COUNCIL HOLDS INTERACTIVE DIALOGUE WITH SPECIAL RAPPORTEURS ON HUMAN RIGHTS DEFENDERS AND ON FREEDOM OF RELIGION OR BELIEF

President of Timor-Leste Addresses the Human Rights Council

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The Human Rights Council this morning heard the Special Rapporteur on human rights defenders and the Special Rapporteur on freedom of religion or belief present their reports, and then held an interactive dialogue with them. It also heard a statement by the President of Timor-Leste.

At the beginning of the meeting, Jose Ramos-Horta, President of Timor-Leste, said peace was the single most important human right that the State and national leaders must strive to provide to everyone; a country must be built with a society where the culture of non-violence, of peace and of non-discrimination and inclusion had gained roots. In efforts to bring about peace between long-standing rival communities, often there had to be compromise on justice, as the blind pursuit of justice without regard to the complex and often fragile balance in fragile societies could ignite new tensions and conflicts and derail the entire peace process.

Margaret Sekaggya, Special Rapporteur on the situation of human rights defenders, said twelve years after the adoption of the Declaration on Human Rights Defenders, and despite the creation of several protection mechanisms at the national, regional and international levels, the risks faced by human rights defenders had not decreased. Regrettably, most defenders continued to be harassed, threatened, arbitrarily arrested, detained incommunicado and killed while peacefully defending human rights. She also noted with deep concern the specific security risks faced by women human rights defenders and those promoting the rights of lesbian, gay, bisexual and transgender people.

Asma Jahangir, Special Rapporteur on freedom of religion or belief, said it was rewarding to see that States, civil society and individuals had taken up difficult challenges to confront the forces of intolerance. Regrettably, those courageous voices were few and far between. There had been a number of patterns. The most prominent one related to discrimination and violence suffered by minorities. Violent acts against minorities were perpetrated by non-state actors, all too often with impunity. The current mandate could only be a truly living one if it addressed openly discriminatory practices that women had had to suffer in the name of religion and belief.

Speaking as concerned countries were the Democratic Republic of the Congo, Colombia, the former Yugoslav Republic of Macedonia, Serbia and Lao People’s Democratic Republic.

During the interactive dialogue, speakers took note of the early warning signs of discrimination and concerns expressed by the Special Rapporteur on discrimination in the name of religion. They shared her concerns on the denigration of lesbians and gays, including threats posed to those defending their human rights. They agreed that the identification of early-warning signs to prevent conflict based on religion or belief was essential, and the Universal Periodic Review was an appropriate mechanism to raise awareness of such signs. Although the Council played a crucial role in detecting early warning signs of discrimination and violence on the grounds of religion and belief, it was not living up to its standards. Nonetheless, the protection and promotion of human rights were mainly the responsibility of States, and individuals and groups should respect the laws of the country when working in the field of human rights.

Speaking during the interactive debate were the representatives of the European Union, Sweden, Poland, Pakistan on behalf of the Organization of the Islamic Conference, India, Denmark, Russian Federation, Canada, Italy, Djibouti, Switzerland, Ireland, United States, Hungary, Austria, Brazil, Australia, France, Indonesia, Slovenia, Bangladesh, United Kingdom, China, Mexico, Norway and Nicaragua.

This afternoon at 3 p.m. the Council will conclude its interactive dialogue on human rights defenders and freedom of religion or belief and then hear presentations from the Special Representative of the Secretary-General on violence against children and the Working Group on an Optional Protocol to the Convention on the Rights of the Child.

Statement by the President of Timor-Leste

JOSE RAMOS-HORTA, President of Timor-Leste, said the best contribution national leaders could make towards advancing the cause for human rights and collective and individual freedoms and dignity was to promote the respect for these rights in their own countries. Most Constitutions enshrined the universal values of the sanctity of human life, individual freedoms and dignity, the right to life, freedom from fear and torture, and the right to freedom of expression and worship. But peace was the single most important human right that the State and national leaders must strive to provide to everyone; a country must be built with a society where the culture of non-violence, of peace and of non-discrimination and inclusion had gained roots. The model society was the one that was generous, non-discriminatory, inclusive, that cared about the poor, elderly, handicapped; a model society was one that embraced the poor and the persecuted who fled tyranny and extreme poverty and landed on its shores; a model society of God was one that loved and embraced HIV/AIDS victims or those affected with the centuries-old illness called leprosy.

Timor-Leste's commitment to the advancement of women went beyond national boundaries. The country had recovered from the 2006 crisis, and the people had now been enjoying three years of peace and robust economic recovery. In spite of the world financial crisis, finances were sound, and modest resources were managed with prudence. There was renewed faith in the political leadership and the institutions. On the justice sector, there had been unfair criticism from some fringe elements in the amorphous international community, an "international community" that was invoked time and again whenever some people wanted to bestow on themselves a measure of world authority in regurgitating ready-made clichés or academic jargon on justice. Life was not so simple, there was no black and white; in each country and society, in the rich North and less rich South, there was an expectation for justice, for the rule of law, for respect for human rights and human dignity. But everywhere there was violent conflict. First the space and conditions for dialogue should be created in order to bring about a cessation of armed conflict, followed by the lengthy process of healing, reconciliation, employment, poverty eradication, and others. In efforts to bring about peace between long-standing rival communities, often there had to be compromise on justice, as the blind pursuit of justice without regard to the complex and often fragile balance in fragile societies could ignite new tensions and conflicts and derail the entire peace process.

