

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

HUMAN RIGHTS COUNCIL FORUM ON MINORITY ISSUES SIXTH SESSION

November 26, 2013

Geneva

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Madam Chair,

Distinguished Forum members,

Excellences,

The International Development Law Organization - the only inter-governmental organization exclusively devoted to advancing the rule of law - appreciates the opportunity to participate in the Sixth Session of the Forum on Minority Issues and to share its perspective on how rule of law strategies can be used to promote and protect the right to freedom of religion or belief. I thank the distinguished representative for Italy for having earlier mentioned IDLO's cooperation with the Government of Italy on this issue.

One of the lessons that IDLO has learnt in over 30-years of engagement in fragile and post-conflict situations is that the human rights of the most vulnerable and marginalized sectors of society, including religious minorities, can be realized effectively and on a sustainable basis only where all human rights are promoted in an integrated fashion in a framework of good governance and the rule of law.

In our daily work we therefore seek to promote a culture of justice by empowering citizens and strengthening the responsiveness of legal systems and institutions to promote human rights, peace, justice, inclusion, sustainable development and fair and equitable economic opportunity.

IDLO recognizes the right to freedom of religion or belief as an integral part of the *corpus juris* of human rights to which every individual and minority group are legally entitled in the spirit of the *Universal Declaration of Human Rights* and its subsequent articulation in international, regional and domestic instruments., including the 1992 *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*, which recognized that States should safeguard the rights of persons belonging to national or ethnic, religious or linguistic minorities "within a democratic framework *based on the rule of law*".

Concerned that serious violations of the right to freedom of religion can undermine the rule of law, disrupt the enjoyment of other human rights and threaten democratic governance, peace and stability, IDLO welcomes the focus of this Forum on the rights of religious minorities. In particular, we support the adoption of the *Draft Recommendations on Guaranteeing the Rights of Religious Minorities* and its recognition that the rights of religious minorities cannot be guaranteed unless legal frameworks operate fully on the basis of human rights and the rule of law to ensure effective access to justice including adequate and prompt remedies in case of violations on a non-discriminatory basis.

Much has yet to be done in order to achieve the Declaration's aims to empower minorities to live peacefully in full dignity while participating in all areas of public, economic, and social life. IDLO remains committed to strengthening legal protection and remedies for religious minorities, and in this vein, next year we will issue a comprehensive report analyzing challenges and good rule of law practices, particularly at the domestic level, on the right to freedom of religion or belief and we welcome your engagement with us in this project.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.