

COMMENT

The All Party Parliamentary Group on International Freedom of Religion or Belief

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INTRODUCTION

According to the Pew Research Centre, 76 per cent of the world's population live in countries where they face 'high or very high' restrictions on religion or belief.¹ Over the five years that Pew has been tracking this metric, the percentage of people that face 'high or very high' levels of restrictions by their government has risen from 58 per cent to 64 per cent. What is more alarming is the figure for 'high or very high' social hostilities (that is, acts of religious hostility by private individuals and groups, including armed conflict and terror), which jumped from 53 per cent in 2011 to 74 per cent in 2012.

A glance at Britain's newspapers confirms what the research shows – that global freedom of religion or belief is on a downward trajectory, and that this trend is driving incalculable human misery. Across the world, citizens are banned from worshipping their gods or teaching their religion and discriminated against for their choice of belief; in extreme cases they face violence, death or the attempted eradication of their belief system from the area where they live.

Debates in both the House of Commons² and the House of Lords³ show an increasing desire among MPs and Peers to use Britain's influence abroad to intervene on behalf of those whose human rights are under threat in this way. Concern for freedom of religion or belief is growing across the political spectrum, so it was natural that an all-party parliamentary group (APPG) should be formed to co-ordinate efforts in the legislature to increase the profile of the issue.

1 B Grim, *Religious Hostilities Reach Six-year High* (Pew Research Centre, 2014), p 8.

2 HC Deb 1 May 2014, vol 579, col 1056.

3 HL Deb 24 July 2014, vol 755, col 1290.

WHAT IS AN ALL-PARTY PARLIAMENTARY GROUP?

APPGs are informal cross-party interest groups that exist to bring together MPs and Peers to discuss issues that they have in common. Unlike select committees they are not official Parliamentary committees, but there is a register to show which groups are recognised by Parliament, and these groups are regulated by a set of rules that are approved by a House of Commons resolution. Parliamentary recognition is reflected in the way that APPGs are entitled to use the portcullis logo on their publications.

A more practical concern is that APPGs receive no public funding, and so the first issue facing any APPG that wishes to be active and employ staff is how to raise the necessary resources. Alongside the usual challenges of finding suitable and willing donors, APPGs must also find a balance so that they can work in partnership with those who fund them, while never aligning with non-Parliamentary supporters so closely that the result could be interpreted as buying influence with elected or appointed members.

‘ALL FAITHS FOR ALL FAITHS’

In the area of freedom of religion or belief, being seen to be scrupulously even-handed is of paramount importance. For MPs particularly, issues related to religion can seem like a political minefield. In part this is because of a media tendency to present religious issues in terms of competing factions (despite the fact that religious groups often feel that they have more in common with those who have a deliberate belief position that they do not share than with those who are agnostic). Because of this portrayal, it can seem as though engaging with one faith group about freedom of religion or belief could be seen as alienating to others. Therefore, for an APPG intending to cover this issue, recruiting a secretariat from a particular faith tradition was not an option.

The All Party Parliamentary Group on International Freedom of Religion or Belief was set up in June 2012. The funding arrangements were structured to include ‘stakeholder’ groups and individuals from a range of religion or belief positions, who all contribute a roughly similar amount to the APPG’s running costs. These are predominantly faith groups and represent a large swathe of the religion and belief spectrum, including Christians, Buddhists, Sikhs, Hindus, Muslims, Humanists and Baha’is.

From the outset, the aim of the APPG was to shift the tone of debate about international freedom of religion or belief from one where faith and belief groups campaign solely on behalf of their co-religionists abroad to one where those of different faith and belief positions come together to argue for this human right for all people. In terms of the stakeholder group, this approach worked well from the outset, and the civil-society organisations that have

joined the APPG stakeholder network have consistently worked closely and collaboratively. In this we have been significantly helped by the membership of the British Humanist Association (BHA), which has demonstrated a deep and active concern about the persecution of religious communities as much as atheists. The BHA's presence in the network also helps to neutralise the suggestion that membership suggests an ecumenical, theological agreement with other participants. It makes clear that there may be little or no theological agreement, but that there can be absolute agreement that nobody should be persecuted because of their religion or belief. This approach is one that the group has consistently encouraged Parliamentarians to take, with the result that debate in both houses increasingly reflects the 'all faiths for all faiths' position.

