



Remarks by Ambassador Khalil Hashmi, Permanent Representative of Pakistan at the Side Event hosted by the Islamic Republic of Iran on “The role of religions in the protection and promotion of human rights: Review of the previous and existing initiatives”

30 June 2023

Distinguished participants,

I wish to thank Ambassador Ali Bahreini and the Permanent Mission of Iran for arranging this important event and for the opportunity to share some thoughts.

The principles and values espoused by various religions have significantly impacted the development of human rights norms, principles and legal instruments.

Many religious teachings emphasize the inherent dignity and worth of every individual, the value of compassion, and the importance of co-existence, justice, and equality. These principles align closely with the core values enshrined in human rights frameworks such as the Universal Declaration of Human Rights.

It is important to remember that human rights law recognizes ‘religion’ as one of the fundamental areas of human diversity and accordingly builds its legal architecture on freedoms, protections, and non-discrimination while factoring religion in.

At the same time, in developing human rights law, the approach towards religion has varied due to the diverse religious experiences in different societies. Some individuals and groups approach religion sceptically, questioning its compatibility with modern human rights principles. Others acknowledge the potential of religion to contribute to human rights and have actively sought to seek inspiration from religious teachings in the development of laws and policies.

The Human Rights Council has shied away from discussing the compatibility between human rights and religion and the contribution of religious teachings in upholding universal human rights values. However, we continue to witness debates around “religion” as the ground of discrimination, with varying degrees of differences on how to combat such discrimination.

Let me identify **three conceptual areas where the interpretations of existing human rights law differ regarding religion-related matters.**

First is the **compatibility question** between religious teachings and international human rights law. Divergence of views remains visible. From the standpoint of OIC, I can relate the basic teachings of Islam with the provisions of international human rights law. Principles of equality among human beings, justice, tolerance, accountability rights of women,



the welfare of children, freedom of religion, and protecting the most vulnerable segments of society can be traced in Sharia teaching and centuries ago when modern human law was being negotiated.

Second, is the **protection of free speech**. Speech considered acceptable and lawful in one cultural or religious context may be perceived as hate speech or blasphemy by adherents of another religion. This tension between freedom of expression and protecting religious sensitivities has posed challenges for human rights practitioners and lawmakers.

Third is the **area of discrimination**. Human rights frameworks seek to protect individuals from discrimination based on religion or belief, but the interpretation and application of these principles can differ across societies.

Despite these conceptually competing views, human rights law has recognized “religion” as an **important legal** ground for ensuring the protection of all rights.

The **Universal Declaration of Human Rights (UDHR)** in 1948 recognized that everyone is entitled to all rights and freedoms without discrimination based on colour, sex, language, and religion.

Later, these principles were codified in **all core human rights covenants**.

We note that popular religious teachings fully align with a series of interconnected rights established by these covenants, such as civil, political, economic, social, and cultural rights, providing critical protections to women, children, disabled persons, communities facing humanitarian situations, the poor, and the displaced persons, etc.

In 1962, the UN General Assembly mandated the Geneva-based Commission on Human Rights to prepare a Declaration and legally binding instruments on (i) racial discrimination; and (ii) religious discrimination. A convention to eliminate racial discrimination was adopted within three years.

Unfortunately, on the second track, discussions on the legally binding instrument of “religious discrimination” were long and challenging due to a lack of political will from certain member states. After 18 years, the UNGA adopted a **Declaration on eliminating religious discrimination** in 1981 without any progress on the binding instrument.

A decade later, the **Vienne Declaration and Program of Action** underscored that various factors, including religious backgrounds, must be considered while emphasizing human rights' universality, indivisibility, interdependence, and interrelatedness.

Later, the **Durban Declaration and Program of Action** expressly recognized the role of religion in promoting human rights. Let me quote para 8 of the Declaration, “*We recognize that religion, spirituality, and belief play a central role in the lives of millions of women and*



men, and in the way they live and treat other persons. Religion, spirituality, and belief may and can contribute to the promotion of the inherent dignity and worth of the human person and to the eradication of racism, racial discrimination, xenophobia, and related intolerance.”

The Durban Conference also called for preparing complementary international standards to strengthen and update international instruments to eliminate racial discrimination.

The Geneva-based **Ad hoc Committee on the Elaboration of Complementary Standards** is mandated to prepare the optional protocol for ICERD by weaving in the elements of discrimination based, among other things, on religion.

The consensus-based **Human Rights Council Resolution, known as 16/18**, demonstrated progress in the fight against religious intolerance. An action plan agreed upon by consensus called for speaking out on incitement to violence, criminalizing it, and promoting interfaith dialogue and education to overcome stigmatization.

Based on the 16/18 resolution, **the Istanbul process** has provided a valuable forum for discussions between member states and civil society groups on addressing religious intolerance.

Over the past decade, the **Rabat Plan of Action** highlighted thresholds for determining incitement to violence based on religion.

The UN Alliance of Civilization and numerous inter-faith initiatives address various aspects of human rights protections related to religion.

At the UNGA, Pakistan is part of a core group which is bringing resolution annually to promote interreligious and intercultural dialogue to achieve peace and stability,

Distinguished Colleagues,

Let me highlight **certain conclusions** on the role of religion in promoting human rights and some suggestions for going forward.

First, there is no denying that religious and spiritual principles highlighted by various religions are in harmony with human rights principles and have inspired these.

Second, the international community has universally agreed on freedom of religion as a human right.

Third, there is also universal recognition of non-discrimination based on religion.

However, the **picture is mixed** regarding **the third area of protecting** human rights from religious discrimination. I have already highlighted the different conceptual approaches that inform various perspectives.



Going forward, it is important **not to see religion and human** rights as **separate**, distinct, and **occasionally competing** frameworks.

Religious teachings have a powerful spiritual and emotive influence over societies. These can be misused to spread hate, but these can also be a more powerful stimulus for upholding human rights than enacting new laws.

My final thought is that discrimination based on religion is a major hurdle in the universal promotion of human rights, and combating such discrimination is essential.

Critically, it will strengthen the enabling role of religious teachings in promoting human rights worldwide.

Thank you

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