

# RELIGIOUS FREEDOM AND FOREIGN POLICY

Recommendations for Finland



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# Preface

Questions concerning non-religion, the right to change religions and the multiple dimensions of freedom of speech create a rich tapestry whose overall effects can be seen in our daily lives as well as in international policy. This report seeks to illuminate why freedom of religion cannot be detached from other human rights, and what may occur if religious freedom is not actively promoted and maintained. The report identifies Finnish foreign policy priorities that support freedom of religion and offers recommendations on policy measures and instruments that are needed to safeguard its existence. **The report and the recommendations based on it reflect the views of the working group and do not necessarily reflect the positions of the Ministry for Foreign Affairs.**

A major goal of the report is to raise religious freedom from the margins to the mainstream and to make it a strategic target of Finland's foreign policy. Finland must take the initiative among the international community on freedom of religion. The Human Rights Strategy and Action Plan (2013) of the Finnish Foreign Service offers an opportunity for making religious freedom an integral part of Finland's foreign, security and development policy.

In 2012 the Finnish Ecumenical Council (FEC) undertook a study to determine how to coherently integrate freedom of religion into Finnish foreign policy, and it compiled a set of recommendations for further action. The research was funded by Finland's Ministry for Foreign Affairs. In addition to the FEC, the project working group comprised the Finnish Evangelical Lutheran Mission, Fida International, the Finnish Mission Council, Suomen Evankelinen Allianssi (the Evangelical Alliance of Finland), World Vision Finland, Stefanus-Lähetys ry (Stefanus Mission) and Frikyrklig Samverkan FS

rf. (the Free Church Support Organisation). In addition, the work received comments contributed by the USKOT-foorumi (the Faith Forum), whose founding communities represent Judaism, Christianity and Islam. The working group conducted a broad national and international consultation that included religious freedom experts as well as representatives of Finland's Ministry for Foreign Affairs and the Conference of European Churches. The research for the report is drawn from an interview and materials study. The interview component is comprised of the international experts is listed in Appendix 1. The report also utilizes a document published in 2010 by the Swedish Mission Council, "Faith, Freedom and Change: How Freedom of Religion or Belief can be integrated into Swedish Foreign Policy".<sup>1</sup> The materials analysis is based on the interviews as well as documents, reports and the scientific literature recommended by the interviewees. These texts are listed in Appendix 2.

Section I introduces the core concepts of freedom of religion as well as the obligations that are binding under international human rights conventions for its promotion. Section II casts light on some of the current challenges to religious freedom and the bearing these have on security, development and human rights. The breadth of the issue is illustrated with concrete examples from a variety of contexts in different parts of the world. Section III deals with Finland's foreign policy goals and the requisite conditions for actively promoting religious freedom. Section IV reviews the results of the interview study, and Section V presents conclusions and recommendations for actively taking into account and promoting religious freedom in Finland's foreign policy.



# ABSTRACT

The freedom of individuals and communities to practise their religious or non-religious beliefs is a precondition for peace and security, for social development and for the strengthening of democracy and civil society. When freedom of religion and belief is restricted, other human rights are often restricted as well, and the state or civil society may feel entitled to commit offences against the person. The international community's inconsistency in responding to blasphemy laws or to offences to religious sentiment, or in not responding at all to violations of religious freedom has led to inconsistencies in the interpretation of religious freedom. International human rights conventions unambiguously define religious freedom as an individual freedom. Human rights does not apply to religions or communities per se, but to individuals.

According to the goals of the current government programme, Finland is committed to the promotion of sustainable development and to the prevention of inequality by means of human rights, security and development policy. However, lacking in this is a promotion of religious freedom in a way that would be coherent with Finland's broader human rights agenda. In the first Human Rights Strategy (2013) of the Ministry for Foreign Affairs, religious freedom has been given greater emphasis than in the past. However, Finland should also rethink how it responds to the interconnections between religion and policy.

Finnish political culture has traditionally distinguished the public from the private, and politics from religion. However, in the majority of the world's states, religions and beliefs do not belong solely to the private sphere, but are public matters. An overly timid response to religious freedom relegates serious human rights problems to the margins; however, to resolve them a pro-active approach is needed. Instead of simply showing respect for religions, Finland must take the initiative among the international community on the issues of religious freedom. For Finland to become activated in promoting religious freedom, concrete goals, practices and a monitoring system are needed.

A coherent approach demands that Finland possess a religious freedom strategy that is tied to security, human rights and development policy. The primary measures to be included when drafting such a strategy are:

1. Increasing knowledge and cultivating expertise; 2. Developing and utilising collaborative partner networks; 3. Mainstreaming the goals of religious freedom; 4. Supporting the processes; 5. Development of new functions (long-term proactive methods); 6. Responding to put religious freedom into practice (short-term reactive methods).

The development of expertise is the first step towards the promotion of religious freedom. More academic and pragmatic research is needed on the interrelationship between religious freedom and policy. Initiating a new kind of collaboration between, for example, like-minded EU countries can enhance the furtherance of religious freedom internationally. The mainstreaming of religious freedom is important in order for religious freedom to be included as a topic that spans the many categories of foreign policy. Religious freedom may be supported by means of EU, UN and OSCE instruments, bilateral relations between states, and currently existing processes. To be pro-active, Finland needs new activities for advancing religious freedom, such as dialogue, improved crisis management and pilot country projects as well as local projects. Important ways of responding include bringing up religious freedom violations in bilateral talks, and calling for changes in the criteria used in decisions on foreign aid.

Civil society actors such as representatives of communities of religion or belief are important resources in all religious freedom work. Local religious leaders can have a great influence on the human rights climate. Religious freedom as a human right will be fulfilled only with cooperation between different levels of society, since states as well as citizens can be violators of religious freedom. Solid research data on the tensions between different groups and on the interests of religiously motivated actors in a society are essential. The positive contributions that religions and beliefs can make towards building and maintaining social peace must also be understood and taken into account. In addition, vulnerable social groups including women, the disabled and minorities, must be assured a place in dialogue processes.

# I Freedom of religion as a human right

*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.*

The UN Universal Declaration of Human Rights, Article 18.

The states of the world have sought, through human rights conventions and declarations, to identify what rights must be respected in order to ensure a life with human dignity free of threats and coercion. Though human rights are understood as universal and indivisible, states sometimes fail to put into practice all points of the international human rights agreements. A list of international documents that are significant from a religious freedom standpoint is annexed in Appendix 3.

Freedom of religion, as defined in the United Nations Universal Declaration of Human Rights, is a universal human right. It is a personal right that ensures every person the right to confess a religion, to change religions, to join or not to join a religious group, to practise or not to practise a religion, and to do so alone or in community with others, whether privately or publicly, as well as to preach and to teach a religion. Individuals have the right not to adopt any opinions on matters of religion or belief, as well as the right to criticise religions and beliefs. The issue is unambiguously an indivisible right of the individual, as opposed to being a right of a religion or a belief. Religions and beliefs do not have human rights.

Freedom of religion or belief applies to members of different denominational and belief-based communities as well as to the individuals who practise these religions or beliefs. The sphere of religious freedom includes traditional as well as non-traditional religions, new religions, and non-religions, such as atheism, agnosticism, humanism and pacifism.

**The concept of freedom of religion used in this report should be understood as comprising both freedom of religion and freedom of belief.**

States bear the primary responsibility for ensuring that the religious freedom of all who reside or live within their territories is respected. Sometimes an attempt is made to shift this burden onto the religious communities themselves. While it is true that interfaith dialogue and cooperation is important and that religious communities clearly can have an impact on the promotion of religious freedom, they can never adequately substitute for the state's obligation to ensure respect, promotion and protection of freedom of religion. Therefore, the main focus must always be on the obligations and responsibilities of states.<sup>2</sup>

In order to draw attention to the issues of freedom of religion specifically, the international community has set out international standards to go alongside the other universal human rights. The main points of these standards are as follows:

- 1. The freedom to choose a religion or belief, and to confess, to change or to leave a religion or faith.**<sup>3</sup>
- 2. The freedom to practise a religion or belief.**<sup>4</sup>

The following freedoms apply to internationally recognised religious customs and practices:

- The freedom to organise worship services and to assemble for the purpose of practising a religion or belief as well as the freedom to acquire and maintain a place for this purpose.

- The freedom to establish religious, humanitarian and charitable communities.
- The freedom to produce, procure and use substances and materials relating to the rites or ways of practising a religion or belief, including certain dietary observances.
- The freedom to compose, publish and distribute publications.
- The freedom to teach religion or belief in a space applicable to the purpose and to establish theological institutes of learning or schools.
- The freedom to solicit and receive voluntary, economic and other support.
- The freedom to train, appoint and choose elders, priests and teachers.
- The freedom to celebrate religious holidays and observe days of rest.
- The freedom to be in contact at a national or international level with individuals and communities in matters relating to religion or belief.
- The freedom to display religious symbols, including dressing in religious clothing.

### **3. Freedom from coercion.<sup>5</sup>**

- Freedom of religion or belief is predicated on freedom from any coercion that would prevent or impair a person from having or adopting a religion or belief of his or her choosing.

### **4. Freedom from discrimination.**

- Discrimination based on religion or belief is forbidden.

## **5. Rights of the parent and child.**

- Parents have the right to give their children religious and moral instruction according to their own religion or belief.<sup>6</sup>
- Practices of religion or belief must not be injurious to the physical or mental health or to the full development of the child.<sup>7</sup>
- Every child shall have the right to receive education in matters of religion or belief according to the wishes of the parents or legal guardians and shall not be compelled to participate in education concerning religion or belief against the wishes of the parents or guardians. The guiding principle is the best interests of the child.<sup>8</sup>
- The Convention on the Rights of the Child (CRC) emphasises the child's freedom of religion, which may be guided by the parents in a manner harmonious with the evolving capacities of the child; other human rights conventions emphasise the parental freedom to ensure that children receive religious and moral education in conformity with the parents' convictions. Taken together, these agreements support the child's right to religious freedom.<sup>9</sup>

## **6. The right to conscientious objection on the grounds of belief.**

- Freedom of religion, belief and conscience form grounds on which a person may for reasons of conviction refuse to perform military service in a country's defence forces.<sup>10</sup>

## **7. Employers and employees.**

- Employers must take reasonable account of their employees' religions and beliefs as well as employees' needs to observe religious practices at the workplace.

## II Freedom of religion in a world of mutual interdependence

It is an established practice in Finland to keep politics and policies separate from religion; however, across the globe a majority of people interpret the world and society from a religious perspective. According to a study by Pew Research Center, 84% of the earth's population are in some way affiliated with a religion, and of the remaining 16% a remarkable number participate in religious practices or have beliefs related to a religion.<sup>11</sup> This religious foundation of values has a bearing on what kinds of rights and responsibilities are seen as binding upon individuals and institutions.

Over 75% of the world's population live in countries where the state or some other social actor seriously curtails the freedom of citizens to believe and learn about or practise a religion or belief.<sup>12</sup> Persons who are affiliated with a religion or belief often encounter violations of their religious freedom, primarily in the form of discrimination by the state or by society. Sometimes only one group is subject to violations based on religion or based on worldview, but more often multiple groups are repressed by the dominant power simultaneously. Freedom of religion or belief can become a reality only if states refrain from acting as the ultimate arbiters of the intrinsic value of religion or belief.

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This section navigates the reader through a survey of religious freedom towards an overview of the different kinds of international responses to its various manifestations, and of the kinds of challenges that arise when religious freedom is lacking. "Without freedom of religion — without

human rights” examines the linkages between freedom of religion and other human rights, democracy, security and development.

## I. A review of the current state of religious freedom

*Freedom of religion or belief is a human right under threat; a human right under pressure. For a number of reasons. Of course, we all know about the violations. [But] if you really deal with those issues, you will see there is much more that the general public is less aware of. But in general we know, of course, that freedom of religion or belief is violated in very brutal ways, violated by states, and, surprisingly, often by non-state actors.*

Dr. Heiner Bielefeldt, UN Special Rapporteur on freedom of religion or belief.