ARTICLE 18 AND THE UNITED NATIONS

Once the structure of the group was determined, work could begin on the substantive task of effecting change for those across the world who are persecuted. Article 18 of the Universal Declaration on Human Rights (UDHR) states:

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.

Whereas many other human rights are the focus of international treaties – for example the rights of women, children, persons with disabilities, migrant workers or those subjected to torture or racial discrimination – there is as yet no focused UN convention directly addressing the subject of freedom of religion or belief. It has therefore taken on the character of a 'residual' right – only protected to the extent that it does not stand in the way of other rights whose importance has been enshrined in treaty form.

This lack of supporting international convention is a symptom of an impasse at the United Nations over the interpretation of Article 18. From its adoption after the Second World War, the UDHR was widely recognised as an instrument to protect individuals from abuse of power by government or state authorities. At UN level, however, discussion of Article 18 has been side-tracked into a consideration of how religions themselves can be protected from criticism. This process – known as the 'defamation of religions' approach – twists the intention of Article 18 and uses the instrument as a way of restricting rights rather than promoting them.

ARTICLE 18: AN ORPHANED RIGHT

This dynamic made it imperative that the APPG make clear what its own interpretation of Article 18 is and to underline its commitment to freedom of the

individual, including, crucially, the freedom to convert or to eschew religion altogether. This foundation was spelled out in the group's first Parliamentary report, which examined the elements of Article 18, the intention behind the article, the reality of freedom of religion or belief in the current global climate and what can be done by Britain to further respect for this right internationally.

The report 'Article 18: an orphaned right' was edited by Professor Malcolm Evans, Professor of Public International Law at Bristol University and chair of the UN Subcommittee for the Prevention of Torture.⁴ It examines the growing recognition of freedom of religion or belief as a foreign policy priority within the Foreign and Commonwealth Office (FCO), how strategies for promoting it have been formulated and the effectiveness of these, alongside consideration of the methods and approaches that have been used in other jurisdictions. The report concludes with a number of recommendations, of which one is being specially highlighted by the APPG as the general election approaches in 2015.

This recommendation asks that the British government appoint an ambassadorial-level focal point on freedom of religion or belief to spearhead the work on this issue throughout the FCO and other relevant departments. This is a strategy that has been used in other jurisdictions, including the USA and Canada, to champion the issue of freedom of religion or belief and provide practical co-ordination of work being done to promote it, as well as acting as a rallying point for citizens who have concerns about abuse of Article 18 rights.

The APPG has observed the positive impact on international freedom of religion or belief that has been achieved by the ambassadors in the USA and Canada and notes that European precedent for an ambassadorial post exists in Norway. In 2012 the Norwegian government embarked on a 'Minorities Programme' which included the appointment of a special envoy for minorities at an ambassadorial level. While strictly this post is as ambassador for 'minorities', in practice the role has involved a particular focus on religion or belief. The special envoy is tasked with pushing the issue of freedom of religion or belief onto the agenda of everybody in the foreign ministry, as well as co-ordinating action, providing quality control for government programmes and holding the ministry to account to deliver on the political mandate. The special envoy is emphatically not there to perform the primary function of promoting rights in a country – this is to be done by the country desks and embassies. Rather, he exists to challenge, equip and scrutinise. It is the belief of the APPG and of Professor Evans that such an appointment in the UK, made with cross-party support, would be a substantial step forward in pushing freedom of religion or belief to the top of the agenda in Britain.

4 M Evans (ed), 'Article 18: an orphaned right', available at <<https://freedomdeclared.org/media/Article-18-An-Orphaned-Right.pdf>>, accessed 8 October 2014.