Myanmar and the Democratic Republic of Korea stood out in Asia and indeed in the world among the gravest human rights crises. While the international community was transfixed by the Democratic Republic of Korea’s nuclear brinkmanship, there had been less attention paid to the horrific gulag that imprisoned an entire nation and condemned it to extreme deprivation. The military regime in Myanmar seemed determined to pursue a course that would only jeopardise any chance of the country moving forward. Timor-Leste was encouraged by the on-going mediation efforts by the Secretary-General in the search for a solution to the problem of Western Sahara. The Palestinian tragedy began to unfold with the creation in 1949 of the State of Israel, and, 60 years later, the only people who were still paying for the legacies of a war and a Holocaust not of their making were the Palestinians. Civil disobedience and non-violence, more than rockets, would emotionally tire out the mighty Israeli army and wake up the conscience of Israeli society to this abominable solution. And Palestine would be free. And Israel would be free and finally at peace with itself.

Reports on Situation of Human Rights Defenders and on Freedom of Religion or Belief

The report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya (A/HRC/13/22) provides an account of the mandate holder’s activities during the reporting year; discusses the security and protection of human rights defenders; provides an overview of the trends and challenges facing human rights defenders in terms of security and their working environment; and outlines recommendations to States and non-governmental organizations, among others.

Summary of cases transmitted to Governments and replies received (A/HRC/13/22/Add.1) summarizes all communications sent to States by the Special Rapporteur from 10 December 2008 to 15 December 2009 on specific cases, and gives summaries of responses and observations by States for the same period.

Mission to the Democratic Republic of the Congo (21 May-3 June 2009) (A/HRC/13/22/Add.2) details the current challenges facing human rights defenders in the Democratic Republic of the Congo in exercising their activities; describes the country’s legal and institutional framework for the promotion and protection of their rights; discusses the important role played by the international community; and makes recommendations for the future.

Mission to Colombia (7-18 September 2009) (A/HRC/13/22/Add.3) points out the persistent insecurity faced by several categories of human rights defenders in Colombia, including their arbitrary arrest and detention, as well as the judicial harassment against them, while also highlighting the imperfect protective measures taken by the Government and the deficiencies in the early warning system.

Responses to the questionnaire on the security and protection of human rights defenders (A/HRC/13/22/Add.4) contains the text of a questionnaire sent by the Special Rapporteur on 27 October 2009 to Governments and non-governmental organizations regarding the security and protection of human rights defenders, as well as the full text of responses received.

The report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir (A/HRC/13/40) gives an overview of the Special Rapporteur’s activities with regard to communications sent to States concerning individual cases, her participation in recent conferences and meetings, country visits she undertook and further follow-up activities of her mandate. In addition, she discusses early warning signs of discrimination and violence on the grounds or in the name of religion or belief.

In summary of cases transmitted to Governments and replies received (A/HRC/13/40/Add.1) the Special Rapporteur on freedom of religion or belief gives an account of communications transmitted by her between 1 December 2008 and 30 November 2009. The report also contains summaries of the replies received from Governments by 8 February 2010.

Mission to the former Yugoslav Republic of Macedonia (A/HRC/13/40/Add.2), based on the Special Rapporteur’s visit in April 2009, highlights issues of concern with regard to religious instruction in primary schools, religious symbols, places of worship, incitement to religious hatred and the application of the 2007 Law on the Legal Status of a Church, a Religious Community and a Religious Group.

Mission to the Republic of Serbia, including visit to Kosovo (A/HRC/13/40/Add.3), following a country visit undertaken in April and May 2009, examines discrimination against minority religious or belief communities; violent attacks against places of worship; intra-religious tensions; and the implementation of the 2006 Law on Churches and Religious Communities.

Mission to the Lao People's Democratic Republic (A/HRC/13/40/Add.4), based on a visit in November 2009, highlights issues of concern, including allegations of forced conversions and evictions; the isolation of religious minorities; and liberty of movement in the context of religious activities.

Introduction of Reports on Human Rights Defenders and on Freedom of Religion or Belief

MARGARET SEKAGGYA, Special Rapporteur on the situation of human rights defenders, said for her second annual report she had focused on the security and protection of human rights defenders. Twelve years after the adoption of the Declaration on Human Rights Defenders, and despite the creation of several protection mechanisms at the national, regional and international levels, the risks faced by human rights defenders had not decreased. Most regrettably, defenders continued to be harassed, threatened, arbitrarily arrested, detained incommunicado and killed while peacefully defending human rights. The report therefore identified the security challenges faced by human rights defenders, assessed programmes for their physical protection and provided examples of good practices. Ms. Sekaggya also identified several trends since the beginning of her mandate, but those were not exhaustive because the spectrum of means used by perpetrators to attack defenders and hamper their activities was wider than ever. Human rights defenders were called enemies of the State or terrorists in an effort to de-legitimize their work. That was a very dangerous pattern which contributed to worsening an already very fragile work environment. In fact, stigmatization contributed to defenders being seen as offenders and made them even more vulnerable to attacks, especially to those perpetrated by non-state actors.