Where religious freedom is heading is not a straightforward matter. The views of the experts interviewed for this report were divided. However, the majority felt the situation is deteriorating. Nations particularly at risk are the MENA countries (the Middle East and North Africa), where aggression has risen against apostates from Islam and other religious and minority Muslim groups, as well as against atheists and the secularised. In certain MENA nations the freedom of religion is not respected as a principle and, therefore, little effort is made to enforce it. On the contrary, domestic priorities may permit only one religion or religious denomination, as in Iran.<sup>13</sup> In religiously more open-minded nations, such as Morocco, traditional minority religious groups are tolerated; however, the right of individuals to freedom of conscience is limited.<sup>14</sup> The state of religious freedom has deteriorated or remained weak in Nigeria, Indonesia, Pakistan, Cuba, China, Eritrea, Columbia and Myanmar (Burma). This deterioration is expressed in



the expanding scale and range of the offences.<sup>15</sup> A narrowing of religious freedom has also been observed in the US as well as in certain European countries. In practice this refers to the post-9/11 discourse, which questions religious dress and traditions, and expresses intolerance towards Muslims.

*According to a report published in December 2012 by the International Humanist and Ethical Union (IHEU), atheism or rejection of the dominant religion can lead to the death penalty in at least seven countries. The report names as the most dangerous countries Afghanistan, Iran, the Maldives, Pakistan, Sudan and Saudi Arabia. There are also deficiencies in equal treatment for atheists and non-religious persons in Europe and in the US.*<sup>16</sup>

Apart from the currents of decline in religious freedom, positive developments have also been noted. Freedom of religion has markedly increased in Eastern Europe and the former communist countries. One may think of religious freedom and democracy as developing in tandem, promoting value systems that honour freedom of speech.

A nation's treatment of violations to religious freedom contains a paradox: Religious freedom violations by the state or by forces in civil society may lead to an upward spiral in the conflict, thereby leading to greater restrictions on religious freedom in an attempt to quell the situation. However, the new restrictions may constitute a still greater violation and only escalate the tensions and increase the religious confrontation. Productive solutions may be found, however, through expanding freedom of religion instead, and by carrying out monitoring to maintain it. There are many indications that when religious freedom is allowed to flourish, social development, equality and democracy also have room to grow.<sup>17</sup>

## Statistical difficulties

Though violations of religious freedom seem to be statistically rising according to the Pew Research Forum, interpretation of the statistics is challenging. The rise in the absolute numbers may reflect an increase in reporting. Modern communications, with the avenues it affords for reporting on previously unnoticed incidents and violations, is now bringing cases to the awareness of the international community in almost real time. This may create the impression of an exponential growth in offences, whereas in reality perhaps only the amount of information has increased. The greater visibility given to religious fundamentalism and radicalism has raised freedom of religion to centre stage in many countries.<sup>18</sup>

Despite the improved reporting on violations, statistical quantification is hindered by the victims' own position. Victims often shun publicity for fear of violence, and thus the majority of cases remain unnoticed. Another obstacle to reliable statistics is the response of governments to the offences: openness varies regarding the collection, compilation and public presentation of data, and corruption may increase the tendency to gloss over situations. States may also restrict religious freedom for domestic political reasons to maintain social control.<sup>19</sup>

The relation between human rights offences and the state of religious freedom is asymmetrical. Seldom does the international community investigate human rights from the viewpoint of religious freedom, and rarely are injuries to religious freedom reported as human rights problems. This leads to erroneous interpretations of background factors and overly simplified explanations.<sup>20</sup> Incidents in society and human rights infringements may be branded as having a religious aspect even if they are not primarily religious in character.

## UN Human Rights Council Resolution I6/I8 — the challenges to finding a political consensus on freedom of religion

The special character of religious freedom is lost when the issue is reduced to a question of political security or when it is buried beneath other human rights concerns. The religious freedom thematic has been addressed in international policy from differing perspectives, with the debates revolving mainly around individual versus community rights. The diversity of interpretations has reduced the effectiveness of the international standards and prevented the debate from moving forward positively. It is the task of the international community to continue actively developing a common model of action for the investigation of questions of religious freedom and for the coherent promotion of religious freedom.<sup>21</sup>

Over the past twenty years, the discussion on freedom of religion and belief has focused almost exclusively on the controversial issue of the defamation of religion. The Organization of the Islamic Conference (OIC) has been working to forge an international consensus that the concept of human rights should cover religious defamation and insult. This approach is dangerous, for it protects religions instead of people, and thereby undermines the groundwork on which human rights standards are based. It also opens the door to wide-scale abuse in, for example, the area of anti-blasphemy legislation. Such laws have been used to persecute minorities and free-thinkers. Atheists are also vulnerable for they are perceived as committing religious offences by rejecting the religious views of the majority.

OIC resolutions on the defamation of religion (e.g. Resolution 2005/3) were approved by the United Nations Commission on Human Rights and by its successor, the UN Human Rights Council, every year between 1999 and 2010. European states worked to prevent the resolution from gaining traction out of concern that human rights norms might be seriously diluted

if extended to include religious defamation. International support for the resolution eventually waned, especially following the assassination of Pakistan's Federal Minister for Minorities Affairs Shahbaz Bhatti, who was an opponent of blasphemy legislation.<sup>22</sup>

Later, in 2011, the OIC proposed Resolution 16/18, which concentrates on the elimination of intolerance, negative stereotyping, stigmatizing, discrimination, and committing or inciting to commit violence against persons based on religion or belief. The US supported the resolution and launched the Istanbul Process to oversee its implementation through dialogue and to devise practical instruments for achieving its aims. Though many have hailed 16/18 as a breakthrough towards the elimination of religious defamation, the resolution and the Istanbul Process have also received their share of criticism. The main criticisms have faulted the resolution's laxness in permitting the ban on defamation to stand, and thereby enabling the OIC to further its agenda, which is perceived as employing human rights language in a way contrary to the spirit of religious freedom.<sup>23</sup>

As the debate makes clear, there is no consensus regarding 16/18. The meaning and content of "incitement to violence" has also risen as a key point of contention. The OIC seems to represent the view that criticism of and offences to religions are tantamount to incitement and therefore should be criminalised.<sup>24</sup>

In 2011 experts assembled under the auspices of the UN High Commissioner for Human Rights to deal with the issue of incitement to hatred on the grounds of nationality, race or religion. These meetings produced the Rabat Plan of Action. This plan points to the dangers of using the concept of incitement in connection with religion or belief. The plan warns of potential problems connected with a vague definition of incitement, which could allow actual cases of incitement to go unprosecuted at the same time as the problematic legal wording could be used to persecute minorities.<sup>25</sup>

Despite such criticisms, many believe that the Istanbul Process does offer a chance to promote constructive religious freedom. While Resolution 16/18 is better than its antecedents, it leaves important issues unresolved. For instance, it does not exactly strengthen key elements of freedom of religion or belief, such as the right under Article 18 of the UN Declaration of Human Rights to change one's religion or belief. Debate on these critical questions is likely to continue.<sup>26</sup>

The international community, including the EU, should be resolute in defending the principles and approaches enshrined in Article 18. There is also an urgent need to engage in thematic bilateral and multilateral work to achieve the following: the right to leave a religion or belief; the rights of religious communities before the law; education and employment; the protection of holy sites and places of congregation; and women's rights.<sup>27</sup> According to Heiner Bielefeldt, the UN Special Rapporteur on Freedom of Religion or Belief, new ways must be found for dealing with hate speech as well as the sensitive areas of freedom of religion. Bielefeldt has also endorsed the Rabat Plan of Action<sup>28</sup> across the EU and globally. The Rabat Plan includes recommendations and proposals for practical action that go beyond Resolution 16/18.<sup>29</sup>

## 2. Without freedom of religion — without human rights

In the following section we look at how religious freedom deficiencies are detrimental to human welfare, and we present arguments on the dangers of ignoring religious freedom as a human right.

### Democracy, the state and civil society

*In many countries, religion is exploited for political ends. [...] discrimination based on religion or belief often emanates from deliberate State policies to ostracize certain religious or belief communities and to restrict or deny their access to, for example, health services, public education or public posts.*

Asma Jahangir (2009). United Nations' Special Rapporteur on Freedom of Religion or Belief (2004–2010).<sup>30</sup>

States under the rule of law (or *Rechtsstaaten*) must have democratic social institutions and be founded on a respect for human rights. In such states, people have opportunities to participate in the decisions that affect them. The law must be the same for all and ensure broad-based participation in civil society. A society founded on the principle of the rule of law actively reinforces and upholds human rights as well as good governance. The principle encompasses conformity to law, a balanced division of powers, basic rights and their practical implementation.<sup>31</sup>

Under the rule of law, religion and belief-based organisations and movements play an important role in civil society. They are a significant resource for the advancement of democracy and the reduction of poverty.

Religion and belief implicitly contain spiritual values (in both the religious and the character sense) that, when best expressed, are unique in their ability to elevate human dignity and ensure human rights.<sup>32</sup>

The division of roles between secularised society and religious communities is regularly the topic of heated debates around the world: Is religion a part of public or private life? One often hears the assertion in such debates that social tranquillity can be achieved only when religion is kept a private matter. Nevertheless, the idea of pluralism is associated with modern democracy and a healthy civil society. Democratic discourse is built on the acceptance of the diversity of values that arise from the combined influence of different religions, beliefs and cultures.<sup>33</sup>

*NEPAL: Civic organisations can be productive and socially effective. In 2011, a proposed Nepalese criminal law contained paragraphs that, if implemented, would have greatly limited individual freedom of religion and imperilled the freedom of particularly Christian and Muslim organisations to operate (these are minority faiths in Nepal). Criticising religious traditions or practices as detrimental would have been criminalised (including, for example, those implicated in the marginalisation of women or in the caste system). In addition, activities leading to religious conversion would have been criminalised. Had the proposal been approved in this form, it would have put Nepalese who were affiliated with Christian churches in a very precarious position. The Finnish Evangelical Lutheran Mission and Fida International brought the issue to the attention of the Embassy of Finland in Nepal as well as Finland's Ministry for Foreign Affairs. The Embassy engaged in discussions with the officials responsible for the proposal, and its wording was then taken up for revision and redeliberation.<sup>34</sup>*

Lack of religious freedom is a threat to the right to life and privacy, freedom of association and expression, and cultural rights. In societies that restrict

religion, citizens have little or no opportunity to assemble and to effect change or increase democracy. The rule of law remains unrealised under conditions where official corruption is widespread and democracy only virtual. Freedom of expression, association and assembly are usually either restricted or completely prohibited.

In the most extreme cases, state-imposed restrictions on religious freedom punish adherents of atheism or of religions outside the mainstream. Such people may be barred from practising their religion or belief, which may have been made into a punitive offence. Besides state restrictions, religious denominations themselves may try to limit the practice of other religions or beliefs, and make it dangerous to leave or to change religions.

Attempts to repress religion are seen in states of widely divergent religious traditions or secular beliefs. One may mention as examples Belarus, Cuba, Sudan, Iran, Uzbekistan, Bangladesh and North Korea.

*TURKEY: Although freedom of religion is guaranteed in Turkey's constitution, Turkish legislation gives few chances for minority faiths to function, and these officially approved faiths are closely monitored. Islam is inseparably connected to modern Turkish identity, though the state ideology has been known for its attempts to control Islam and to keep all religions out of public life. Restrictions are continually imposed on the activities of Sunni Muslims (the majority) as well as Alevi-Shia Muslims and Christians (which are minorities). Christian congregations are under ethnic and religious pressure. A few years ago, wider publicity was given to murders committed on religious grounds, and this was followed by some real, though small, steps forward in the realm of religious freedom. Private life and personal religiosity is not controlled.<sup>35</sup>*



## Peace and security

Governments that suppress minority beliefs cannot claim security for the majority.

Robert Seiple, US Ambassador-at-Large for International Religious Freedom  
1999–2004.

