

BAHÁ'Í INTERNATIONAL COMMUNITY

United Nations Office

Affirming the right of individuals to designate and define their own beliefs

Oral statement to the 13th session of the UN Human Rights Council, on freedom of religion or belief, under item 3
15 March 2010
Geneva

The former Special Rapporteur on freedom of religion or belief, Abdelfattah Amor, stated several times that it is not for governments to decide what constitutes a religion. Asma Jahangir upheld this position, affirming the right of individuals to designate and define their own beliefs. This is a domain where far too many governments have a “pick and choose” attitude, complying with some aspects of international human rights law but refusing to comply with others.

At the latest UPR session – in declarations from the podium – the head of a government delegation, and a member of the same State’s judiciary, both used the term “cult” when referring to members of the Baha’i Faith, and indicated that “cults” were forbidden by law in their country.

For the record, we would like to state that independent investigation of truth is one of the central principles of the Baha’i Faith. For Baha’is, beliefs are an internal and personal matter; no person or institution has the right to exert compulsion in matters of belief. Acceptance of the Faith is the voluntary act of an individual, and any Baha’i is free to leave the Faith. In the Baha’i Faith there is no such thing as apostasy.

The Baha’i International Community is extremely grateful to Asma Jahangir for her resolve in addressing ALL violations under her mandate, and for outstanding clarity in specifying positions on issues of great significance for those who suffer under their government’s unwillingness to respect this fundamental right and freedom.

Particularly regarding two aspects of Article 18:

- the right to CHANGE [one’s] religion or belief, in other words “to have or to adopt a religion or belief of [one’s] choice”,
- and the right to TEACH one’s religion or belief.

Some States blatantly refuse to uphold these rights, a difficulty that the Special Rapporteur has faced over the past six years. She has advanced a challenging mandate with profound insight and focus on the protection of individual believers.

We join with her and with all of those who say that unless the most sensitive aspects of Article 18 are fully implemented by all States, there will be persecution based on religious belief.

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