institutions.

There are lots of different ways for individuals and groups to practice or manifest a religion or belief, and UN experts have provided plenty of examples of activities that are protected:

- To come together for worship, celebrate festivals and observe days of rest.
- Wear religious clothing and follow special diets.
- To have places of worship, cemeteries and to display religious symbols.
- To play a role in society, for example by forming charitable organisations.
- To talk about and teach religion or belief, and train or appoint leaders.
- To write, publish and spread literature about your beliefs
- and communicate about faith issues at the national and international levels.
- You may also collect voluntary donations.

At this point you might be saying great – these are just the kind of rights I want for my community!

You might also be getting worried! What about groups who repress and control their members, or promote hatred or violence towards others? Are they free to spread and practice their beliefs?

I'd like to give two responses to this:

Article 5 of the International Covenant on Civil and Political rights bans the use of one right to destroy other rights. So freedom of religion or belief does not give the state, any person or group permission to repress people, incite violence or carry out violent acts.

Of course a lot of governments and groups do use force or repression. But freedom of religion or belief doesn't give them the right to do so. On the contrary it exists to protect those affected by repression and violence.

Secondly, although the right to have and to choose your beliefs can't be limited, the right to manifest or practice a religion or belief can. But Article 18 specifies that this may only be done when four rules are followed:

The limitation has to be provided for in law, necessary to protect other people, non-discriminatory, and proportionate to the problem it seeks to address.

These rules are really important. Without them, governments could limit any and every group or practice that they don't happen to like.

Limitations are meant to be a last resort, not a tool for state control. Sadly many governments ignore these rules and there are countless examples of state violations of the right to manifest religion.

Restrictive laws on registration are a major problem. Some governments require registration and make the right to practice religion or belief conditional on having registration. This violates international law. Registration should never be a precondition for the right to manifest. Registration should exist to provide legal personality for communities that want it.

Often states that ban unregistered religious manifestation also have restrictive laws that limit the ability of groups to register. Unregistered religious activity is, for example, banned in Kazakhstan and numerous groups have not been granted registration. It's also illegal to talk about religion to someone outside your own religious community and all religious literature has to be censored before use. This affects all religious communities.

Governments restrict religious practice in lots of different ways. The Vietnamese government uses check points to block Hoa Hao Buddhists from accessing their only pagoda. In Saudi Arabia, public non-Muslim worship is forbidden and some migrant workers been arrested and deported in connection with raids on gatherings for worship. And in parts of China and Indonesia, church buildings have been demolished by the authorities.

Thousands of publications are banned under Russian laws on extremism, including many that peacefully present religious beliefs. It's almost impossible to check if a text is banned but possession can result in fines, imprisonment or the banning of religious communities. Severe restrictions also apply to which religious beliefs can be shared, where and by whom.

In France some town mayors tried to ban the burkini, a swimming costume that covers the whole body except the face, on the basis of public order. That law was struck down by the highest administrative court, but a ban on wearing clothing that covers your face is still in place. And in some European countries, Halal and Kosher slaughter are banned.

The right to manifest religion is also limited by the actions of people and groups in society. In a survey of over 5000 Jews in 9 European countries, 22% said they avoid wearing religious clothing like the kippa because of fears for their own security. And in several countries, Jewish cemeteries have been desecrated.

In countries like Egypt, Pakistan and parts of Nigeria, people are afraid to attend places of worship for fear of attacks by terror groups committing violence in the name of Islam. While in parts of the Central African Republic, collective Friday prayers are impossible due to the risk of attacks from militias that target Muslims.

To sum up, the freedom to manifest religion or belief protects the rights of both individuals and groups to express their faith or beliefs in words and actions. This can be done both privately and publicly. Human rights documents give lots of examples of the types of practices protected, and one of the most important protections for groups is the right to a legal identity.

The right to manifest religion or belief may be limited, but only if a strict set of rules is followed, showing that the limitation is legal, necessary to protect other people, non-discriminatory and proportionate to the problem it tackles.

Sadly, many governments around the world do not follow these rules. The right to manifest religion or belief is violated both by governments and by groups in society.

You can find more information about the right to manifest religion or belief, including texts of human rights documents that refer to it, in the training materials on the website.

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