Ms. Sekaggya also noted with deep concern the specific security risks faced by women human rights defenders and those promoting the rights of lesbian, gay, bisexual and transgender people. The latter were often denied their freedoms to assemble and to form organizations, and were subjected to denigration campaigns and violations of their right to privacy. Women human rights defenders also faced increased risk of gender-based violence, including verbal and sexual harassment and rape. The Special Rapporteur therefore called upon States to refrain from invoking custom, tradition, moral or religious considerations to avoid their obligations in relation to those defenders. Numerous attacks against defenders had been committed by non-state actors, which was partly a direct consequence of the stigmatization of defenders by public officials and the media. As the report underscored, neither the commission of violations by non-state actors, nor the federal structure of certain countries could exempt States from their obligations to protect defenders. The report also commended those States which had developed programmes to physically protect defenders, and Ms. Sekaggya called upon States which had not done so to elaborate sustainable and efficient protection plans in cooperation with human rights defenders.

Turning to the reports that complemented her thematic report, the Special Rapporteur said the report on communications sent and responses received from States provided ample examples of the issues she touched upon in her thematic report. During the reporting period from 10 December 2008 and 15 December 2009, the mandate holder had transmitted 271 communications to 76 Governments and had received 109 replies, which indicated a 40 per cent response rate. The report on her country visit to the Democratic Republic of Congo for its part highlighted that the legal framework for the protection of human rights had progressively been strengthened over the years, but that the legal framework remained marred by severe gaps and shortcomings, resulting in the dilution of any benefits that human rights defenders could draw from positive developments. Several institutions aimed at upholding human rights may also have a positive impact on paper but – devoid of adequate financial and human resources, as well as strong political support – they were doomed to failure. As for the report on the visit to Colombia, that document discussed the persistent insecurity faced by several categories of defenders; their illegal surveillance by State intelligence services; and their arbitrary detention and arrest, as well as their judicial harassment.

ASMA JAHANGIR, Special Rapporteur on Freedom of Religion or Belief, said she had served on this mandate for almost six years and she would be presenting her last thematic report today. It had been a privilege for her to work on this mandate, which was linked to virtually all human rights. The right to freedom of religion and belief had seen some advancement but much more remained to be done. Religious issues were particularly sensitive. It was rewarding to see that States, civil society and individuals had taken up difficult challenges to confront the forces of intolerance. Regrettably, those courageous voices were few and far between. There had been a number of patterns. The most prominent one related to discrimination and violence suffered by minorities. Violent acts against minorities were perpetrated by non-state actors, all too often with impunity. Another general pattern of concern was the targeting of places of worship and religious buildings and properties. The misuse of the State apparatus, which led to religious manipulation, arbitrary arrests, torture and extra judiciary killings, often in the garb of counter-terrorism measures, was also a cause for concern. There was a tendency to deny the religious origins of conflicts. As a result, remedial measures did not tackle root causes. Public denunciation of human rights violations was selective. It was imperative for all human rights violations to be punished regardless of the religion of the victim and perpetrators.

One early warning sign of discrimination and violence was a lack of adequate legislation ensuring freedom of religion and belief. A significant pattern of State discrimination needed to be watched. Violent attacks by non-State actors were indicators that warranted State intervention. The spread of messages of religious hatred should give rise to measures to enhance tolerance through measures such as dialogue. External measures might hamper the enjoyment of freedom of religion and belief.

Ms. Jahangir said that at this session, she had submitted three reports. With regard to the former Yugoslav Republic of Macedonia, she welcomed the Government’s initiative in organizing the World Conference on Dialogue among Religions and Civilizations. However, she was concerned at reports received during her mission regarding sectarian violence and cases of incitement to religious hatred that were not followed up by the authorities. During her mission to Serbia, including a visit to Kosovo, she noted that regrettably, racism as well as religious issues contributed to the recent conflicts. It was vital to send a clear message that violence and incitement to racial or religious hatred would not be tolerated. On her mission to the Lao People’s Democratic Republic, she said the situation had significantly improved recently, yet she remained concerned with individual cases and certain policies that clearly violated freedom of religion or belief.

Religious intolerance was not a natural outcome of diverse societies, Ms. Jahangir concluded. Rather, intolerance was often the product of manipulation by a few groups, political forces or individuals for various reasons. The current mandate could only be a truly living one if it addressed openly discriminatory practices that women had had to suffer in the name of religion and belief. There could never be true gender equality in the public sector if women continued to be drowned by the weight of discrimination in their own homes.

Statements by Concerned Countries

SEBASTIEN MUTOMB MUJING (Democratic Republic of the Congo), speaking as a concerned country, said the Government of the Democratic Republic of the Congo had been honoured to receive the visit of Ms. Sekaggya. She was received by the Prime Minister, a sign of the great importance that the Government gave to the protection of human rights defenders and the promotion of their activities. Some of the recommendations in her report were already being implemented, in particular with regard to the organization of consultations with civil society in the framework of the Universal Periodic Review, as well as the continuation of cooperation with the Special Procedure mechanisms of the Council. The Democratic Republic of the Congo thanked the Special Rapporteur for recognising the efforts made by the Congolese authorities to ensure the implementation of the step-by-step framework to protect human rights defenders. The report of the Special Rapporteur led, however, to certain comments: first, human rights defenders had never been stigmatised in the Democratic Republic of Congo - they had never been the subject of discrimination or any illegal restriction of their fundamental freedoms; second, there was no wide-spread impunity, and no culture of impunity for the violators of the rights of human rights defenders and journalists. On the contrary, the Government had always cooperated with these actors in situations where their rights had been violated. The murders of journalists cited in the report were isolated incidents of violation of common law which the Government had severely condemned, and the judiciary had investigated them in full independence.

