



United Nations Human Rights Council: 30th Session (14 September – 2 October 2015)

GD Item 4

Tuesday 22 September 2015

Speaker: BHA Representative, Cordelia Tucker O'Sullivan

Secularism: a pre-requisite for the fulfilment of the right to freedom of religion or belief for all

Thank you Mr. President.

The concept of secularism is often regarded with suspicion, fear, and considered in ignorance. Yet it is the only arrangement which is consistent with the fulfilment of the right to freedom of conscience *for all*.¹

A non-secular state is not only conceptually inconsistent with the right to freedom of religion or belief *for all*, but it is often accompanied by discriminatory legal codes,² and a failure to challenge grave human rights violations of religious non-conformists, leading to a culture of impunity.³

For example, the constitution of Egypt explicitly recognises Islam as the State religion and not only does the State continually fail to challenge extra-judicial violence committed against the non-religious,⁴ it is often involved itself in the persecution of atheists. In 2014, there were reports of a campaign aimed at 're-educating' atheists organised by the Ministry of Youth.⁵ This served to demonise atheists and malign atheism and Humanism.

Article 3 of the Moroccan constitution declares that 'Islam is the religion of the state'.⁶ While free expression is guaranteed by the new constitution (article 25), this is not respected in practice. MPs are prohibited from calling for a secular state.⁷ It is illegal to establish any humanist or secular association.⁸ LGBT rights are also routinely violated: the Moroccan penal code outlaws homosexuality,⁹ and dozens of gay people are jailed every year under this article.¹⁰

What these examples serve to highlight is the close link between legal religious privilege, religious exceptionalism, and highly discriminatory practices. We therefore urge the Council to move towards a total separation between the State and religion, and pressure those states who commit particularly grave human rights violations in the name of religion to curb these abuses, and respect the rights of their freethinking citizens.

Thank you.

¹ As enshrined in Article 18 of the ICCPR: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

² For example, Islam is the state religion of Saudi Arabia, Iran, and the Maldives; in Saudi Arabia, both blasphemy and apostasy are illegal and usually met with death; in Iran, only Shi'a Muslims are permitted to serve as the President (article 1156), as Commanders in the Islamic Army (article 1156), or as Judges at any level (article 163); in the Maldives, the constitution stipulates that the President must be Sunni. All information found in the International Humanist and Ethical Union's (IHEU) Freedom of Thought Report 2014, available for download here: <http://freethoughtreport.com/download-the-report/>.

³ Article 2 of Iraq's constitution emphasises Islam as a 'foundation source of legislation', and according to IHEU's Freedom of Thought Report 2014 (available for download here: <http://freethoughtreport.com/download-the-report/>) there have been several cases where atheists have been persecuted or even killed by extremist religious groups.

⁴ A petition was filed on change.org (<https://www.change.org/p/egyptian-government-freedom-for-ahmed-hargan-saly-hargan-and-karim-jimy>) calling for the release of Ahmad and Saly Al-Harkan, who survived an assassination attempt by a group of men, and were detained by the police after they attempted to file a police report of the incident. Ahmad is an atheist and an activist; his friends claimed that his arrest was linked to a complaint filed against him by several academics, in connection with his public discussion of atheism (according to IHEU's Freedom of Thought Report 2014: <http://freethoughtreport.com/download-the-report/>).

⁵ See Mada Masr's coverage here: <http://www.madamasr.com/news/govt-announces-campaign-save-youth-atheism>

⁶ According to IHEU's Freedom of Thought Report 2014, available for download here: <http://freethoughtreport.com/download-the-report/>

⁷ Article 64 of the constitution declares that MPs may be 'prosecuted or investigated, arrested, detained or judged' if they express an opinion which 'challenges the monarchic form of the State, the Muslim religion, or constitutes an infringement of the due respect of the King', which effectively outlaws any calls or even discussion of a secular state.

⁸ The law regulating associations prohibits the formation of any association which question or criticize Islam or the monarchy (article 3).

⁹ Under article 489

¹⁰ According to the IHEU's Freedom of Thought Report 2014, available for download here: <http://freethoughtreport.com/download-the-report/>