



The Federal Government's Third Report on the Global Status of Freedom of Reli- gion or Belief

Summary

MANDATE

The Third Report on the Global Status of Freedom of Religion or Belief covers the period from 2020 to 2022. It was prepared by the Federal Government Commissioner for Freedom of Religion or Belief, who is based at the Federal Ministry for Economic Cooperation and Development (BMZ), in cooperation with the German Federal Foreign Office (AA). In addition to data from the German missions abroad, the Report reflects information from NGOs, religious communities and experts. It also includes the results of many personal discussions between the Commissioner and individuals within affected communities, representatives of civil society and academia, and politicians, which have taken place all over the world, including at international conferences and meetings on this subject area.

With this Third Report, the Federal Government is fulfilling the mandate given to it by the German Bundestag (lower house of parliament) to report on the global status of freedom of religion or belief.

Freedom of religion or belief is enshrined in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Advocating for this specific right helps to strengthen all human rights.

The German government's commitment to human rights is thus driven by its support for the freedoms of people who are discriminated against for very different reasons. Women merit particular attention in that regard. They are often subject to discrimination, for example when they are members of a religious minority, are indigenous, black, poor or LGBTIQ+ or live with a disability. For that reason, the emphasis on religious freedom is a complementary part of the German government's feminist foreign and development policy. To enhance this commitment, the German government created the post of Commissioner for Global Freedom of Religion in 2018. It appointed Member of the Bundestag Frank Schwabe to the post, which is now known as Commissioner for Freedom of Religion or Belief, for the 20th legislative period on 5 January 2022.

THE HUMAN RIGHT TO FREEDOM OF RELIGION OR BELIEF

Freedom of religion or belief includes the freedom to choose or change one's religious or belief-based faith, as well as the freedom not to adopt a religion or belief. Freedom of religion or belief is enshrined in Article 4 of the Basic Law (Grundgesetz) of the Federal Republic of Germany. In international law, it is one of the universally-recognized human rights and is guaranteed in particular in Article 18 of the Universal Declaration of Human Rights (UDHR), Article 18 of the International Covenant on Civil and Political Rights (ICCPR), Article 9 of the European Convention on Human Rights (ECHR) and Article 14 of the United Nations (UN) Convention on the Rights of the Child. Practices of customary international law relating to this human right are reflected, for example, in resolutions on freedom of religion or belief of the UN General Assembly and the UN Human Rights Council. Restrictions on the fundamental human right to freedom of religion or belief have risen to a high level and are even increasing in some countries, giving reason for concern. This applies to adherents of various religions, as well as to the increasing persecution of people who are not religiously affiliated.

The global COVID-19 pandemic occurred during the reporting period. The German government successfully contributed to the fight against it. The curfews and restrictions on movement imposed to prevent the spread of the COVID-19 virus also affected members of every religion all over the world. Some of the measures involved restrictions to freedom of religion or belief. Governments urged religious groups to take voluntary measures to limit the spread of COVID-19, including refraining from

holding worship services and limiting times for prayer. Measures of this kind were also misused by authoritarian actors in an attempt to curtail civil society – including religious – spaces. This is discussed at relevant places in the country section of the Report.

THE POLITICAL RELEVANCE OF FREEDOM OF RELIGION OR BELIEF

Public awareness of the political relevance of religions and beliefs has recently increased as a result of the Russian war of aggression against Ukraine and the Russian Orthodox Church's open support for it on religious grounds. At the same time, contemporary sociologists and philosophers grab our attention when they point out that, during the reporting period, they observed that democracy needs religion or that democratic resistance movements continue to be fuelled by religious motives up to the present day. Those views highlight the continued major political relevance that religion can have. That is why the German government takes the subject of freedom of religion or belief into account in its work.

This Report emphasises that religions and beliefs can strengthen the commitment to democracy and promote development based on human rights which is ethically oriented and economically, socially and environmentally sustainable. Effectively guaranteeing freedom of religion or belief is a prerequisite for this. As described in the Second Report, the German government is basing its approach on tapping the potential offered by beliefs and religions and wants to strengthen cooperation with religious actors all over the world, for example

as part of crisis prevention and crisis management, as well as the transition to sustainable development. The Sustainable Development Goals (SDGs) set out in the UN's 2030 Agenda – such as ending poverty and hunger and achieving an equitable transition to climate neutrality – cannot be achieved without those actors, given their ability to influence political and societal trends.



Frank Schwabe meets Silviu Vexler, the representative of the Federation of Jewish Communities in Romania, on the occasion of the reopening of Citadel Synagogue in Timișoara, Romania.

STRUCTURE AND KEY SUBJECT AREAS OF THIS REPORT

The Third Report focuses on two thematic priority areas: the freedom of religion or belief of indigenous peoples and the relationship between religion and sustainable development. It deliberately focuses on actors and interrelationships that have previously been neglected by international efforts to limit climate change and create a sustainable future. The Report also contains a separate country section devoted to the status of freedom of religion or belief in 41 countries, which has been expanded

from the previous Report. The conclusion of the Report lists 20 measures with which the German government can contribute to ensuring respect for, protecting and guaranteeing freedom of religion or belief all over the world.



Frank Schwabe at a roundtable meeting with representatives of the Yazidi and Christian minorities and of the Mandaeans and the Kaka'i in Erbil, Iraq.