TOMAS CONCHA (Colombia), speaking as a concerned country, said the recommendations made by the Special Rapporteur on the situation of human rights defenders, those of the High Commissioner for Human Rights, and the voluntary commitments Colombia had made under the Universal Periodic Review, constituted the roadmap with which the Government would continue making progress in terms of human rights. Colombia was pleased that the Special Rapporteur had taken due note of the Government’s programme for the protection of human rights defenders, journalists and social leaders, which was an innovative mechanism at the national level in Colombia. The Government remained committed to tackling challenges in the implementation of that programme, and it would be happy to share its good practices and lessons learned with interested countries. The delegation of Colombia further said that in recent years the Government had increasingly worked with human rights defenders on topics that were essential for the future of all Colombians. Such was for example the case for the National Plan of Action on Human Rights and International Human Rights Law. In concluding, Colombia underscored that it endorsed Norway’s initiative according to which this Council should adopt a resolution on the protection of human rights defenders.

AZIS POLOZANI (Former Yugoslav Republic of Macedonia), speaking as a concerned country, said the Special Rapporteur’s visit to the country had been successful and fruitful. Her report portrayed the state of religious rights in the country in a largely balanced manner in relation to progress and efforts to overcome shortcomings. However, the Government had prepared some comments that it deemed necessary to draw to the attention of the Special Rapporteur and they had been dispatched to Ms. Jahangir’s office. Regarding the Special Rapporteur’s note about the Constitutional Court decision related to the religious instruction in public schools, they wished to clearly state that the Constitution of the country guaranteed the independence of the judiciary and was fully respected. Related to the conclusions and recommendations of the Special Rapporteur’s report, the Government had adopted appropriate solutions for religious instruction in primary schools based on decision of the Constitutional Court. The Government was on the right track in implementing international standards of religious rights and continued with the further development of a truly multi-ethnic, multicultural and multi-religious society. It had organized many events in the domain of religious rights and international cultural dialogue.

UGLJESA ZVEKIE (Serbia), speaking as a concerned country, said Serbia's past half of the twentieth century had seen systematic attempts to undermine the fundamental freedom of religion and belief across the religious denominations. The past in which religious freedoms were only tolerated and certainly not protected called for systematic efforts to respect, protect and promote the freedom of religion. Modern democratic Serbia was fully committed to the protection and promotion of the freedom of religion or belief within the Constitutional, political and legal framework of the separation between the State and the Church. The Serbian Law on Churches and Religious Communities met all the international standards as well as the legal practices as established by the European Court of Justice in the matters under consideration. The claim in the report that there were cases of coercion over children to attend religious services or festivities deserved particular attention. In a secular State such as was the Republic of Serbia, no Government authorities or representatives thereof had exercised any kind of coercion on any adult or child to attend religious services or festivities. The human rights situation in the southern province of Serbia was dismal - in Kosovo, the report noted violence against churches and graveyards, renaming of Serbian cultural heritage, and highly restricted freedom of movement for both the priesthood and believers. The Serbian Government, devoted to the protection and promotion of religious freedom, fully concurred with the Special Rapporteur's conclusion that discrimination against religious freedom, violence and incitement to racial or religious hatred must not be tolerated.

YONG CHANTHALANGSY (Lao People’s Democratic Republic), speaking as a concerned country, said the visit by Asma Jahangir, Special Rapporteur on freedom of religion or belief, was the first mission to Lao People’s Democratic Republic by a United Nations human rights expert that monitored freedom of religion. The delegation was pleased that Ms. Jahangir welcomed that the Government had recently ratified the International Covenant on Civil and Political Rights which prohibited religious discrimination and unreasonable restrictions on the movement of individuals. The Special Rapporteur had raised concerns at the serious allegations received by her mandate during the last 10 years regarding arrests based on religion or for official campaigns to force Christians to renounce their faith. The delegation acknowledged that some incidents had indeed taken place in the past and assured that the authorities had passed down fresh instructions to the local administration level. Such incidents would not be tolerated in the future. The Constitution of Lao People’s Democratic Republic guaranteed freedom of religion, protected the rights of people who did not believe in any religion, and considered each group as special, stipulating that nobody should consider himself or herself as more special than somebody else. The delegation concluded by emphasizing that Lao People’s Democratic Republic was a nation with 49 ethnic groups that lived in peace and solidarity.

Interactive Dialogue with Special Rapporteurs

LEONOR VIEIRA SOUSA (European Union) thanked the two Special Rapporteurs for their reports. The European Union was grateful for the last report of the Special Rapporteur on freedom of religion or belief which focused on early warning signs of discrimination and violence on the ground or in the name of religion or belief. It reminded the European Union of what the High Commissioner said about the importance of countering deeply rooted and chronic human rights conditions, such as repression or discrimination. The European Union would like to ask if the Special Rapporteur could elaborate on how the important role of the international community in detecting early warning signs of intolerance could be enhanced. The European Union also commended the work of the Special Rapporteur on human rights defenders. The European Union remained concerned at the insecurity and risk that many defenders faced on a daily basis in the course of their non-violent work, and was alarmed at evidence presented by the Special Rapporteur that criminalisation of human rights defenders’ activities by States’ authorities had not decreased and that in some countries the situation for human rights defenders was deteriorating. The European Union asked the Special Rapporteur what steps could be taken to disseminate good practice examples with a view to replicating and building on good initiatives elsewhere. Also, did she have plans for continued collaboration with other Special Procedure mandate holders and other regional actors?