INTERNATIONAL CO-ORDINATION OF PARLIAMENTARIANS

The other primary goal of the APPG in the coming months is to work with Parliamentarians from different countries in a co-ordinated way. ‘Article 18: an orphaned right’ gained recognition in the international sphere, and the APPG was subsequently contacted by the United States Commission for International Religious Freedom (USCIRF) to discuss how the two organisations could work together. Following initial discussions, the ambition emerged of creating a network of Parliamentarians from across the world whose focus is the promotion of freedom of religion or belief as articulated by Article 18. An initial meeting of what has become known as the International Panel of Parliamentarians for Freedom of Religion or Belief (IPP) was held in Oxford in June 2014, with Parliamentarians from Canada, Australia, Norway, Turkey, Sweden, the Netherlands and Brazil participating. The meeting focused on identifying practical actions that can be taken by Parliamentarians in a co-ordinated way to put pressure on states where Article 18 is not being protected as it ought.

The IPP, which I chair alongside the APPG, also approved a Charter for Religious Freedom, based on Article 18. It will provide the basis upon which other Parliamentarians will be invited to join the network, and will ensure that the group retains a common understanding of freedom of religion or belief. The second meeting of the IPP was held in Oslo in early November 2014, and was attended by Parliamentarians from South Africa, Indonesia, Burma, Nepal, Pakistan, Malaysia and Brazil.

THE APPG AND ITS WIDER WORK

One of the unique contributions that the APPG can make to the national debate on freedom of religion or belief is to hold Parliamentary inquiries, which facilitate the taking of evidence by Parliamentarians and the writing up of their findings. Over the coming months two reports are planned: one on freedom of religion or belief in North Korea and the other an investigation into provision of asylum in the UK for those who are persecuted because of their religion or belief.

While the focus of the APPG is to promote freedom of religion or belief within Parliament, in a democracy this is only possible if freedom of religion or belief is being promoted within society as a whole. MPs rightly act on the issues that are most pressing to their constituents, and respond to constituents who make it clear that an issue will affect the way they vote. Therefore freedom of religion or belief will only rise up the political agenda when members of the public and civil-society groups communicate to their MP that it is important to them.

Wishing to harness this ‘people power’, in July 2014 the APPG launched Freedom Declared, a website aimed at informing members of the public about freedom of religion or belief abuses worldwide and what British

Parliamentarians are doing about them, as well as equipping constituents to lobby their MP.⁵ Civil-society organisations, including churches, have a huge role to play in what happens next. If Britain is to take the lead in making the world an inhospitable place for regimes that seek to contravene Article 18, our government must be left in no doubt about the importance that citizens attach to this right. Politicians of all parties are aware that the same-sex marriage legislation has alienated many Christians, and are looking for ways to re-engage with churches. This provides Christians with a window of opportunity to be heard as they make the case for religious freedom.

CONCLUSION

The work begun in June 2012 in setting up the group is not the work of months or years, it is the work of a lifetime. Tackling the neglected freedom of religion or belief will fall primarily to those in our schools and universities. It is within their lifetimes that the most seismic changes in religion or belief will happen. Where once sharing one's faith or belief with somebody on the other side of the world meant perilous journeys at sea, now it can be done with a tap of a mobile phone. The social-media challenge to accepted religious beliefs is bringing diversity of thought to the most physically and politically inaccessible areas of the world, and we are manifestly unready for the upheaval that this will cause. Those of us in the APPG are aware that our main focus must be to create strong foundations for future generations who will be forced to deal with the fallout of decades of neglect of Article 18.

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Bats in Belfries (and Naves and Chancels)

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THE PROBLEM

For many years, probably for centuries, bats have hunted and roosted in churches. They have now become less than welcome. In the eighteenth and

5 Freedom Declared, <<http://www.freedomdeclared.org>>, accessed 8 October 2014