There is a statistically significant correlation between, on the one hand, military spending and armed conflict on the one hand, and religious restrictions and persecution on the other.<sup>36</sup> The positioning of different groups becomes more confrontational and the risk of conflict escalates. Marginalisation by the state on the grounds of belief feeds tensions and gives fodder for extremist groups while at the same time reduces the ability of moderate religious groups to participate in the public discourse.

Nationalistic currents have surged within Hinduism, Buddhism, Islam and Christianity during the first decade of 2000. Violence has also been experienced in regions known for centuries for their peaceful coexistence between followers of different faiths.

*INDIA: While most people live together in peace, the nationalistic Hindu movement's actions and legislation against religious conversion has led to an upward spiral of violence against minorities. The minority Christian residents of Orissa were subject to violence on a large scale from August until October 2008. More than 50 persons were murdered, 50,000 were forced to flee, and hundreds of churches, homes and businesses were destroyed. Police reportedly refused to record the crimes committed and failed to intervene to put a halt to the violence; instead, they detained victims of the violence.<sup>37</sup>*

Religious aspects can also be seen in ongoing conflicts such as in Iran, Israel and the Palestinian territories, Kashmir, Nigeria and Pakistan. While religious motivations can be found at the origin of these conflicts, it is simplistic to view the current situations as just about religious conflicts. Other factors include the changes wrought by globalisation, social and economic distress, and multicausal political conflicts.

Religious radicalisation is related to other factors that cause instability, including unemployment, growing social disparity and especially the world of youth with its lack of vistas and occasional lack of values. Youth in such a vulnerable position are easy prey for extremist groups, whose efforts to persuade often rest on misrepresented religious grounds.

Terrorism prevention has focused on forming models of terrorist group activity, pre-emption and punishment of the guilty. However, the threat of terrorism and its associations with religious and extremist movements calls for a broader understanding of the mechanisms that give rise to terrorism. Anti-terrorist laws have proven problematic for ethnic minorities, who often have a strong religious identity. National legislation may permit serious offences against freedom of religion to occur, for example, by monitoring all of the activities of a minority group and passing jail sentences for the possession of supposedly subversive literature. Incidents of this kind are reported particularly concerning China, Central Asia and Eritrea.<sup>38</sup>

According to the principle of the rule of law, freedom of religion can reduce the space in which extremist groups operate by enlarging the room available in civil society for peaceful dialogue about theological and social issues. Religious pluralism can strengthen the forces of moderation and give states and civil society the chance to exercise control over radical trends within society, and also keep local conflicts from escalating into large-scale crises.<sup>39</sup>

In fragile states in particular, the peacemaking role played by government and civil society, including the religious communities, is vital. The weaker

the state, the stronger the role of the institutions of religion or belief and ideology.<sup>40</sup> Communities of religion or belief may offer a means of self-protection against the adverse social effects of globalisation. Those who have experienced conflict and crisis may slip through the cracks of the official support system, especially in countries lacking a strong social security system. Refugees and displaced persons are often left without a family-based support network. People may find in religion or belief a means to get through the crisis and return to normal life.

Movements that operate under authoritarian governments or conditions on the basis of belief are often the very last to give up, if they ever do so. In Liberia, for example, women representing a variety of faiths and weary of the interminable civil wars organised to promote peace negotiations without violence. By taking concrete steps, they won the right to have a place at the table of the peace talks. For this work, Ellen Johnson Sirleaf received the Nobel Peace Prize in 2011.

## Discrimination based on religion or belief

*What really shocks me, sometimes more than state violations, are violations by non-state actors: sometimes by the mob, orchestrated or spontaneously, with appalling manifestations of extreme hatred that I come across on a daily basis; in fact, extreme hatred. I would say that, really, it remains an enigma to me. I think we will never fully grasp what the motives are behind, but very often, it seems to me it is a combination of fear and contempt, fear sometimes even escalating into paranoia, which then goes together with contempt, and that's a very toxic mix.*

Dr. Heiner Bielefeldt, UN Special Rapporteur on freedom of religion or belief.

According to Pew Research Center statistics, religiously based discrimination has risen significantly since 2006. The number of countries practising this form of discrimination was 91 in 2007, and 101 in 2008.<sup>41</sup> Discrimination based on belief or other factors impoverishes society and impedes political, social and economic development. Practices that restrict citizens' freedom of religion can institutionalise discrimination as a part the administrative culture.

Discrimination prevents millions of people from claiming their rights in the social, economic and cultural domain. Discrimination is a reason for the denial of the right to healthcare, education, housing and employment. Public health services and education are generally of poorer quality in areas where discriminated people live. Discrimination commonly appears in appointments to official posts in the public sector, as well as in the allocation of economic resources. The most typical of these are limitations on the right to manage and own agricultural land.

*BANGLADESH: By applying dated legislation, the government has expropriated about a million hectares of land from the “enemy” over a long period, affecting the position of almost every Hindu in the country. In 2001, the parliament voted in favour of returning this land. Since then, however, another 200,000 Hindu families have lost land amounting to nearly 16,000 hectares, despite the old law having been declared invalid.<sup>42</sup>*

Discriminated people are generally unable to participate fully in the development of society because of the systemic barriers they face. In addition, the resources spent on opposing religious and belief-based activities drain resources that could go towards positive social development. Religious discrimination is also implicated in the emigration of educated people, or “brain drain”.

The rights of religious minorities are easily sidelined where there are battles over power and resources. Limitations on the number of minorities allowed to exist in a country are defended in the name of national security or by invocations of national identity. In extreme cases, religious minorities are seen as conduits of subversion and risks to state sovereignty, exposing the state to the influence of foreign powers.

Monitoring the state of religious freedom requires special vigilance. Too often human rights reporting is content with making superficial observations, failing to differentiate the freedom to practise a religion from other forms of discrimination related to religious background. In some countries, minorities may have the freedom to practise their religion or to have no religion while at the same time legislation prevents their representatives from working in politics, the civil service or the armed forces.

## Freedom of association and assembly

The European Court of Human Rights has underlined the importance of the freedom of association and assembly in providing people the possibility to practice their religion or belief. According to international declarations and universal human rights conventions, freedom of religion includes the right to build places of worship, establish religious, charitable or humanitarian organisations, receive economic donations or other support, and to train and appoint or elect religious leaders.

Freedom of association and assembly has declined in 43 nations around the world since 2004. This change is especially felt by religious minorities. Many states have enacted special religious legislation, which is then used to undermine freedom of association. Laws and restrictions may also be formulated intentionally as a means of constraining the potential for civic action, as belief-based movements have often been effective in creating

change. Legislative amendments that limit religious freedom are particularly insidious as they usually take place below the radar of international news reporting.

Religious communities have experienced concrete difficulties in beginning or continuing their activities. Obstacles may be put in the way of their official registration, making it impossible to get a licence to operate. A group without a legal personality may not, for example, receive donations, lease property, acquire building or remodelling permits, or hire staff.

***RUSSIA: As Russia recovers from decades of communism and its persecution of faith, religion has become once again a part of public life once again. A Russian law on religion that took effect in 1997 guaranteed freedom of religion in principle, but gave preference to some religions (Orthodox Christianity, Judaism, Islam and Buddhism) as belonging to Russia's historical heritage. The new legislation complicated the registration of new religious denominations. Local authorities also applied the law in different ways according to their own predilections and limited the activities of a number of groups. Designating some religious groups as foreign to Russian culture has bred a climate of intolerance, leading to hate crimes and even murder. The government has not adequately intervened in these crimes. The government infringes on the religious freedom of some groups also by applying to them laws that were intended for extremist movements, even in the absence of evidence that the groups in question are violent.***<sup>43</sup>

## Freedom of expression and the press, and the free flow of information

*In countries where the state circulates disinformation or incites hatred in the official media, a culture of prevailing prejudices develops against which religious minorities are defenceless. Deprived of the protection of the rule of law, victims lose their rights to free expression, association, education, employment, and ultimately, the right to life.*

European Platform on Religious Intolerance and Discrimination (EPRID).

The right to self-expression in matters of religion or belief comprises both freedom of expression and freedom of religion. Self-expression in matters of religion or belief faces resistance all over the world. For example, atheistic views expressed about religion are easily seen as abuses of free speech and as infringing upon freedom of worship.

Censorship, harassment and violence are often aimed at religious media, journalists, publishers and bookstores. In some countries it is illegal to tell others about one's own religion or belief.

It is critically important that international human rights agreements protect the rights of individuals rather than of religions. Defamation of religion and blasphemy laws are used in several countries to restrict the freedom of expression of minorities holding unwelcome religious or other beliefs, or to settle personal scores. In Pakistan, for example, Christians and other religious minority groups live under constant fear of harassment or being charged with blasphemy. At the same time, it is estimated that nearly half of the blasphemy charges are directed at representatives of the Muslim majority. In Pakistan, such charges are open since the legal definition of blasphemy is vague and requires no evidence or proof of intent. Impartial

investigation into blasphemy charges is impossible in practice as the investigatory mechanisms are deficient.

***RUSSIA: In 2012 the Russian State Duma in 2012 passed a hardening of the legal punishment for offending citizens' religious sentiments. The same year saw similar proposed amendments to the criminal statute and to a law concerning regulatory offences. The proposed amendments are based on a vague definition, since offences to religious sentiment may refer to just about anything. Should the proposed amendments be approved, they would give a legal grounding for arbitrary uses of power, of which there are already precedents.<sup>44</sup>***

The agendas advanced by blasphemy laws and defamation of religion do not accord with the spirit of human rights agreements nor with international law. People should have the right to be critical and to express their thoughts freely, including about religions or beliefs, without the threat of violence. Despite these developments, the international response to blasphemy laws and religious rights has been varied. For example, the activities of the UN Human Rights Council (UNHRC) has been criticised as lacking teeth and as politicising rather than effectively promoting universal human rights.



# Identity

*Victims of religious intolerance are not just people deprived of the right to practise their faith. They suffer violations of fundamental freedoms in all aspects of their lives.*

European Platform on Religious Intolerance and Discrimination (EPRID).

Freedom of religion means the right to self-understanding and identity without being discriminated against by the state or by society. In some lands religious conversion or apostasy can result in one losing his or her religious and civil identity. Birth certificates, identity papers and passports may be allowed to show only the state-approved religion.

Family law does not always follow the principles of religious freedom. In certain countries, members of minority religious communities may not marry or raise their children according to their own faith.

After rejecting a religion or changing religions, a person is not necessarily permitted to be buried in a manner consistent with their belief. The state may decree penalties for apostasy, including loss of child custody, loss of inheritance or the right to own land, and even the death penalty. The state may prohibit marriages between representatives of different faiths. Women, children, migrant workers and immigrants are particularly vulnerable.

***EGYPT: on March 16 2009 an Egyptian court granted members of a Bahá'í community the right not to declare their religion in official documents. Previously Bahá'í had been forced to declare themselves either Muslim, Christian or Jewish in identification papers. People who refused to do so were not granted IDs, and therefore had no access to school or healthcare services.***<sup>45</sup>

## Women and freedom of religion

The European discussion over permitting or prohibiting the religious dress of women has diverted attention from fundamental issues of gender and religious freedom. Gender inequality as well as lack of power and visibility are core problems for women in communities of religion or belief. The majority of leaders of religious and belief communities are men, and women have little public say in matters concerning themselves or the community at large.

Justifications for human rights violations are sometimes put forward on religious grounds. Typical cases involve curtailment of the rights of women and children on the grounds of traditionalist religious interpretation.<sup>46</sup> Freedom of religion may be realised in ways different for men than for women within the same community. The idea of religious freedom for women may cause profound social and cultural conflicts if the new values challenge the traditional ways of living and doing things. Changing the rules creates apprehensions about the breakup of the community and power being transferred into the wrong hands. Swings in the balance of power between the genders generally cause resistance, particularly in communities founded on male leadership.