HANS DAHLGREN (Sweden) said over the years the Special Rapporteur on freedom of religion or belief had consistently managed to infuse the international debate on freedom of religion or belief with a much-needed spirit of tolerance, intellectual clarity and strong commitment to human rights. Sweden also appreciated her excellent analysis of early-warning mechanisms against discrimination and violence on the grounds of religion or belief in her latest report. Her report also noted that women remained a constant target of religious intolerance, and that the human rights of women were often violated in the name of religion or belief in the most self-righteous manner, such as discriminatory civil or family laws, imposed with the argument that only those laws conformed to the religious belief of the woman's community. Sweden asked the Special Rapporteur to share some of the experiences and best practices she had encountered over the years on how such discriminatory practices could be overcome. With regard to the report of the Special Rapporteur on human rights defenders, it was clear that some eleven years after the adoption of the Declaration on Human Rights Defenders, relative progress had been achieved, but insecurity for human rights defenders remained and in many countries they were still at risk. How could the trend of the characterisation of human rights defenders as "terrorists", "enemies of the State" and "political opponents" be addressed, Sweden asked.

YENY BAVRSKI (Poland) welcomed the attention Asma Jahangir, Special Rapporteur on freedom of religion or belief, had given to the discrimination and violence suffered by members of religious minorities. In that regard, what would Ms. Jahangir suggest to address the persistent impunity for violent acts or threats against religious minorities, both those perpetrated by the State or non-state actors? What could the international community undertake to more effectively promote the prohibition of any limitations on the freedom to have or to adopt a religion or belief of one’s choice? Poland also noted that after six years the Special Rapporteur was in a good position to make a general assessment on the global compliance with the right to freedom of religion or belief. In that context, how would Ms. Jahangir describe the most crucial threats and challenges for the years to come?

MARGHOOB SALEEM BUTT (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said that the international community had benefited from the work of Asma Jahangir, the Special Rapporteur on freedom of religion or belief, during her two terms, especially from her knowledge, forthright approach and frank dialogue. The Organization of the Islamic Conference fully supported her view that prevention was key for creating an atmosphere of religious tolerance and that equal attention and focus should be given to the protection of all religions. The Organization of the Islamic Conference supported her view on the role of religious leaders, artists and journalists to compliment State actions to combat religious discrimination. Turning to the report of Margaret Sekaggya, the Special Rapporteur on human rights defenders, the Organization of the Islamic Conference noted the importance of protection mechanisms for individuals involved in the promotion and protection of human rights. The importance of human rights education and training to all public officials could also not be overemphasized. The Organization of the Islamic Conference believed in a healthy relationship between the State and civil society actors. States should recognize their value and the guidance those segments could provide to ensure proper enjoyment of human rights. Given resource constraints faced by most countries was it advisable to work for a comprehensive protection plan or to have a separate one for the needs of different vulnerable segments?

GOPINATHAN ACHAMKULANGARE (India) said India appreciated the work carried out by the Special Rapporteur on freedom of religion or belief, as she had contributed thematic analyses on various important issues related to her mandate, such as conversions, religious symbols, incitement to religious hatred, religious intolerance and rights of women. In her current report, she had provided an overview of her mandate, and an overview of general patterns and issues of concern. In this regard, India took positive note of the early warning signs of discrimination that she had listed, and the concerns she had expressed on discrimination, both on the grounds of religion and in the name of religion. India also took note of her emphasis on the structure of the State, its method of governance and educational policies and the commitment of Governments and societies to fundamental human rights as central ingredients to religious harmony. In this regard, India requested her to share her views on the desirability of religious education in schools, especially in a secular State, as distinct from the obvious legality of it.

ARNOLD DE FINE SKIBSTED (Denmark) said the Special Rapporteur on freedom of religion or belief had noted that States carried the main responsibility for implementing international human rights standards and for taking preventive action to avoid the occurrence or recurrence of violations of the right to freedom of religion or belief. In that regard, could Ms. Jahangir elaborate on how States could better facilitate the inclusion of religious minorities in the political debate and decision-making processes? Denmark also appreciated the attention the mandate holder had given to vulnerable groups including women, children and converts. On that issue, how could the international community best address discrimination against women in the name of religion in regions where that practice was widespread, Denmark asked. And could Ms. Jahangir elaborate on how this Council could more effectively address violations of the right to freedom or belief, and could best follow-up recommendations from the Universal Periodic Review?

ALEXEY GOLTYAEV (Russian Federation) said the Special Rapporteur on freedom of religion or belief had made a fruitful contribution while in her post. The issues in the report were very important - there needed to be a distinction drawn between discrimination and violence for the freedom of religion or belief, and discrimination and violence based on religious doctrine. However, there was some overlap between the two. It was important to respect the beliefs of others. Religious violence was inadmissible. There was a need to find new approaches to fight against the incitement of religious hatred. As far as the report was concerned, the Special Rapporteur should continue to pay attention to the issue of violence and discrimination on the basis of religion in the Serbian province of Kosovo, where the destruction of religious sites, violence against Orthodox Christians had repeated itself, and the international community should pay serious attention to the situation. On the report by the Special Rapporteur on the situation of human rights defenders, the quality of the report was poor, containing many factual errors, and liberally interpreting the category of human rights defender, as there was no legal definition of this term. The Special Rapporteur should be more responsible and careful in the way in which she carried out her work.

