

Agenda Item 2: “Legal framework and key concepts”

**Delivered by the Delegation of the United States of America
Sixth Forum on Minority Issues
Geneva, November 26, 2013**

Thank you, Madam Chairperson.

The United States is honored to participate in the Sixth Forum on Minority Issues. We look forward to a productive and meaningful exchange of ideas and best practices over the next two days on efforts that States can take to address the important concerns of individuals belonging to religious minorities.

The United States strongly supports freedom of religion for all individuals around the world. Respect for religious diversity is an essential element of any peaceful society, and religious freedom is a universal human right that all states have a responsibility to uphold. The Universal Declaration of Human Rights enshrines the right of everyone to freedom of thought, conscience, and religion, and the United States is committed to promoting these universal human rights—including the freedom not to believe.

We would underscore that the ICCPR and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, speak of the individual rights of “persons belonging to minorities. For example, Article 27 of the ICCPR says that “persons belonging to [ethnic, religious or linguistic] minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language,” and Article 3 of the Declaration says that “persons belonging to minorities may exercise their rights...individually as well as in community with other members of their group, without any discrimination.”

To that end, the United States expresses its profound appreciation for the Special Rapporteur’s emphasis on the importance of recognizing the diversity that exists within religious minority groups, as well as the need to take a gender perspective into account in this context. The United States lends its support to the statement that “the rights of every single member of such minority groups must be respected fully.”

We appreciate that many of the draft recommendations include proactive and positive steps that States should take to ensure members of religious minorities enjoy equal constitutional status; have access to justice; encourage full social, economic and political participation; and promote adoption of non-discrimination laws.

Those measures are the best way to ensure the protection of religious freedom. We caution, however, that some states take and promote actions in the name of social harmony or promoting tolerance that in fact suppress religious freedom, particularly for members of religious minorities. For example, we increasingly have seen the use of blasphemy and anti-incitement laws used to target members of religious minorities, in violation of their freedoms of religion and expression. The United States deplores any attempts to encourage hostility or violence against any persons based on their religious beliefs, but we oppose blasphemy and anti-incitement laws because they exacerbate intolerance and provide governments with the means of suppressing the freedoms of religion and expression.

As the Human Rights Council has repeatedly affirmed, the best mechanism for preventing hostility or violence based on religion or belief is for states to enact the positive and proactive steps included in HRC Resolution 16/18, most of which are also included in the Forum's draft recommendations.

We look forward to having a fruitful discussion and sharing experiences and good practices relating to protecting members of religious minorities from violence, working to protect the identity of members of religious minorities, and the promotion of interfaith dialogue.