Punitive measures aimed at women may be more severe in communities and cultural contexts where the honour of both the men and the family is borne on the shoulders of women. Apostasy, conversion or marrying someone of a different faith may lead to social rejection. In the gravest cases, women are left with no legal protection and are vulnerable to tacitly approved honour killings.

Without special attention, women easily become invisible and are left outside the religious freedom discourse. Determined calls for women to be admitted into the dialogue must be made, for religious communities

themselves often choose men to be their advocates, in accordance with tradition. If women are not used to public speaking or to speaking to male audiences, the dialogue process should be modified to accommodate both sexes.

## Refugees

Grave violations of religious freedom can lead to migrations of displaced refugees. Indeed, many of today's refugees have fled on account of religious persecution or discrimination. However, asylum is rarely granted on the basis of religious persecution, despite the fact that it is named as a cause for granting international protection under the Geneva convention.<sup>47</sup> The situation for religious minorities can vary widely within one and the same country, a fact that is insufficiently taken into account as country surveys on the reasons for population displacement and the national conditions often contain deficiencies. Many who flee their homeland end up having to return to a near certain death, while others lose their mental health in the prolonged ordeal of seeking asylum status amidst the fear of being returned. A large number of those who flee for reasons of religion or belief remain stuck in nearby regions or become internally displaced, putting further strain on the already meagre resources of poor countries.

# III Freedom of religion and Finland's foreign policy

Finnish foreign policy has shown an interest in freedom of religion for reasons of principle, but this has rarely translated into practical initiatives for its advancement. Foreign policy typically deals with respect for religion by refraining from any discussion that would combine religion and policies, whether on a national or an international level. Behind this passive respect may lie the customary separation of religion from politics in Finnish political culture as well as the idea that religion belongs to private life. However, the idea that freedom of religion is a human right forces one to reconsider these conceptions, for in most of the world, religion and belief are not considered merely personal affairs.

While religion and belief will continue to offer an important foundation for and way to conceptualise values, a different kind of discussion is needed. Speech about freedom of religion does not actually concern beliefs, religions or theological interpretations in themselves, but human rights. Offences to religious freedom are serious violations of human rights, and they take the same forms, i.e. involving coercion, intimidation and physical violence. Under such circumstances, simple respect is not enough; proactive and reactive measures are needed for human rights to be realised. International human rights conventions provide a firm foundation on which religious freedom can be advanced.

The following section looks at the main principles and objectives of Finland's foreign policy, to which religious freedom is inextricably linked.

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Finnish foreign policy promises support for freedom of speech, freedom of worship and freedom of religion, and emphasises the rights of religious minorities. Finland's major foreign policy objectives include the promotion of international stability, security, peace, justice, sustainable development, the rule of law, democracy and human rights. In its current government programme, Finland is committed to implementing a values-based foreign policy, one that seeks to support as broad-based a dialogue as possible and bridge political, cultural and religious borders. Human rights based on international standards are to be advanced through bilateral relations and international organisations in a constructive and effective manner. The values of Finland's human rights -based development policy stem from the principles set out in the UN's Universal Declaration of Universal Human Rights.<sup>48</sup>

Coherent policy planning and review is vital to Finland's efforts to act in foreign policy on a human rights footing. To borrow from the OECD (Organisation for Economic Co-operation and Development) definition, policy coherence means finding synergistic and complementary solutions towards mutually agreed objectives in a way such that some policy areas do not suffer on account of decisions made in other policy areas. According to this description, the thematic of religious freedom should be considered an inseparable element of deliberations over policy coherences, for its various dimensions can have effects on the course of security policy as well as cultural and social development.

# Finland's security policy objectives and principles

Finland's security and defence policy relies on the proactive building of security and on the forecasting and deterrence of security threats. Seeing threats in advance requires the international community to have openness and promote human rights, democracy and the rule of law, as well as to adhere to international law. International cooperation is also regarded as based upon openness and adherence to international law as well as universal values. The Finnish state sees a need for other measures besides traditional security policies and military defence. Global interdependence and changing power relations have raised new challenges for Finland's security policy. Non-state actors (including civil society, corporations and the social media) also have the potential to create instability.<sup>49</sup>

The Middle East and North Africa are significant concerns that play a role in shaping European Neighbourhood Policy. As part of the EU, Finland supports the evolving economic, social and political structures of these states as well as the stabilisation of their societies. Political upheavals in these regions continually reshape internal power dynamics and create space for new values and institutions. Politicised religion is a moving force in these processes of change. The directions of development have an effect on the broader European security community, the preservation and fortification of which are Finnish security goals.

The tension between the right to self-determination versus states' security obligations, combined with the commitment to abide by international law and human rights conventions, pose significant challenges for the ability of the international community to act. Finnish security policy emphasises the unique position of the UN Security Council and its pivotal ability to produce resolutions that can be seen as legitimately binding upon all states.<sup>50</sup>

Finland's participation in international crisis management takes place through the UN and the EU. Crisis management demands continual updating to ensure quality since the environments are continually in flux. Religion is generally not raised as a subject in crisis management talks. However, individual operations are planned with an eye on the religion of the target country. For example, Islam has had a bearing in the planning of EU operations in Mali and Somalia. Attention is paid to more to human rights in general than to religion.

The soldiers who are deployed to serve in Finland's crisis management troops participate in a training course that deals briefly with the target country's religious situation as well as some details of the nation's customs. The course, however, is too superficial to provide an adequate crisis management perspective on religious freedom and the overall situation of the country. Acquiring knowledge of the society, culture and religions of the country remains largely up to the initiative of the individual soldier. Thus crisis management troops do not always recognise all of the problems and themes that would be essential for their work.

Comprehensive crisis management could therefore benefit from better incorporating religious freedom in its planning, training and execution. This would also bolster other human rights.

Crisis management that takes into account religious freedom is an area of international development in which Finland could take a robust role that would also be in line with its own principles and aims. Giving adequate consideration to religious freedom entails a recognition of and respect for the religious terrain of the target nation. In surveying the state of religious freedom, the religious situation of the crisis area concerned must be comprehensively dealt with in order to identify potential threats. Operations should also take notice of what elements may be supportive of human rights and religious peace, for these may be recruited into the peace process. Any groups that are undermining peace and human rights should

be subject to special scrutiny, but active treatment should also be given to human rights conflicts through dialogue between the different parties. A representative sample of religious as well as non-religious people must take part in the dialogue, and efforts must also be made to engage women in the negotiations. Crisis management must take notice of the potential religious motivations and sensitivities relating to the crisis as well as the political affiliations of the religious groups and leaders. Successful crisis operations are predicated on understanding the background of the conflict, especially when the conflict has religious shades, but is not essentially religious in reality. In the practical sphere, crisis management that is aware of religious freedom can be carried out in a way that preempts outbreaks of religiously based conflicts and can resolve conflicts as a mediator, negotiator, and guarantor of religious freedom by means of e.g. civilian crisis management and development policy.

## Finland's human rights policy priorities

Finnish policy emphasises human rights as interdependent and in fact indivisible. Equality for religious minorities and other minorities relates to a concept important to Finland: comprehensive nondiscrimination. The adoption of this by the international community is a Finnish human-rights policy objective. In June 2013 the Ministry for Foreign Affairs approved its first human rights strategy and related action programme for 2013–2015. These underscore the importance of anti-discrimination activities as well as the view that, in some cases, discrimination is based on religion or belief. Finland also attaches importance to population groups who are the target of multiple forms of discrimination (e.g. women and ethnic minorities who belong to minority religions). In addition, discrimination that takes place within a minority group, such as within a religious group or discrimination that has a religious basis, cannot be justified by appeals to tradition.<sup>51</sup>



Finland supports the development of the concept of human security and strengthening its practical implementation in EU crisis management work, for example. Human security differs from the traditional conception in that security is viewed from an individual rather than a national or state perspective. Security here refers to securing everyday needs, such as sufficient potable water and individual safety from violence and discrimination. Freedom of religion and conscience is also part of this everyday security: where it exists, individuals and communities are protected from verbal as well as bodily violence.

According to the Government's human rights policy document Finland must enhance the implementation of its human rights policy by offering officials broad training in the instruments and basic premises of EU human rights policy. The same also applies to freedom of religion. The ability of Finnish ambassadors to analyse the state of religious freedom abroad and to report back domestically on their results would give Finnish state officials a better capacity to plan their human rights and other foreign policies.<sup>52</sup>

## Finland's development policy

Development cooperation is one of the main instruments of Finland's human rights policy. Resource allocation is also channelled through e.g. humanitarian aid and crisis management work for achieving human rights goals.

Underlying Finland's human rights-based development policy is the principle that all human beings are equal in dignity and rights, as enshrined in the UN's Universal Declaration of Human Rights. Finland supports the freedoms of speech, worship and religion and highlights the rights of religious minorities in its development policy.<sup>53</sup> By supporting development cooperation, Finland seeks to ensure that local populations have the right

to acquire knowledge of their own basic rights and human rights, and to strengthen the monitoring and implementation of the authorities as to their human rights obligations. These obligations include freedom of religion as it is included in international human rights conventions. Finland also has an interest in supporting the development of civil society in terms of the operational freedom of civil society, cooperation with the authorities, and educational and cultural activities. An independent judiciary, freedom of expression, association and assembly, responsible government and local governance are viewed as vital for a functioning democracy. Freedom of religion and the principle of the rule of law are mutually reinforcing.

Finland highlights the rights of the vulnerable and marginalised by means of its development policy. Reducing inequality is a cross-cutting goal in development policy lines. People of minority religions, for example, are easily discriminated against. Religious discrimination as a social structure impoverishes society and impedes sustainable development. It affects human lives directly as well as the larger society. In situations of conflict, Finland has promised to defend the rights of the marginalized.<sup>54</sup> Furthering religious freedom as a part of anti-discrimination action implies engagement in the fight against poverty.

Gender equality and improving the position of women is also a cross-cutting goal of Finnish development policy and critically important for human development.<sup>55</sup> Gender sensitivity is essential when working on issues of religious freedom. As illustrated above, the lack or the realisation of religious freedom may affect men differently than it affects women. A space is needed where the voice of women can be heard, and women need the courage as well as the ability to fight for their rights in society. Equally important is to ensure that there is a place for dialogue between men and women in religious communities if, in contravention of international human rights, special restrictions are imposed on women in the name of religion.

# Finland's human rights policy through international channels of influence: the EU, OSCE and the UN

The EU is a key avenue through which Finland's human rights policy can make an impact. Finland wants to strengthen its voice among EU member states by stressing that human rights perspectives should be a regular part of all decision making and activities within the EU as well as in EU foreign and security policies. Finland's goal is to continue support for the work of the EU Special Representative for Human Rights. In addition, Finland would develop international institutions to increase sensitivity towards human rights concerns.

The EU's impact on human rights matters depends on internal cohesion and the ability to act. Joint stands can be taken when supported by all member states, and official or unofficial coalitions of concurring member states can further strengthen the vote for positions advocated in the general assembly. Freedom of religion is a challenging theme in the EU, for it arouses different reactions in different member states. Of the EU lands, Italy, the Netherlands and recently Germany have incorporated religious freedom as a major emphasis of their human rights policies.<sup>56</sup>

In 2012 the Council of the European Union approved a Strategic Framework on Human Rights and Democracy with an Action Plan. In the strategy the EU member states decided to bolster their actions for the promotion of religion and belief, and defined detailed human rights objectives for the member states. The Action Plan includes operational guidelines for how the EU and its member states may put the advancement of religious freedom into practice in the future.

Finland has been avid supporter of the Organization for Security and Co-operation in Europe (OSCE) at multiple levels. Among this support one

may count Finland's backing for the Office for Democratic Institutions and Human Rights (ODIHR), the jurisdiction of which includes the advancement of human rights and basic liberties, safeguarding the rule of law and democratic principles, strengthening democratic institutions and promoting tolerance. A Panel of Experts on Freedom of Religion or Belief<sup>57</sup> operates under the auspices of the ODIHR and was consulted in the production of this report. Finland also seeks in its OSCE human rights policies to strengthen the engagement of civil society as well as the position of human rights advocates.<sup>58</sup> Individual as well as community advocates for religious freedom are included on this team.