JOHN VON KAUFMANN (Canada) said Canada welcomed the elaboration and analysis of early warning signs of religious discrimination and violence contained in the report of the Special Rapporteur on freedom of religion or belief. Canada took the opportunity to underline the important role of the Special Procedures in providing early warning to the Council of potential deterioration of human rights protections and outbreaks of violence, and therefore fully supported the Special Rapporteur's recommendation that effective communication channels were needed between all relevant United Nations bodies to ensure that early-warning signs identified by human rights mechanisms reached the political and conflict-prevention organs of the United Nations, to inform their decisions. Canada noted with concern a negative global trend for the protection of the freedom of religion or belief, and asked what measures the international community could take to reverse this negative trend, and could the Special Rapporteur give examples of successful fights against religious intolerance through education or other means. Canada was gravely concerned about the poor treatment received by religious minorities in Iran, and asked the Iranian authorities to release all Baha'i individuals who were unjustly detained, and to eliminate all forms of discrimination with regard to religious, ethnic, linguistic or other minorities.

ROBERTO VELLANO (Italy) said the right of religious freedom was a fundamental right and the basis of civil coexistence in every society. However, there were still reports of grave persecutions and attacks against religious minorities and serious limitations of their right to religion and belief. Particularly worrying to Italy were recent episodes of targeted killings of Christians in Iraq and in Nigeria, as well as persecutions in Asia, the Middle East and Africa. Italy was very concerned about those issues and called on all States to ensure the full protection of the right to freedom of thought, conscience and religion. It also reiterated its commitment to fight any form of discrimination based on religion, as well as its impact on the enjoyment of civil, political, economic, social and cultural human rights. Italy continued to remain actively involved in the promotion and protection of religious freedom throughout the world and was confident that all States would endorse the resolution that this Council would adopt to fight religious intolerance.

AHMED MOHAMED ABRO (Djibouti) commended both Special Rapporteurs on the presentation of their reports. Djibouti had given special attention to measures to ensure the protection of human rights defenders, which were fundamental to ensure respecting their work and improving their situation. Djibouti would consider recommendations made in the report and shared concerns raised by the High Commissioner for Human Rights for human rights defenders in terms of their contribution and collaboration with the United Nations mechanisms such as Special Procedures. It asked the Special Rapporteur if she was in a position to point out good practices that could better identify the risks faced by such human rights defenders.

JUNG LAMBER (Switzerland) said Switzerland was concerned about the tendency for certain Governments to invoke national security to limit the room for manoeuvre of human rights defenders, and saw with concern that some States had criminalised their activities. Such laws were often used to stop and prevent their activities and keep human rights defenders in detention without charges. The protection extended by States to human rights defenders often showed a lack of political will. How could the international community encourage States to ensure the security of human rights defenders, Switzerland asked. With regard to the report of the Special Rapporteur on freedom of religion or belief, Switzerland commended her remarkable work, and hoped her successor would be just as skilled. Religious intolerance was not a natural thing - it was easy to create an atmosphere of religious tolerance, and one of the best strategies for extending tolerance was broad-based human rights education. Educational systems should promote the values of tolerance and respect among children and Switzerland supported this. Intolerance begat intolerance, and this was why education had to be at the heart of the fight against discrimination and intolerance. What synergies could be found in conjunction with the fight against other types of discrimination, Switzerland asked.

MICHEAL TIERNEY (Ireland) said Ireland welcomed the attention which the Special Rapporteur on the situation of human rights defenders had given to good practices as well as shortcomings of national protection programmes that were aimed at encouraging further development, improvement and replication of strategies for the protection of defenders. In that regard, could Ms. Sekaggya highlight examples of good practices regarding the training of police and security forces? Ireland also expressed its grave concern about the insecurity that human rights defenders continued facing in States which did not recognize the legitimacy of the non-violent work of human rights defenders. Ireland deplored attempts to discredit and target human rights defenders in general and was particularly concerned about the deteriorating situation in Iran. From the events witnessed in recent months the strong desire of ordinary Iranians to defend and uphold their human rights had become clear. Iran should take seriously its international human rights obligations and provide protection to all human rights defenders in the country.

BETTY KING (United States) commended Ms. Jahangir for her extraordinary efforts to promote freedom of religion for all people. Indeed Governments could and should take steps to promote tolerance and respect for diversity. They had to do a better job to put words into action. The United States remained concerned about police raids and religious groups facing difficulty in registration. States should robustly enforce anti-discrimination laws. It wanted to learn more on what the Special Rapporteur thought an early warning system was like and what that would achieve. Civil society activists and human rights defenders played the crucial role in amplifying the voices of victims and pressing for redress for violations. Despite their crucial role in any vibrant democracy, they were often subjected to harassment, imprisonment and even death as they tried to shine a light on human rights violations. The United States wanted to learn from the Special Rapporteur, Governments and civil society, about positive efforts to foster enabling environments for human rights defenders, with regard to training for instance.

KLARA TUNYOGI AKOTS (Hungary) said Hungary welcomed the report of the Special Rapporteur on the situation of human rights defenders, and appreciated her dedication to analyze the situation regarding the security and protection of those who were in the forefront of defending human rights. According to the report, human rights defenders were faced with an increased level of insecurity, threats, harassment, violence, attacks and killings. Representatives and mechanisms of the United Nations in the field of human rights should take steps, in conformity with their mandates, to help prevent the occurrence of such threats, harassment and attacks, and the Special Rapporteur should explain what additional measures she envisaged in the confines of her mandate to meet this objective. Hungary warmly welcomed the timely initiative of Norway to sponsor a resolution focusing on the protection of human rights defenders, which was a key issue for the success of their work.