INDIGENOUS PEOPLES AND THEIR RIGHT TO FREEDOM OF RELIGION OR BELIEF

Indigenous peoples' freedom of religion or belief is one of the priorities in the Commissioner's work. It is part of an assumption of responsibility for universal human rights that is both tangible and appropriate for our times. Fundamental conflicts concerning the rights of indigenous peoples also relate to the human right to freedom of religion or belief. Indigenous peoples suffer not only from massive, systematic violations of their land rights, but also from similar violations of their freedom or religion or belief. The religious freedom of indigenous peoples has not been the focus of human rights policies until recently. More than ever before, experts understand that there can be no discussion of protecting forests and the climate without taking into account indigenous peoples' land rights and rights of freedom of religion or belief. Therefore, a scholarly

assessment by Professor Heiner Bielefeldt and Dr Volker von Bremen, which explores these interconnections in greater detail from the viewpoint of human rights and ethnology, will be published jointly with this Report.

The UN General Assembly declared in 2007 that “indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.” Effective protection of those rights requires that the specific lives and circumstances and human rights concerns of indigenous peoples be taken into account, including with regard to their spirituality. Taking into account the long-neglected spiritual experiences of indigenous peoples can make an important contribution to the development of international human rights policies. The specific experiences of injustice that indigenous peoples suffered when their spiritual experiences were treated with contempt as being “inferior” should be recognised as such and reflected in the human rights system.

RELIGIONS' CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

The Third Report is being published at the midpoint of the 2030 Agenda. It is becoming increasingly obvious that, in addition to the economic, social and environmental factors affecting implementation of the 2030 Agenda, cultural aspects require greater attention. Beliefs and religions will be formative for the cultural-political dimensions of the

transformation the Agenda calls for. The Third Report's thematic priority area of religion and sustainable development is a response to suggestions that came from various quarters during the parliamentary debate on the Second Report and devotes particular attention to the Sustainable Development Goals of good health and well-being (SDG 3), gender equality (SDG 5) and peace, justice and strong institutions (SDG 16). This section also presents examples from the work of the Federal Ministry for Economic Cooperation and Development and the International Partnership on Religion and Sustainable Development (PaRD), which was initiated by the BMZ.

THE COUNTRY SECTION

The country section explores the status of freedom of religion or belief in 41 countries: Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Brazil, China, Egypt, El Salvador, Eritrea, Guatemala, Indonesia, India, Iraq, Iran, Kenya, Lebanon, Malaysia, Maldives, Mexico, Myanmar, Nicaragua, Nigeria, North Korea, Pakistan, Philippines, Russia, Saudi Arabia, Somalia, Sri Lanka, Sudan, Syria, Tajikistan, Tanzania, Turkey, Turkmenistan, Ukraine, Viet Nam, Central African Republic.

CONCLUSION AND MEASURES TAKEN BY THE GERMAN GOVERNMENT

The German government also finds in its Third Report that freedom of religion or belief is being violated in many countries. Systematic persecution, attacks, forced displacement, mass rape, enslavement, internment and murder perpetrated against entire ethno-religious or religious communities

have caused concern to Germany and the world community. Crimes against Yazidis in Iraq, Uyghurs in China and Rohingya in Myanmar are a constant reminder of how the human rights of individuals and entire groups are also being violated due to their religion and beliefs. Many religious groups are marginalised – not sufficiently visible, politically under-represented, and not socially integrated. They experience societal and (quasi) state discrimination. Members of religious minorities are subjected to multifarious discrimination in daily life that may extend to systematic persecution. In some instances they are victims of arbitrary arrest and conviction and in extreme cases can suffer violence or even death – for example, Shiites in Afghanistan, Christians in Pakistan, Bahá'ís in countries such as Iran and part of Yemen, and converts and atheists in many majority-Muslim countries.

The conclusion of the Report lists 20 measures with which the German government will contribute to ensuring respect for, protecting and guaranteeing the freedom of religion or belief, including the following:

- Supporting international communication and cooperation with like-minded partners in the area of freedom of religion or belief.
- Continuing to focus on the worst affected religious communities and belief-based groups, as well as on individuals suffering serious persecution, and working to promote special protective measures.
- Strengthening the right to freedom of religion or belief, including in connection with feminist foreign and development policy, and particularly strengthening protection of women and girls against forced conversion and forced marriage.
- Working jointly with indigenous peoples, religious communities and UN special rapporteurs to better respond to the needs of indigenous peoples and individuals. This includes recognising spirituality, cosmovision and a belief system that is closely intertwined with the ancestral living space of indigenous peoples and with their natural and social environment and forebears. The German government will continue to pursue the related objective of better taking land (use) rights into account in its human rights policies.
- Supporting implementation of ILO Convention 169 and ensuring broad protection for the rights of indigenous peoples. To that end, it will continue to promote the establishment of structures, such as those for advisory and complaint mechanisms, in partner countries and selected regions.
- Further pursuing and supporting observance of the free, prior and informed consent (FPIC) principle as an important contributor to protecting the human rights of indigenous peoples. At the same time, it will encourage partner countries to ensure respect for the rights of indigenous peoples to consent to and participate in nature conservation activities.
- Increasing awareness and understanding of human rights, including freedom of religion or belief, within the German government and the organisations responsible for implementing development cooperation and continuing cooperation with civil society, including human rights organisations and religious communities, thereby

countering the effect of “shrinking spaces” on civil society.

- Maintaining existing partnerships with religious actors and organisations and taking advantage of them all over the world for the dialogue with governments and societies in partner countries.
- Remaining active in the field of religion and development and continuing to systematically mainstream the subject in bilateral development cooperation measures
- Taking advantage of the potential also offered by freedom of religion or belief in achieving the objectives of the 2030 Agenda, as well as during interfaith dialogue in the context of reconciliation processes.

- The English translation of the Report and the scholarly assessment of the status of indigenous peoples' freedom of religion or belief is in preparation and will be published in 2024. -