In the UN, Finland has provided significant support to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and seeks to develop the operations of the UN Human Rights Council (UNHRC). An independent expert nominated by the UNHRC serves in it as the UN Special Rapporteur on Freedom of Religion or Belief.<sup>59</sup> The Rapporteur responds directly to violations of religious freedom through dialogue with the states' representatives and reports annually to the UNHRC on trends in religious freedom and on his or her own work. The expertise of the Special Rapporteur may be called upon when states mull over means of furthering religious freedom.

# IV Interview and literature study

The following interview and materials study contains the investigative work conducted for this report. The interviews were used to survey critical issues, priorities and measures relating to freedom of religion. Experts responded to a structured questionnaire in which current religious freedom trends were analysed as well as the roles of the EU, the UN and Finland, and also included a reflection on what is needed to advance freedom of religion more effectively.

Based on the study, the major themes identified were as follows:

- A need for strategic planning
- Increasing knowledge and cultivating expertise
- Developing and utilising collaborative partner networks
- Mainstreaming religious freedom
- Supporting the processes
- Developing new activities (long-term proactive methods)
- Responding to put religious freedom into practice (short-term reactive methods)

Based on this study, the main methods that are needed for the strengthening of the freedom of religion are reviewed in the following section.

## A need for strategic planning

The interview and materials study revealed that in order to further the cause of religious freedom, strategic and goal-oriented thinking as well as the development of new operational methods is needed from the international community. The political instruments, operating methods and principles that are shared between states need to be examined anew from a religious freedom perspective.

When forming its conceptualisation of freedom of religion, the international community must avoid thinking narrowly: the issue is broader than the advancement of minority rights or minority religious practices.<sup>60</sup> Freedom of religion is a comprehensive subject that has linkages to democratic development, conflict prevention, anti-terrorist operations and development. At issue is not simply a symbolic gesture of good will, but duty that is legally obligatory under the UN's International Covenant on Civil and Political Rights (ICCPR) (1966).<sup>61</sup> Since no single approach or means is sufficient, a broad selection of methods is needed.<sup>62</sup> A good example of strategic planning with a bullet list of recommendations is the US State Department's *White Paper of the Religion and Foreign Policy Working Group*.<sup>63</sup>

Resources for planning and execution must be allocated for coherently promoting religious freedom. In addition to monetary resources, attention should focus on the development of expertise and political instruments. The scale of the need for extra funding may be adjusted by taking advantage of already existing international operational channels and expert communities. For strategising, a sensible approach would be to make use of the expertise of the UN's Special Rapporteur on Freedom of Religion or Belief along with a panel of religious freedom experts meeting in connection with the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) to draft action plans for the promotion of religious freedom as well as religious freedom

training. Linking together the US-based Commission on International Religious Freedom (USCIRF)<sup>64</sup> with the ODIHR experts as well as the experts consulted in this study would open up avenues for networking with an international array of actors who work in the arena of religious freedom.<sup>65</sup> The Norway-based Norwegian Helsinki Committee<sup>66</sup> along with the Oslo Coalition on Freedom of Religion or Belief<sup>67</sup> are expert organisations that collect data and report on the global state of religious freedom. Other good international sources of information and collaboration include the Pew Research Center,<sup>68</sup> Forum 18,<sup>69</sup> the Institute for Global Engagement,<sup>70</sup> the First Step Forum,<sup>71</sup> and EPRID<sup>72</sup> (the European Platform on Religious Intolerance and Discrimination).

## Increasing knowledge and cultivating expertise

*Intellect without will is weakness, and will without intellect is dangerous.*<sup>73</sup>

Chris Seiple, President of the Institute for Global Engagement.

Understanding what laws or national customs may impede religious freedom, as well as which and what kinds of actors to persuade, is a core competency with respect to the promotion of religious freedom. Raising the competencies of foreign policy actors in these areas is essential in order to illuminate the relevant religious dynamics and how these tie into foreign policy, development, diplomacy and security. Besides deterring security threats, a more comprehensive analysis is needed of the multiple roles of religion as well as religion's potential to promote development and resolve conflicts.<sup>74</sup>

Elevating the level of proficiency naturally depends on having access to quality data. Such data is available internationally, but clearly not yet on a

sufficient scale. The main existing sources of information include religious freedom advocacy and research institutions (USCIRF, for example), experts as well as civil society and belief-based groups and scholars, and reports that deal with religious freedom issues.

Regular consultations with religious groups, experts, religious freedom advocates and human rights groups can generate regularly updated information on freedom of religion as well as about religions in general, and can also develop or provide the means for resolving different religious freedom conundrums. Consultations with government administrations, academia and civil society are constructive for creating a place in which religious freedom data from different fields may be compiled, and political and operational processes relating to religious freedom may be reviewed. It would be good for consultations to focus in particular on groups that have themselves experienced violations or restrictions of religious freedom.<sup>75</sup>

A primary mission of embassies is to produce knowledge about their assigned countries. To this already existing material, a country-specific database on the state of religious freedom would be beneficial and could be produced according to the normal procedures. Countries outside the embassy network could be followed through cooperation with other EU member-state embassies and diplomatic missions.

Observing the state of religious freedom is a demanding task, for the talk does not necessarily correspond to the reality. Sometimes it may seem that the religious rights of minorities are being respected, when in fact they are not. Grand speeches about tolerance and interfaith dialogue may cover over grave violations. In Azerbaijan, for example, a World Forum on Intercultural Dialogue was sponsored by the Council of Europe, UNESCO and the Alliance of Civilizations.<sup>76</sup> The President of Azerbaijan gave assurances at the event that freedom of religion reigned throughout the nation. At the same time, Sunni Muslims and Christians were being barred from assembling and congregations<sup>77</sup> were being harassed by riot police.<sup>77</sup>



## Developing and utilising collaborative partner networks

International activity is founded largely on cooperative networking. Networks may work vertically and horizontally, but cooperation between levels (for example, between the state and civil society) is known to be challenging. The religious freedom thematic cannot be successfully dealt with on an international scale without the contribution of the local level, for it is the daily life of individuals that is most negatively affected when there is a deficit of religious freedom. Solutions may also come from the local levels. By training and listening to the voices of civil society, attitudes and behaviours can be changed. For this reason as well, efforts to enhance freedom of religion and belief must be redoubled in order to achieve new collaborative configurations and to amplify individual voices amidst the volume of state-level relationships.<sup>78</sup> When mulling over economic and political support, attention should be paid to the following items in order for the support to be evenly and fairly distributed.

Collaborative action must ensure that the promotion of religious freedom does not favour only one religious denomination or belief-based movement. In the process of identifying collaborative partners, attempts should be made to find groups whose advocacy of freedom of religion or belief extends to all and is based in human rights, while groups that are narrowly focused or prone to violence should be avoided. Belief-based organisations and religious communities may highlight violations to religious freedom experienced by people of their own religions or beliefs. Those advocating for religious freedom as a human right must not bypass these groups, for their energies may be harnessed into the drive to make religious liberty a universal right. A participatory style of operating can provide opportunities for benefitting from the influence of religious leaders and thereby bringing about a realisation of the international standards.<sup>79</sup>

In preparing for discussions, it would be wise to begin by identifying what traditions and working systems for dialogue exist in the given country and are conducive to furthering religious freedom as a human right for all. Recognising the existing religious-political linkages also enhances the effectiveness of foreign policy measures.<sup>80</sup> Equally important is to avoid conflating the minority religions with the majority, for they may be underrepresented in the political process.<sup>81</sup> In cooperative work one must have a precise knowledge of the situational and regional variations.

The political connections between religious communities and various actors varies by country. A group with its own motives and aims may not necessarily abide by or seek to promote the international standards on religious freedom, despite protestations to the contrary. Violations to religious freedom may occur within groups as well.

Small groups that may be unfamiliar with human rights language should also be brought into the cooperative network. They may have bitter experiences related to violations of religious freedom and harbour resentments towards their perceived oppressors.<sup>82</sup> Of vital importance when implementing religious freedom projects is to foster relationships of trust with the different parties and to maintain open channels of communication.<sup>83</sup> Mutual discussions may yield a common plan of action for the furtherance of religious freedom.<sup>84</sup>

## Analysing collaborative partners

For a religious freedom agenda to materialise, cooperation between the international actors is necessary. Collective efforts by like-minded states are more effective than individual states acting alone. In the following, several model cases of countries that are of interest from Finland's perspective are presented. These countries have made freedom of religion a priority.

Of EU member states, the Netherlands has gone the furthest, having put into writing religious freedom as part of its human rights strategy. On the whole, the Netherlands' human rights strategy is progressive. It began as a pilot project in 2009 to advance the cause of freedom of religion. The tools it has employed include strategic use of human rights funding, cooperation within the EU and other multilateral organisations, lobbying, advocacy work, seminars and academic collaborations. The Netherlands deployed experts from the foreign ministry and hired outside freedom of religion experts in the embassies of its pilot countries (China, Egypt, India, Kazakhstan and Eritrea).<sup>85</sup> After the pilot's initial phase, the number of countries was increased to ten.

The United Kingdom has in recent years increased its foreign policy resources for the promotion of religious freedom. The country's foreign ministry has developed a toolkit for freedom of religion or belief,<sup>86</sup> which has spurred the development of similar guidelines in EU policy. The Foreign and Commonwealth Office has organised discussions on religious freedom for its staff, and the theme has been elevated as a funding priority for human rights work in 2013–2014. The funds are intended to sponsor nation-specific projects, aiming to bolster religious freedom in three nations. The international forum for strategic discussion Wilton Park has also made freedom of religion a theme of its discussion series.<sup>87</sup>

During Sweden's Presidency of the Council of the European Union in 2009, the European Council approved its first resolution on freedom of religion. At international fora, Sweden has reaffirmed its conception of religious freedom as a universal right. Other European nations active on behalf of religious freedom are Italy, Germany, the Vatican and recently, France.

North American countries have developed their religious freedom agendas strategically, including consideration of how religious freedom may be set up as a foreign policy goal. They have also allocated sufficient resources for monitoring, reporting and diplomatic activity.<sup>88</sup> The Office of Religious

Freedom operates under the Canadian foreign ministry with Andrew Bennett appointed its ambassador in spring 2013. Freedom of religion is a foreign policy priority for Canada.

The US has promoted freedom of religion with consistency, drawing the attention of international actors to violations of religious freedom by reporting on the offences. US embassies are in a key position since they mediate detailed information about religious freedom developments in different parts of the world to the US political leadership. As a result of the enactment of the International Religious Freedom Act in 1998, the US State Department established the Office of International Religious Freedom, the position of Ambassador-at-large for International Religious Freedom, and an independent, bipartisan US Commission on International Religious Freedom.

## Mainstreaming religious freedom

*A variety of levels of diplomacy should be put to use at the same time at regional, national and multilateral levels for cooperative development work, strengthening the rule of law and supporting initiatives from academia and civil society.*

Katherine Cash, Advisor on Freedom of religion and belief, the Swedish Mission Council.

Freedom of religion is sometimes treated narrowly and only in certain connections. Promoting religious freedom systematically, that is, mainstreaming it locally, regionally and internationally at different levels of political dialogue, enhances the message.<sup>89</sup> In practice this can mean conducting reviews of religious freedom, laying the basis for actions in international fora and in political dialogue with third parties. Mainstreaming

should be extended to country strategies and bilateral and multilateral relations by means of security, human rights and development policy.<sup>90</sup>

The objective is to ensure that freedom of religion becomes a main point of the human rights strategies towards third countries. Should there be suggestions or proof that essential human rights and the rule of law is under siege in a third country, the incidents should be unequivocally condemned in bilateral negotiations.<sup>91</sup> The statements and diplomatic actions of players on the world stage such as the EU must be consistent in order to be credible promoters of religious freedom and to create a new kind of dynamic.

