

## Policy on Religious Freedom

The International Association for Religious Freedom affirms the right to freedom of religion or belief as set forth in international law.

### 1. International Law

The Universal Declaration of Human Rights asserts that: “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.” (Article 18)

The International Covenant on Civil and Political Rights reaffirms this right and asserts that: “Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.” (Article 18, Paragraph 3)

The Declaration of the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief proclaimed by the General Assembly of the United Nations on 25 November 1981 (Resolution 36/55) emphasizes “the principles of nondiscrimination and equality before the law” proclaimed by the Universal Declaration of Human Rights and the International Covenants on Human Rights. The 1981 Declaration asserts that: “No one shall be subject to discrimination by any State, institution, group of persons, or person on grounds of religion or other beliefs.” (Article 2, Paragraph 1) It defines “intolerance and discrimination based on religion or belief” to mean “any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.” (Article 2, Paragraph 2)

The Human Rights Committee at its 1247th meeting (46th session, 20 July 1993) adopted General Comment 22 on the International Covenant on Civil and Political Rights which affirms: “Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community.”

### 2. National Law

The International Association for Religious Freedom recognizes that national legislation concerning freedom of religion or belief varies from country to country. The IARF affirms that securing the human right of freedom of religion or belief does not require uniform legislation in every country, so long as the basic principles of nondiscrimination and equality before the law are respected.

As there is no definition of religion in international law, the IARF understands “religion” to refer to the human activity that is generally described as “religious” in historical, sociological, and legal descriptions of human societies. The IARF understands “belief” in the phrase “freedom of religion or belief” to mean beliefs concerning the meaning and purpose of life, which function in the lives of those who hold them and in their organizations in a manner similar to religious beliefs, but which are not claimed by those who hold them or their organizations to be “religious.”

Therefore, the IARF affirms, for instance, that individuals have the right to express humanist beliefs in the same ways that religious persons have the right to express their beliefs, and that organizations of humanists have the right to manifest their beliefs in the same ways that religious organizations manifest their beliefs.

The IARF accepts that national legislation may require religious organizations to register with the state and foreigners who are employed by these religious organizations to secure visas and working permits, so long as these requirements adhere to the principles of nondiscrimination and equality before the law and do not unnecessarily restrict the manifestation of religion or belief.

The IARF is opposed to national legislation that distinguishes between citizens of a country and non-citizens in protecting the right to manifest freedom of religion or belief in worship, observance, practice and teaching. Every state is obliged by international law to secure for all persons within its jurisdiction the fundamental human right to freedom of religion or belief.

The IARF is opposed to any national legislation that refers to “sects” or “cults” or “new religious movements” in an effort to impose restrictions on some religious organizations that are not also imposed on all religious organizations. In

addition, the IARF would question the refusal of a nation to grant the legal status of religious organization to an organization that has been given this status by twenty or more other nations.

### III. RESTRICTIONS ON THE RIGHT OF FREEDOM OR BELIEF

The IARF asserts that restrictions placed on the manifestation of one's religion or beliefs must meet two tests. First, such restrictions must be necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others. Second, such restrictions must adhere to the principles of nondiscrimination and equality before the law.

The IARF suggests that any such restrictions be clearly defined by law in terms of unacceptable behaviors. Restrictions on the manifestation of freedom of religion or belief that the IARF supports include the prohibitions of polygamy and of female genital mutilation.

International law does not use the word "proselytism" nor does it make any distinctions about acceptable or unacceptable forms of teaching or communicating religious beliefs. The World Council of Churches and the Vatican, however, define proselytism as "a corruption of Christian witness" because it employs coercion or bribery to bring about conversion. The IARF does not support legal restrictions on "proselytism" but encourages religious cooperation within each country to establish a code of conduct distinguishing religious witness from proselytism.

The IARF affirms the fundamental human right under international law to choose not to have a religion or to choose to change one's religion.

### IV. CODE OF PRACTICE

The IARF deplores the following practices by any religious organization or group, and the IARF urges its members to avoid and oppose such practices:

- 1) Inviting people to an event under false pretenses, without explaining the true nature of the event.
- 2) Raising money under false pretenses, or not making clear the purposes for which the money will be used and the name and nature of the organization for which it is being collected.
- 3) Hiding the true identity of persons trying to raise money or to attract others into their group.
- 4) Using unfair or immoral means of persuasion such as sleep or food deprivation, hypnosis or any form of emotional, psychological or spiritual coercion.
- 5) Concealing from prospective adherents before requiring commitment some of the implications and consequences of accepting membership in the group.
- 6) Serious discussion with minors without the knowledge of parents, guardians or schoolteachers, and refusal or unreasonable hindering of access to adherents or prospective adherents;
- 7) Offering financial gain as an inducement to join a religious group;
- 8) Failure to be publicly accountable in use of finance and resources where money has been raised from public sources.
- 9) Irresponsibility in employment of students and staff including but not limited to failing to pay national insurance contributions and refusing reasonable access to medical care.

The IARF also deplores:

- 1) All attempts at the forcible "deprogramming" of adherents of new religious movements.
- 2) All attempts to declare illegal or withdraw rights from a new religious movement or group without evidence, acceptable by a court of law, that it is acting illegally or has done so.
- 3) Any lack of concern for the truth and for the spreading of misinformation.
- 4) Any denial of the right of an individual freely to choose his or her religious beliefs and practice.

### V. STATE SUPPORT FOR RELIGION

The IARF recognizes that international law does not prohibit state support for religion, but only requires that any such support adheres to the principles of nondiscrimination and equality before the law.

Many members of the IARF support the idea of a secular state, because they believe the state should in no way support or discourage religion. Other members of the IARF support the idea of state assistance to religion so long as such assistance adheres to the principles of nondiscrimination and equality before the law.

As many countries have a history of observing cultural traditions that involve the religious symbols or festivals of only some of the religious organizations legally recognized within a country, the IARF does not see these observances as discriminatory unless the members of those religious organizations not observing them are subjected to intolerance or coerced to participate in these observances despite their objection as a matter of conscience.

## VI. GUIDE-LINES FOR IARF ACTIVITY

The IARF will give priority to supporting initiatives by its members.

The IARF will consult with its members in a country before taking any initiative with respect to an issue concerning religious freedom in that country.

In a region where the IARF has a Coordinating Council, any IARF strategy for supporting religious freedom in the region will be developed in consultation with the Coordinating Council.

The IARF affirms that the right of freedom of religion or belief should be protected for all persons and religious groups and gives priority in the allocation of its limited resources to support for religious groups recommended by the Coordinating Council for the region in which the group is located or by the Council or both.

Support by the IARF for freedom of religion or belief does not imply that the IARF must accept into its membership any religious group that applies. Membership in the IARF is solely at the discretion of the IARF Council.

The IARF will utilize its representatives at the United Nations in Geneva and New York to support initiatives on behalf of freedom of religion or belief. The General Secretary shall be responsible for interventions by the IARF at the United Nations and shall report these to the Council.

*Approved by the IARF International Council at its meeting on 27-28 March 1998.*