CHRISTIAN STROHAL (Austria) said Austria reiterated its concern about reports of increasing reprisal against persons who actively cooperated with the Council’s Special Procedures or other human rights mechanisms. That was unacceptable and needed to be effectively addressed by the Council. It was for that reason, among others, that Austria welcomed the draft resolution on human rights defenders which had been introduced by Norway; States must provide human rights defenders with an environment free from legal and practical hindrance, intimidation and insecurity. Austria also attached great importance to the protection of freedom of religion and the plight of religious minorities around the world. It particularly welcomed that Ms. Jahangir had focused her report on prevention as a key for creating an atmosphere of religious tolerance. In that regard, the delegation underscored that Austria supported the recommendation to establish inter-religious and intra-religious dialogues at various levels. Those should be inclusive and notably involve religious minorities, women and persons not adhering to any religion.

MARIA NAZARETH FARANI AZEVEDO (Brazil) said Brazil gave great importance to the protection of human rights defenders. Brazil took Ms. Jahangir’s criticism in her report on the National Program for Human Rights Defenders with an open spirit. It had taken several measures in that regard, including improving their protection and tackling the root causes that made them vulnerable to human rights violations. Human rights education was part of the curriculum for the police force. Brazil shared the Special Rapporteur’s concerns on the denigration of lesbians and on technical assistance. It seriously deplored all actions of religious intolerance and incitement to religious hatred. The Special Rapporteur’s report stressed education, international religious and cultural dialogues. Brazil protected freedom of religion under Article 5 of its Constitution. One of the strategic objectives of the National Programme of Human Rights dealt specifically with freedom of religion, culture and secularism in the country.

ANGELA ROBINSON (Australia) said every day, human rights defenders around the world stood up for the rights of their fellow human beings; however, their courage and conviction could place them at risk. Australia reminded the Council that human rights defenders looked to it to set a high standard, and to hold those who violated human rights to account. Australia was appalled that gender-based violence, including verbal and sexual harassment and rape, were being used to intimidate and punish female human rights defenders. Australia shared the Special Rapporteur's concern about the situation of defenders working on economic, social and cultural rights, and in particular increased attacks on them by non-State actors. The Special Rapporteur should share further information on the types of "digital and online" security measures that should be put in place to enhance the safety of human rights defenders. On the report of the Special Rapporteur on freedom of religion or belief, the identification of early-warning signs to prevent conflict based on religion or belief was essential, and the Universal Periodic Review was an appropriate mechanism to raise awareness of such signs. The Special Rapporteur should continue to alert the Council and other relevant parts of the United Nations to early warning signs where they were present. Discrimination against members of the Baha'i community in Iran was an example of appalling treatment of a minority religious group by a State actor.

JEAN-BAPTISTE MATTEI (France) said France welcomed the manner in which the Special Rapporteur on freedom of religion or belief had promoted and protected the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. France asked whether it could be useful if the Council established guidelines to support States in their efforts to ensure high-quality public teaching on religious subjects. Furthermore, how could States more efficiently combat discrimination or violence that was committed in the name of religion or belief? Turning to the mandate of the Special Rapporteur on the situation of human rights defenders, France underscored that human rights defenders were key actors in the promotion and protection of human rights, but that they often paid their work with their lives or with abnegation. Of particular concern was the situation of human rights defenders in Iran. France also asked Ms. Sekaggya to elaborate on the measures that should be taken so that human rights defenders who promoted and protected the rights of homosexual, gay, lesbian and transsexual persons were less prone to attacks and suffered less from the climate of impunity.

EMMY RAHMAWATI (Indonesia) thanked both Special Rapporteurs for their comprehensive reports and for the important contribution they had made within their respective mandates. As a pluralistic society, Indonesia knew too well that discrimination and violence in the name of religion or belief were underlying factors of tension. The Indonesian Constitution ensured and protected freedom of religion and belief. Challenges in that regard would continue to be addressed in a democratic, inclusive manner with respect to upholding human rights. Indonesia welcomed the Special Rapporteur’s mandate on human rights defenders worldwide. Indonesia had rapidly become an increasingly vibrant and open society with human rights defenders enjoying greater freedom of expression. The Government was working to bolster human rights awareness at all levels of society. Following visits by a number of Special Rapporteurs, Indonesia had been implementing their recommendations. Reiterating its commitment to supporting the work of human rights defenders, Indonesia looked forward to future cooperation with the Special Procedures.

MARKO HAM (Slovenia) said Slovenia wished to commend the Special Rapporteur on the situation of human rights defenders for her excellent work and to welcome her report to the Human Rights Council. Slovenia had noted that the activities of human rights defenders had been more recognized over the past few years; nevertheless, their situation in some countries gave considerable cause for concern. Non-State actors, private entities, as well as agents of intelligence and security services must refrain from endangering the safety of human rights defenders and from hindering their work. As States bore the primary responsibility for protecting individuals, including human rights defenders, under their jurisdiction, Slovenia urged the full and prompt investigation of human rights violations committed against human rights defenders. Ensuring the safety of human rights defenders meant ending impunity for non-State actors, private entities and others, and in strengthening the fight against impunity at the national level, it was important that international and regional actors on the ground found the right formula for cooperation. The Special Rapporteur should give her opinion on how this could be achieved, as well as elaborate on how she intended to promote the gender perspective to enhance the security of women human rights defenders and the defenders of lesbian, gay, bi-sexual and transgender rights.