Governments must be reminded of their obligations as guardians of human rights, stressing the impact of national legislation on the implementation of international human rights standards. One problem encountered is that some states claim to be reforming their legislation to be more respectful of human rights while at the same time their offences are continuing or actually worsening (e.g. Turkmenistan). The experiences of victims and systemic violations may be brought up publicly or privately in bilateral or multilateral dialogues. In the most closed societies this approach may improve the plight of the victims and communities at risk.<sup>92</sup>

The current and developing state of human rights in Russia is of great significance to Finland. Religious freedom is perceived as a threat most often by those whose interests stand to be harmed by it. In developing Finnish relations with Russia, the advancement of religious freedom would be beneficial to consider. Attaching freedom of religion as a component of other human rights discussions is advocacy work that can make a difference for religious and belief-based groups who have no voice, as well as for human rights defenders. Increased respect for human rights and the realisation of the rule of law in Russia is in the interest of Finland, Russia and the EU.<sup>93</sup>

The international community must also focus attention on its own sometimes-disconcerting problems of religious freedom. For example, one global aim

of the Strategic Framework on Human Rights and Democracy, adopted by the EU in 2012, is the protection of religious freedom; nevertheless, many EU member states still have valid blasphemy laws. At the same time the review process and treatment of refugees who seek asylum from religious persecution and discrimination has been weak in the EU.<sup>94</sup> Bearing these in mind, what credibility do EU states have when displaying concern for the state of religious freedom in third countries? The situation described poses an obstacle for foreign policy coherency and exposes the EU to the charge of holding double standards. The EU must take urgent notice of the inconsistencies between its internal and external policy with regard to freedom of religion and see to the implementation within the Union its own human rights strategy.<sup>95</sup> EU policy on religious freedom should reflect transparency, accountability and cooperation with civil society.<sup>96</sup>

## Supporting the processes

*Instead of grand speeches we need to take real action to advance religious freedom in order that the dignity of every human being be respected.*

John Kinahan, religious freedom expert.

Numerous institutions and processes are available for the promotion of freedom of religion. The international community already uses these as vehicles for dealing with human rights, security and development-related matters. In further developing these processes, it is important to plan activities and results assessments aimed at strengthening religious freedom.

There are UN mechanisms such as the UN Human Rights Council and its/ UNHRC Special Procedures that offer resources for furthering religious freedom. The Universal Periodic Review (UPR), in particular, offers an

opportunity to bring to public awareness religious freedom offences and religiously discriminatory governmental policies. The Convention on the Rights of the Child also furnishes possibilities for investigating and monitoring the state of religious freedom. In addition to reporting on the infringements, the international community should demand remediation of the situation by the perpetrators as well as a practical plan of action and follow-up reviews.<sup>97</sup>

It is the international community's role and responsibility is to act pre-emptively in questions of religious freedom. International human rights standards may be reaffirmed at the UN level by supporting the continuation of the Special Rapporteur's mandate and by initiating resolutions pertaining to religious freedom. At the moment, the mandate of the Special Rapporteur cannot be fully realised since the office only has a part-time support staff. Economic support for the work of the Special Rapporteur would bolster the credibility of the UN as a promoter of religious freedom. The EU should raise the visibility of its support to the UN for freedom of religion, keep resolutions that treat religious freedom as an individual right high on the agenda, and seek a continuation of the mandate of the Special Rapporteur.<sup>98</sup>

## Developing new activities (long-term proactive methods)

### Dialogue to bolster religious freedom

Religious freedom should always be built in an inclusive and participatory manner. Interfaith dialogue creates favourable conditions for collectively promoting anti-discrimination initiatives and strengthening social harmony. In order for the process to really advance religious freedom for all, the participating groups should reflect the widest range possible, including — along with local and state governments — marginalised groups and communities of religion and belief. When recruiting participants, one should be aware that some religious communities may be unable to operate under their own names until they register, which may be limited by the state. In some cases recognition of the existence of a community may be the first step towards their religious freedom and participation. Finding and institutionalising workable fora can ensure the continuity of the activities. However, in some cases it is almost impossible for civil society to take part in furthering common human rights issues, due to state-imposed restrictions.

A good example of a functional religious dialogue forum is the Finnish USKOT forum. It has been successful at bringing together Finland's different religious groups and contributed to their peaceful coexistence. Jews, Christians and Muslims are represented. A collective declaration on religious freedom signed by leaders of the communities was a practical achievement of the forum. The declaration, among other things, affirmed the right to change religions, and this was recognised as the right of every person.



# Freedom of religion in crisis management

Comprehensive crisis management must encompass aspects of religious freedom as a natural part of its preparation, implementation and monitoring activities. Currently crisis management gives insufficient treatment to religious freedom and local religions, despite the impact such matters can have on the success of operations and on finding solutions for a sustainable peace. For crisis management operations, the religious dimensions of conflicts include: the role of religion or belief in building peace as well as in society in terms of its broader dynamics; the religious motivations behind various policies and approaches; the hidden connections or lack of connections of religious tension to the outbreak of conflict; and the impact of religious freedom on the success of peace processes. Religion or belief may be part of the problem or part of the solution to the conflict, and critical as well for post-conflict balance and stability.

International crisis management must aim to be religiously sensitive, while at the same time avoiding being excessively so. Human rights violations committed in the name of religion must be prevented, and incidents where the nature of conflict is concealed under a religious guise must be identified. Hate speech calls for intervention and must be reduced by crisis management means.<sup>99</sup> The recruitment of organisations specialised in conflict prevention, negotiations and solutions can, when successfully contributing to discussions of religious freedom and crisis management, generate a new kind of dynamic.<sup>100</sup> At this moment there is a huge need to understand better understand the interconnections between peace and religious freedom, as politics and theologies that are committed to religious freedom are likely to be promoters of peace as well.<sup>101</sup> Crisis management that takes into account freedom of religion is an important element in developing new functional methods for responding to the challenges to religious freedom. As part of crisis management and conflict prevention, it

is necessary to create practical arbitration solutions that are locally based and can be integrated into the currently dominant realities.<sup>102</sup> In processes of reconciliation, religious leaders and groups have an essential role to play.

Crisis management operations, in order to give more attention to freedom of religion, must incorporate the following features in its training, planning, implementation and monitoring:

- Know the religious terrain of the target country and show respect for it when conducting operations.
- Observe what elements in the target country are supportive of human rights and peace of religion or belief; recruit them to the peace and reconciliation processes.
- Focus attention on the factors that pose a threat to human rights and peace; deal with them through dialogue.
- Identify religious motivations that may be sore spots and potential crisis flashpoints.
- Note what connections religion may have to politics.
- Identify the causes of conflict that have religious overtones, but in reality have nothing to do with religion.
- Use preventative measures and resolve religiously based conflicts, be mediators for peace and reconciliation, and protect religious freedom.

## Local projects

The promotion of religious freedom requires a new way of thinking about international cooperation. Collaborative projects should consolidate relations between actors, make public assessments of national laws and customs, and advance comprehensive religious freedom through legislation. The international community should encourage organisations and human rights advocates to move their own societies' commitments forward under the UN's International Covenant on Civil and Political Rights.<sup>103</sup>

Projects may also encourage state authorities to engage in closer cooperation with local officials, law enforcement, healthcare professionals, media representatives, teachers and religious groups. In collaborative meetings there are opportunities to get fresh accounts of local situations and to offer religious freedom training. Above all, violations of religious freedom should be condemned through public pronouncements. Public solidarity sends the message that these groups are not alone or left abandoned. States should also be encouraged to hold public awareness campaigns on behalf of religious freedom and to make politically symbolic, but important, gestures that send the message of everyone's right to belong within society.<sup>104</sup> Global education and public communication are cardinaly important in countries where these rights are violated.<sup>105</sup>

There are few national or international organisations at the moment that are specialised in developing legislation for religious freedom. More actors and funding vehicles are needed in this area.<sup>106</sup> Funding channels may include funds and foundations of various kinds as well as collaborative bilateral and multilateral sponsorship. EU funding may be directed through the European Instrument for Democracy and Human Rights (EIDHR), as it inaugurated a project fund in 2013 for the advancement of religious freedom. Local projects and solutions are also important in order to avoid the risk of "externally imposed" or top-down solutions.<sup>107</sup>

In many countries, individuals and communities that champion the cause of religious freedom are monitored and even threatened by the authorities. Finding and determining the motives of these human rights defenders requires courage on the part of international actors as well as innovative means. Negotiations with representatives of civil society can provide up-to-date information about the defenders of religious freedom, and create opportunities for meaningful interaction and recruit human rights defenders to the promotion of religious freedom.<sup>108</sup>

It is essential to find grass roots “think and do tanks” for solutions adapted to the context of the culture and society. It is also essential for leaders of religious or belief communities to take part in the work.<sup>109</sup>

The EU in particular needs a religious freedom ambassador if it intends to move credibly forward and implement an action plan on religious freedom as part of its human rights strategy. Special representatives and rapporteurs are by themselves unable to complete this mission,<sup>110</sup> whereas an ambassadorial post would have higher visibility and send a clear signal on behalf of freedom of religion. An ambassador for religious freedom would also be able to devote him or herself specifically to meeting the challenges to religious freedom.

## Responding to put religious freedom into practice (short-term reactive methods)

Responses to violations of religious freedom should be made swiftly, but wisely. The sensitive nature of the issues often requires delicacy and quiet diplomacy. In some cases intervention by western countries or heavy-handed persuasive tactics can aggravate the plight of religious minorities. An example of this is the all-consuming and politicised tangle of problems in the Middle East.<sup>111</sup> The sensitivity of the situations and the intricacy

of the problems must not, however, lead one to downplay the religious dimensions nor bend the international standards.<sup>112</sup> UN Human Rights Council Resolution 16/18 urges foreign embassies to report on the state of religious freedom in their host countries.<sup>113</sup> Embassies function as a country's "eyes, ears and voice", and they can foster discussions between governments, citizens and local authorities.<sup>114</sup>

The ability to react requires mechanisms that may be utilised regardless of the nature of the religious or belief group offended. The international community has sources of background material and numerous other means at its disposal to support a response. Such means include the monitoring of religious freedom conditions, EU Heads of Missions reports, political initiatives and pronouncements, monitoring judicial proceedings, prison visitations, political dialogue, utilisation of international mechanisms (e.g. the UN Human Rights Council, the UN Special Rapporteur on Freedom of Religion or Belief, or the UN Independent Expert on minority issues) and urging action by the embassies of other EU states.<sup>115</sup>

The embassies of cooperating partner nations may develop their own mechanisms for reporting on freedom of religion, and they may encourage the host states to develop their own reporting system through which ordinary citizens and organisations could document violations to their religious freedom. The collected data could also be of wider benefit in international diplomacy and reporting.<sup>116</sup>

Bilateral and multilateral funding decisions send a political signal, for the approval or rejection of funding requests suggests what kinds of activities are considered acceptable. Good intentions are often watered-down in practice by compromises, even when the issue may concern factors essential for human life and indivisible human rights. Background reviews for funding decisions should include a religious freedom assessment along with the other human rights tracking, and this assessment should have a critical position. If religious freedom is not actively being upheld or if it is

restricted, support should be either rejected or made conditional on taking corrective measures. Discussions with authorities at all levels is vital.

The EU can respond to the condition of religious freedom, if it so wishes, when deciding on approving new member states. Since a human rights evaluation is already part of the EU accession process, freedom of religion could be made one of the deciding criteria. New member states must commit to abide by EU human rights standards as well as the principles and practices of the rule of law.

One of the swiftest ways of responding to a religious freedom challenge is to offer, in accordance with the Geneva convention,<sup>117</sup> sanctuary and asylum to the refugees of religious persecution.<sup>118</sup>

# V Conclusions on freedom of religion and Finland's foreign policy

Finland's foreign policy aims for its goals and operational forms to be interwoven as a coherent whole, one that can combine Finland's own interests with the ideal of international justice. While the principles and goals of Finland's foreign policy do not explicitly mention religious freedom as a major priority, its emphasis on nondiscrimination implies that all human beings should have equality and the rights granted by international human rights laws and conventions. The respect for religions and beliefs typical of Finnish foreign policy is important, but by itself, it is insufficient. Religion — especially politicised religion — is a sensitive area for discussion. Nonetheless, the raising of religious freedom issues in discussions and the inclusion of social actors that seek to uphold or promote religious freedom would be to act consistent with the international human rights conventions. The right to religion, belief or nonbelief is not a marginal issue: it is in the international political mainstream.

**Freedom of religion is not only in line with other Finnish policy goals; it can enhance their attainment.** In accordance with its development policy programme, Finland wants to support those countries that show a strong willingness to engage in development and to commit their own national resources to reducing poverty and inequality. Restrictions on religious freedom prevent equality from becoming a reality. Human rights, poverty reduction, peace and security are Finnish foreign policy priorities, and they are often at play in countries where religious freedom is facing major obstacles. An improved understanding of the role that religious and belief-institutions play in development work, as well as in questions of peace and social stability, would increase the influence of Finland's foreign policy.

**Freedom of religion is part of the European Union’s human rights strategy.**

Finland now has an opportunity to make its voice heard among the select members of the EU that are at the frontlines in the battle to see human rights policies realised both in the EU and in third countries.

**As a main conclusion of the research it can be stated that Finland needs a religious freedom strategy.**

The strategy should include the following points:

- Increasing knowledge and cultivating expertise
- Developing and utilising collaborative partner networks
- Mainstreaming religious freedom
- Supporting the processes
- Developing new activities (long-term proactive methods)
- Responding to put religious freedom into practice (short-term reactive methods)

As presented above, religious freedom rights are intricately entwined with human rights policy, security and development. Finland is in need of a clear freedom of religion strategy, which would complement its security, human rights and development policy lines. A comprehensive religious freedom strategy is one that would meet the seven needs identified in this interview and materials study, the first of which is strategic planning. The strategy must be grounded in international standards and be adequately funded. Accountability and transparency in drafting and implementing the strategy are instrumental. Without a policy action programme, promotion of religious freedom as a right equal to other human rights will easily remain mere talk. Mainstreaming should be a goal of the strategy, for it can lay the foundation for making religious freedom a natural part of the human rights work supported and carried out by Finland in other policy areas.<sup>119</sup>



**In order to implement a freedom of religion strategy, the Ministry for Foreign Affairs should appoint an official, preferably an ambassador, to promote religious freedom.** An official post responsible for religious freedom should be established to serve the Ministry for Foreign Affairs; the work of the post appointee would be a contribution to Finland's foreign policy overall. The appointee would enable adequate energy to be devoted to the subject area, its management and the compilation of data. Under the leadership of such an official, Finland could create and develop its own freedom of religion strategy in alignment with EU and UN goals, as well as with Finland's own goals. The official also be responsible for monitoring the progress of the strategy of mainstreaming. To support the work of the official, a council comprised of actors from civil society and knowledgeable in religious and human rights matters could be set up.

## Increasing knowledge and cultivating expertise

Freedom of religion as a human right and as part of foreign policy, security and the economy, as well as the significance of religion and theology in motivating action, are subjects that have seldom been studied. Research and expertise is needed for a foreign policy that aims to come up with practical solutions for promoting and implementing freedom of religion globally.

**Finland's Ministry for Foreign Affairs should emphasise in managing this area by research and training before implementation.** As knowledge expands, religious freedom can become a natural part of the operations. Diplomats should have sufficient tools, information and regular training in order to encounter the issues of religious freedom and to have a greater understanding of different religions. When the essential human rights framework of religion becomes familiar to Ministry officials, they will be able to stand behind it, put it into action and defend it when necessary.

The Ministry for Foreign Affairs should **familiarise civil servants with religious freedom issues** and update their proficiency levels regularly. The content of the training should be developed so that multiple aspects of religious freedom, including its nature as a human right, are addressed. The education could include, for example, seminars with religious freedom experts during the annual meeting of the Finnish Heads of Mission. To boost proficiency in religious freedom, the Ministry for Foreign Affairs must **support academic research in the field** and establish a broad-based **consultative body of communities of religion and belief**.

## Development and utilisation of collaborative networks

**Creating or participating in collaborative networks of the like-minded is a strategic necessity.** This would increase Finland's proficiencies, and the combining of effort would be economically efficient.

**Finland's embassies can play a vital role in bilateral relations.** They monitor the society in their host countries and are able to put Finnish human rights policies in action. Social actors with a religious freedom profile, including journalists, organisations and other segments of civil society, are in many regions subject to intimidation, and if not given special attention, often lack freedom of speech. Yet it is precisely such people who are most in need of support. By supporting such sectors Finland can make the civil society stronger, enlarge its liberty to act, and further the processes of dialogue between civil society and the state.

## Mainstreaming religious freedom

**While the integration of religious freedom into foreign, security and development policy poses a challenge both in Finland's cooperative work among its neighbours as well in the EU at large, such integration is possible within the existing systems.** More than 100 of the world's states have committed to the Paris Declaration on Aid Effectiveness (2005) to improve harmonisation, coordination and results-oriented management, and this has also guided Finland's foreign policy endeavours. **In addition to integration, the strategy should present a framework for how freedom of religion may be mainstreamed through the work of the Ministry.**

**Finland can develop the way its foreign ministry works with third countries** by putting more focus on freedom of religion issues in its diplomacy, and requiring its embassies to give the same attention to religious freedom issues as to other human rights issues.

## Supporting the processes

**Finland must emphasise in its multilateral relations (with the UN, the EU and in regional organisations) the principles and practical implementation of international human rights standards.** Additionally, Finland should push for the recognition of freedom of religion as an individual right, emphasising that criticism of religion is an individual free speech issue, and not going along with the notion that religions in themselves possess rights.

**Finland must define a religious freedom agenda for its work with the UN,** where Finland may give a highly visible expression to its stand that freedom of religion is a human right; Finland must also identify vehicles to support that will effectively advance religious freedom as a human right. Finland has supported the EU Special Representative for Human Rights and encouraged

this EUSR to work in closer cooperation with different EU bodies. Finland should also support the work of the Special Rapporteur on Freedom of Religion or Belief in the UN Human Rights Council financially.

Finland must actively implement the guidelines of the **EU Strategic Framework on Human Rights and Democracy** and raise the profile of freedom of religion or belief in Finnish foreign policy.

## Developing new activities

**Interfaith dialogue fosters mutual trust and, therefore, is a space for conflict resolution.** Finland must continue to support religious dialogues as well as the creation of new spaces for discussion bilaterally and multilaterally, locally and internationally. In 2010 the UN General Assembly passed Resolution 65/5 designating the first week of February as World Interfaith Harmony Week.<sup>120</sup> This would be an auspicious time to direct international attention to the issue of religious freedom and the need for interfaith dialogue.<sup>121</sup>

**Dialogue with religious or belief-based communities is an effective means of promoting religious freedom.** When preparing negotiation strategies, representatives of religious or belief-based groups must be included in the discussions. A broad-based consultative approach can ensure that the rights of, for example, nonreligious or other belief groups and individuals are not overlooked. Women and other easily marginalised groups should be guaranteed a place in religious freedom negotiations.

**Finland's Ministry for Foreign Affairs needs new practices for treating issues related to religion or belief.** The Finnish USKOT Forum could contribute its expertise to what the Ministry considers as the problematic questions of religion, belief and freedom of religion. In developing Finnish advocacy work on religious freedom, the Ministry would do well to consult with

communities of religion and belief. Finland should invite religious leaders to join its human rights delegations, and in the formulation of human rights positions it would be beneficial to hear from representatives of civil society.

In security policy Finland's active civilian crisis management needs to be continually developed in order for expertise in the rule of law, human rights and equality to be better aligned with various contextual needs and thereby producing effective solutions for the different circumstances.

**Religious freedom -enhanced crisis management should be a resource available among Finland's range of options.** Guidance and training in crisis management should be developed to confront the obstacles to religious freedom and to work preventatively on potential religiously based conflicts.

**Embassies have decision-making authority over local cooperative grant funding,** by which means concrete steps could be taken towards the resolution of human rights problems, in addition to bolstering the capacity of cooperating partners to advance religious freedom as a human right.

**Finland could follow the example of the Netherlands and begin making preparations, for example, to launch a pilot project in a third country.**

The first step would be to determine countries amenable to cooperation that would benefit from having more robust freedom of religion, or where the issue is urgent due to global security, the need for development or to alleviate human suffering. Research should include the state of religious freedom in such countries as well as the sore spots and areas of sensitivity, the attitudinal climate, specific features of the nation, and possible tools that could be used to further religious freedom and monitor its progress under the given circumstances. In terms of the religious freedom of the countries selected, certain thematic emphases could be brought up and robust actions undertaken by means of of diplomacy, cooperative development work, research and collaboration with civil society.<sup>122</sup> Coordination within as well as between the pilot countries would be essential so that the activities would not overlap or be conducted at cross-purposes.<sup>123</sup>

**In its host countries, Finland could also support defenders of religious freedom, develop instruments for the promotion of religious freedom and launch local think tanks.** With its cooperative development resources, the Ministry for Foreign Affairs should give support for global education campaigns on the importance of freedom of religion and on how it is integral to international human rights.

## Responding to put religious freedom into practice

In its European Neighbourhood Policy planning and implementation, Finland must strengthen the theme of religious freedom based on human rights, and through funding and advocacy work support religious tolerance in the countries of the Arab Spring movement. **Defusing religiously based tensions as a part of other social development will diminish the field in which radical groups can operate.** The realisation of religious freedom can engender a pluralistic society, the kind in which a considerable portion of the world's population already live, due to migration and refugee displacement.

Responses are best undertaken by monitoring through the embassies and by consulting with the country's representatives. Response mechanisms include the Universal Periodic Review process of the UN Human Rights Council, the reporting processes in the UN Convention on the Rights of the Child, the utilisation of EU channels and the raising of freedom of religion issues in trade talks as conditions for aid and for EU membership.

# VI Recommendations for Finland

Finland needs a freedom of religion strategy in its foreign policy.

To plan and implement the strategy, the Ministry for Foreign Affairs must appoint to its human rights unit its own public official with responsibility for issues of freedom of religion or belief. The major recommendations for consideration in the strategic planning and implementation involve the following:

- Increasing knowledge and cultivating expertise
- Developing and utilising collaborative partner networks
- Mainstreaming religious freedom
- Supporting the processes
- Developing new activities (long-term proactive methods)
- Responding to put religious freedom into practice (short-term reactive methods)

Presented below are detailed recommendations on the major points of the strategy as well as recommendations for Finland's work in this respect in the context of international relations. The recommendations are practical, expert guidelines for preparing a religious freedom strategy in Finland's foreign policy, and they can also assist in formulating the viewpoints of Finland with regard to religious freedom in its multilateral and bilateral relations. The expert interviews and materials presented in this report, the analysis of them and the conclusions drawn have provided the basis for these recommendations. The recommendations describe what needs to be

done in order to further religious freedom. The report's working group urges Finland's Ministry for Foreign Affairs to take notice of the recommendations in its various fields of operation and service points.

## Increasing knowledge and cultivating expertise

### Information acquisition

- Develop procedures whereby the Ministry for Foreign Affairs may access the most current data on the state of religious freedom in host countries through its internal channels and flow of information.
- Increase the Ministry's interdepartmental flow of information to assist foreign policy decision-making and the work of state officials.
- In acquiring information, maintain regular contact with religion and belief-based organisations in order to benefit from their experience and expertise.
- In information acquisition processes, listen to and welcome the participation of disenfranchised groups in society, such as women, disabled people and other minorities.
- Consult with staff of Finnish civil society organisations that operate in the host country to obtain an overall view of the state of religious freedom and to track it according to the practices of the Ministry for Foreign Affairs.
- Become familiar with legislation related to the host country's religions and religious communities and how the authorities have acted with respect to enforcing the laws.
- Include the collected religious freedom material as part of the country information on the basis of which decisions on asylum seekers are made.