NAHIDA SOBHAN (Bangladesh) said Bangladesh valued the work of every individual or group working for the promotion and protection of human rights around the world. However, it had reservations on the narrower concept of human rights defenders since it considered all who were engaged in defending human rights as human rights defenders, not only non-governmental organizations. It was also important to look into the responsibilities of human rights defenders; they should be accountable for their actions. It was true that some human rights defenders used their identity to pursue a political agenda and that they were sometimes used for malafide purposes by other actors. Turning to the mandate of the Special Rapporteur on freedom of religion or belief, Bangladesh could not but agree with many of Ms. Jahangir’s observations and recommendations. Bangladesh underscored that the media had a major role to play in advocating religious tolerance and promoting freedom of religion or belief. However, in some countries the media was doing rather the opposite, and they should thus behave more responsibly in that regard.

NICOLA FREEDMAN (United Kingdom) welcomed the report of the Special Rapporteur on the situation of human rights defenders. The United Kingdom reiterated its strong support for the mandate of the Special Rapporteur and the work that she was doing. Early warning systems could play a crucial role in protecting human rights defenders at risk. Ms. Sekaggya had highlighted her deep concerns about continuing denigration campaigns and violent threats against defenders of lesbians and gays. Did she have any suggestions as to what could be done to enhance the protection of such people? The United Kingdom commended her intention to develop commentary on the United Nations Declaration as a toolkit for more effective implementation. How did she envisage using it? It thanked her for her work to promote and protect freedom of religion and belief. The United Kingdom valued her visit to the United Kingdom in 2007. It looked forward to updating her and the Council on its responses to her recommendations. The United Kingdom was deeply concerned that members of Iran’s minority religions faced death for peacefully practicing their faith. It called on Iran to ensure free, fair and independent trials.

LIU JINGUANG (China) said discrimination based on religion or belief was one of the greatest causes of social disharmony. The Chinese Government attached importance to the protection and promotion of the religious freedom of its citizens, and advocated harmonious co-existence among religions. Chinese citizens had had the freedom to choose a religion or no religion throughout their history - there had never been a war of religion in the country, and the Government was working for a positive perception of religion through creating a harmonious society, and was against divisive perceptions. At present, the international community should pay special attention to the phenomenon of discrimination based on religion or belief - people were being allowed, in the name of freedom of expression, to propagate religious hatred, culminating in religious and ethnic hatred. The Internet was being used to propagate this. The war on terror had been associated with certain religions, and the recommendations of the Special Rapporteur in this regard should be followed. States should adopt legislation to prohibit religious hatred, encourage dialogue among religions and encourage a positive perception through the media and an information and educational campaign. China hoped to hear further comments from the Special Rapporteur on how to balance freedom of expression and the fight against the dissemination of religious discrimination and hatred, and how to avoid foreign forces inciting this phenomenon. The protection and promotion of human rights were mainly the responsibility of States, and individuals and groups should respect the laws of the country when working in the field of human rights.

SALVADOR TINAJERO (Mexico) said the work of human rights defenders was a priority issue for the Government of Mexico. The Government’s policy in terms of human rights included paying close attention to the problems that human rights defenders suffered in Mexico in order to ensure that their work was not obstructed. Mexico had also made efforts at the international level and it had among other actions encouraged States to intensify their efforts in order to adopt all necessary measures to guarantee the life, freedom and personal integrity of human rights defenders and their families. The Government of Mexico, in close collaboration with different non-governmental organizations and the United Nations High Commissioner for Human Rights, had also worked for the freedom of speech. Further, on 11 and 12 February this year, a dialogue was held on mechanisms for the protection of journalists and human rights defenders, during which actors from various sectors had analyzed the way in which such mechanisms could function. Mexico would continue its efforts, both at the national and the international level, and it hoped to continue receiving the input of the relevant Special Rapporteur in that regard.

CLAIRE HUBERT (Norway) fully supported the manner in which the Special Rapporteur on human rights defenders, Margret Sekaggya, had conducted her work. Norway was concerned that the Special Rapporteur had 22 outstanding requests for country visits. Her report had focused on the security and protection of human rights defenders, confirming that they continued to face threats, attacks and persecution for defending human rights. A central role of the Special Rapporteur’s mandate was to defend such groups from these violations. Public acknowledgement of the status and role of human rights defenders was essential for ensuring their protection. The focus on early warning signs of discrimination and violence in the name of religion or belief was highly relevant. Discrimination fed mistrust, violence, crime and insecurity. Thus, the struggle against discrimination had to be intensified and given priority by all societies as a key human rights objective. Many religious minorities were in a vulnerable situation. The Council and the systems of Special Procedures and treaty bodies played crucial roles in detecting early warning signs of discrimination and violence on the grounds of religion and belief. The Council was not living up to its standards in that regard.

NESTOR CRUZ TORUNO (Nicaragua) said on the situation of human rights defenders, the report of the Special Rapporteur drew attention to their security. In specific cases, human rights defenders had been exposed to situations of vulnerability, but it was important to note the positive efforts made by Governments to strengthen their legal frameworks to protect this important segment of social actors. Being familiar with experiences would be helpful for Governments, who could use them as examples. In Nicaragua, there were more than 4,500 non-governmental organizations that worked for, among other things, the cause of the protection and promotion of human rights, both specific and general. In situations where there had been aggression against human rights defenders in the context of their public activities, the Government had guaranteed investigation and follow-up in the courts where appropriate, as well as protection through detention measures. For Nicaragua, guaranteeing all human rights without distinction was a priority, and the Government hoped that future reports would also focus positively on efforts by Governments to protect and promote human rights defenders, whose very laudable work the Government fully recognized.