## Research

- Fund research relating to freedom of religion and belief.

## Training

- Incorporate within the diplomatic and development cooperation training courses KAVAKU and KEVALKU as well as within the Ministry's continuation training programme a course to familiarise participants with various aspects of religious freedom and the bearing it has on democratic and developmental processes.
- Provide regular update training for diplomats and other civil servants through courses on religious freedom issues or expert conferences.
- In planning and conducting the training, utilise the experience and expertise of organisations whose operations involve religion or belief.

## Developing and utilising collaborative partner networks

### Internationally

- Seek cooperation with like-minded states for the promotion of religious freedom.

### In Finland

- Create a regular forum where Ministry officials, religious freedom specialists and representatives of belief-based organisations can maintain contacts and exchange thoughts and information on religious freedom issues of current interest both thematically and geographically.

- Establish a religious freedom council composed of members from civil society to support the work of the officials who are engaged in religious freedom issues.

## Host countries

- Identify and analyse host country contacts critical for the advancement of freedom of religion.
- Forge cooperative relationships with networks of religious and belief-actors in the host country. The networks should also include communities that have not been allowed to register for obtaining an official status or a licence to operate.
- Form cooperative relationships in the host country with segments engaged in the promotion of religious freedom and with human rights defenders.

## Mainstreaming religious freedom

### As part of Finnish foreign policy

- Mainstream religious freedom objectives as part of Finland's human rights, security and development policy, including in neighbouring region cooperative work and in work with the EU, OSCE and UN.
- Raise the issue of the current state and improvements in religious freedom in all international connections, in third countries and in regional discussions.
- Incorporate religious freedom objectives in Finland's country-specific strategies.

## Supporting the processes

- Move forward on the ratification and implementation of human rights conventions, and add information from civil society on the treaty obligations of third countries.
- Support religious freedom projects in security, human rights and development funding.

## Developing new activities

### Supporting and developing religious dialogue

- Give political and financial support to international actors engaged in furthering interfaith cooperation and dialogue such as Religions for Peace International (WCRP), the European Council of Religious Leaders (ECRL) and the UN's Alliance of Civilizations.
- Support discussions between civil society actors in various southern states on freedom of religion (South-South cooperation) and methods for promoting it.
- Seek out existing processes of dialogue and create new ones through which a freedom of religion compliant with international human rights standards can be advanced.
- Develop methods by which groups in vulnerable positions, including women, minorities and the disabled, can participate in strengthening religious freedom in both the host country as well as internationally.
- Add dialogue with Islamic countries.

### Freedom of religion in crisis management

- Incorporate religious freedom-enhanced crisis management as part of the general development of international crisis management.

## Developing tools and a pilot project

- Launch a pilot project.
- Develop concrete tool kits for the use of embassies abroad to promote religious freedom in host countries at a practical level, and find practical models (best practices and lessons learned) by consulting with social actors at the international and national level.
- Give political and financial support to organisations and experts that defend religious freedom in third countries, for instance, through embassy Local Cooperation Funds (LCF) or through other international funding.
- Support local think tanks and projects that seek local solutions and practical applications on freedom of religion issues.

## Responding to put religious freedom into practice

- Violations of religious freedom by governments or by internal groups must be condemned with consistency, and the international political and judicial system should be utilised to remedy the situation.
- Legislation or regulations that would limit religious freedom in contravention of international human rights conventions should be responded to bilaterally or multilaterally.

## An early warning system

- Devise a system for detecting weak signals predictive of threats to religious freedom in host countries, and publicise these before escalation of crises.

## Funding decisions, cooperation negotiations, trade agreements

- Give individual assessments on religious freedom conditions in background reports drafted for funding decisions and bilateral cooperation negotiations, and conduct religious freedom risk-benefit analyses for each bilateral cooperation country.
- Call on sources of international aid and other political actors to make economic support conditional on improvements in religious freedom, for example, in a country like Pakistan, where the human rights situation (including freedom of religion) is problematic.
- Link developments in the state of religious freedom to evaluations undertaken for Ministry for Foreign Affairs projects.
- Move freedom of religion forward as a criterion when approving EU member states.

# Recommendations for Finland in international contexts

## The European Union

- EU countries must guarantee the religious freedom rights of all who reside or live within their territories according to international human rights standards.
- Finland must promote implementation, commitment and accountability relating to the Strategic Framework on Human Rights.
- Finland should actively back the establishment of an ambassadorial post focused on promoting freedom of religion or belief within the EU.
- EU delegation ambassadors, or Heads of Mission (HOMs), should be directed to report annually on developments in the state of religious freedom in their host countries.
- Finland must support regular dialogue between the European External Action Service and actors in civil society that are engaged in religious freedom.
- Finland must promote the idea that every EU country should take responsibility for at least one commonly agreed target country as a priority and work actively on its religious freedom issues.

## The Organisation for Security and Co-operation in Europe (OSCE)

- Finland must call on OSCE member states to put their human rights obligations into concrete action.
- OSCE member states and other neighbouring states should be encouraged to consult with the expert panel on religious freedom of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) regarding national legislative proposals that have a bearing on religion.

- Provide greater support to the ODIHR and its operations relating to nondiscrimination and human rights, and support the work of the religious freedom expert panel, participate in regional projects and work in the ODIHR through the EU.
- Encourage OSCE member states to use OSCE tools for the advancement of freedom of religion or belief, particularly the following documents: *Toledo Guiding Principles on Teaching about Religion and Belief in Public Schools*; *Guidelines for Review of Legislation Pertaining to Religion or Belief*; and the forthcoming *Guidelines for the Registration of Religious Communities*.
- Engage cooperatively with independent defenders of human rights who work on behalf of religious freedom within the OSCE countries.

## The United Nations (UN)

- Finland must support the work of the UN's Human Rights Council and the Special Rapporteur on Freedom of Religion or Belief economically and speak out internationally in favour of continuing the mandate of the Rapporteur as well as economic support, to equip the office of the Rapporteur with a full-time staff so they can continue the work and fulfil the mandate.
- Finland must promote an arrangement wherein the reporting and expertise of the UN Special Rapporteur on Freedom of Religion or Belief can become part of multilateral decision-making.
- Deficiencies and violations of religious freedom should be noted in the Universal Periodic Reviews (UPR) as a priority and as an action target.

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# Appendix I.

## The major international conventions and declarations pertaining to religious freedom

### United Nations

- Universal Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981)
- Convention on the Rights of the Child (1989)

### Council of Europe

- European Convention on Human Rights (the Convention for the Protection of Human Rights and Fundamental Freedoms) (1950)

### European Union

- The Charter of Fundamental Rights of the European Union (2000)
- Strategic Framework on Human Rights and Democracy (2012)

## Appendix 2.

### List of interviewed and heard experts

- **Heiner Bielefeldt** – United Nations Special Rapporteur on freedom of religion or belief
- **Johan Candelin** – Executive Director of the First Step Forum (responses are personal and do not necessarily reflect of the views of the First Step Forum) [www.firststepforum.net](http://www.firststepforum.net)
- **Katherine Cash** – Advisor on Freedom of religion and belief, the Swedish Mission Council (Svenska Missionsrådet)
- **Ralston Deffenbaugh** – Assistant General Secretary for International Affairs and Human Rights of the Lutheran World Federation (responses are personal and do not necessarily reflect of the views of the LWF)
- **Jan Edström** – Chair, Frikyrklig Samverkan FS rf.
- **Malcolm Evans** – Professor of Public International Law, University of Bristol, UK
- **Nazila Ghanea** – University Lecturer in International Human Rights Law at the University of Oxford and a Fellow of Kellogg College (BA Keele, MA Leeds, PhD Keele, MA Oxon)
- **Aleksi Härkönen** – Ambassador, Embassy of Finland, Tallinn (Estonia) (responses are personal and do not necessarily reflect of the views of the Ministry for Foreign Affairs)
- **Katja Kalamäki** – First Secretary, Permanent Mission of Finland to the United Nations
- **John Kinahan** – Assistant Editor, Forum 18 News Service
- **Elizabeta Kitanovic** – Executive Secretary for Human Rights and Communication Church and Society Commission of Conference of the European Churches

- **Sofia Lemmetyinen** – Senior Advocate – EU, Christian Solidarity Worldwide
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- **Robert-Jan Uhl** – Adviser, Freedom of Religion or Belief, OSCE Office for Democratic Institutions and Human Rights (ODIHR)
- **Natallia Vasilevich** – Member of the Working Group on Human Rights, Church and Society Commission of the Conference of European Churches
- **Hielke Wolters** – Associate General Secretary, Unity and Mission, World Council of Churches
- **Advocacy Department of Open Doors** (two religious freedom experts interviewed)

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- **United Nations, General Assembly, Human Rights Council:** *Resolution adopted by the Human Rights Council 16/18 Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religions or belief.* A/HRC/RES/16/18.
- **United Nations, General Assembly:** *Resolution adopted by the General Assembly 65/5 World Interfaith Harmony Week.* A/RES/65/5.
- **US State Department:** *Annual Report on International Religious Freedom.* 2008.
- *A White Paper of the Religion and Foreign Policy Working Group of*

*the Secretary of State's Strategic Dialogue with Civil Society*, October 16, 2012. Submitted to the Secretary of State, Hillary Clinton.

• **Wilton, Gary:** *Passive Viewing is Over*. Diplomatmagazine.com, February 2012.

• **Wilton, Gary:** *Worldwide Resurgence of Religion*. Diplomatmagazine.com, October 2011.

• **World Council of Churches, Commission of the Churches on International Affairs (CCIA):** *Freedom of Religion and Rights of Religious Minorities*. Draft Report. 51<sup>st</sup> meeting, 9-16 June 2012.



## Appendix 4. Reading list

- **Fagan Geraldine:** *Believing in Russia – Religious Policy after Communism*. Routledge, London, 2013.
- **Grim Brian J., Finke Roger:** *The Price of Freedom Denied. Religious Persecution and Conflict in the Twenty-First Century*. Cambridge University Press, New York, 2011.
- **Hertzke Allen D. (ed.):** *The Future of Religious Freedom. Global Challenges*. Oxford University Press, New York, 2013.
- **Marshall Paul A. (ed.):** *Religious Freedom in the World*. Rowman & Littlefield Publishers, 2007.
- **Seiple Chris, Hoover Dennis, Otis Pauletta:** *The Routledge Handbook of Religion and Security*. Routledge, 2012.
- **Shah Timothy, Stepan Alfred, Duffy Toft Monica (ed.):** *Rethinking Religion and World Affairs*. Oxford University Press, New York, 2012.
- **Thames H. Knox, Seiple Chris, Rowe Amy:** *International Religious Freedom Advocacy. A Guide to Organizations, Law and NGOs*. Baylor University Press, Waco, Texas, 2009.

Religious freedom and foreign policy — Recommendations for Finland is a welcome and expertly written report on freedom of religion — its current state and its significance. The report delves into myriad dimensions of religious freedom, which are related to such human rights issues as freedom of conscience, freedom of speech and freedom of assembly. Freedom of religion or belief also refers to ensuring the rights of non-religious believers.

Freedom of religion is a personal right that requires states as well as religious groups to ensure the right of everyone to confess a faith or to change religions. This right is by no means a given for three quarters of the earth's population who suffer grave violations of religious freedom, even persecution.

Religious freedom and foreign policy — Recommendations for Finland illustrates by examples the serious violations to religious freedom that are committed around the world. At the same time the report calls upon Finland and other EU countries to work for freedom of religion in foreign and development policies as well as their own their domestic policies.

The report is a practical guide that urges states to take account of the interfaith activities that exist at various levels of society. It also encourages states to take advantage of the information and experience that is made available through religious dialogue.

We hope that this unique report may inspire and remind us all of the duty to act in every constructive way for the cause of religious freedom.

Religious cooperation in Finland — the Board of  
USKOT Forum (USKOT-foorumi ry)

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