

Catholic Bishops' Conference of England and Wales and Church of England Submission to Independent Review of FCO support for persecuted Christians

1. The Catholic Bishops Conference of England and Wales and the Church of England's Mission and Public Affairs Council welcomes the decision by the Foreign Secretary to launch an independent Review of the Foreign and Commonwealth Office's (FCO) support for persecuted Christians.
2. The focus of this submission is on an assessment of FCO support for persecuted Christians with particular attention given to those factors that impede the FCO's ability to provide such support. It is informed by our understanding that we are all part of the body of Christ and that when one part suffers, every part suffers with it (1 Corinthians 12: 24-27). Wherever this happens we seek to stand in solidarity with our sisters and brothers through physical presence, material assistance, prayer and by making their voices heard in the UK.
3. The focus of this Review is therefore not of passing academic interest, but rather one that recognises that while we have a responsibility to stand up for freedom of religion or belief (FoRB) wherever it is under threat and whoever the victims are, the suffering of Christians worldwide is one of deep, heartfelt and immediate concern to the Church here in the UK.
4. This submission does not provide a comprehensive assessment and analysis of existing evidence of the contemporary persecution of and other discrimination against Christians. We welcome and recognise the specific expertise that specialised agencies bring to this debate and we very much hope that the Review will engage seriously with the detailed geographical submissions made by these agencies on this point.
5. Given the significance of this Review, we have also encouraged other Church based agencies that might not necessarily see themselves as being expert in the field of human rights and religious freedom, but who nonetheless have considerable experience of working with Christian communities overseas - often in the most hostile of locations - to reflect on their own experiences and if appropriate make their own submissions to the Review.

Summary of Recommendations

- The government should focus on promoting FoRB as a fundamental human right, rather than limiting its attention to specific religious communities.
- The government should take a joined-up approach to FoRB in foreign, aid, security, trade, resettlement and asylum policy, rather than treating it as an isolated diplomatic activity.
- Human rights should be at the heart of trade negotiations. Future *Human Rights and Democracy Reports* should include a summary of trade agreements with human rights priority countries and human rights standards incorporated in them – including those relating to FoRB.

- Sanctuary should be offered on the basis of need not background, but measures should be taken to ensure that religious minorities have access to resettlement programmes (taking account of religion or belief as a vulnerability criterion where appropriate).
- In addition to reviewing the training provided to staff on human rights, further attention needs to be given to improving how the religious literacy of ministers, ambassadors and diplomats to understand faith communities.
- The Special Envoy on Freedom of Religion or Belief should be a dedicated post, not combined with other roles.
- Diplomatic posts should provide mandatory reports about the FoRB situation in their respective countries.
- Promoting women's right to religious freedom should be recognised as an important part of work on gender equality.
- Training about local faith communities should be given to diplomats in advance of postings.
- Training on FoRB should be included as one of the Faculties provided by the Diplomatic Academy and linked to career progression.
- Heads of Mission (or other appropriately senior staff) should routinely meet with local faith communities and these meetings should be centrally logged.
- Heads of Mission in parts of the world where FoRB is under threat should also be encouraged to meet representatives of respective faith communities when they are in the UK.
- A session on FoRB, involving academics and expert practitioners, should be included as a matter of routine in the annual Leaders Conference for Ambassadors.
- The FCO's Freedom of Religion or Belief Toolkit should be actively used by all diplomatic posts and this use should be routinely monitored.
- A target should be set to increase the amount spent on FoRB initiatives through funding streams such as the Magna Carta Fund.
- The Foreign Affairs Select Committee should annually scrutinise the government's work promoting FoRB.
- The government's approach to FoRB should not only focus on the most egregious manifestations of persecution (e.g. mass killings) but also address less visible systemic issues (e.g. discriminatory legislation) including in democratic states.

Broadening the Review's Terms of Reference

6. While we welcome this Review, we are disappointed that the Terms of Reference are limited to the FCO rather than including other Whitehall departments and bodies, not least the Department for International Development and the Department for International Trade (but also the Cabinet Office, National Security Council and the Home Office). The Government's work promoting FoRB should not be seen as an isolated strand of diplomatic activity, but incorporated into aid, trade, resettlement, asylum and security policy.¹ For example:

¹The Fusion Doctrine could provide a model for this.

- a. Some of the critical long-term challenges to Christian communities and other religious minorities experiencing persecution are linked to poverty or economic hardship. Daesh's destruction of Christian towns in Northern Iraq has meant that even after the immediate physical threat subsided, whole communities have been left without homes, basic facilities or livelihoods, threatening their future in the country.² The UK's response to this predicament should therefore include aid for reconstruction and job creation, working through local churches who are often the most effective partners on the ground.
 - b. Trade negotiations should have human rights at their centre and provide an important opportunity for addressing the persecution of minorities in countries we have an economic relationship with. The Department for International Trade (which has established offices in twelve 'human rights priority countries' where the FCO has raised concerns about FoRB violations) should make human rights including FoRB an intrinsic part of its mission.³
 - c. The FCO's *Human Rights and Democracy Reports* should include a summary of trade agreements with human rights priority countries and details of any human rights standards incorporated in these, including those relating to FoRB.
 - d. Sanctuary should be offered on the basis of people's need and not their background. However, it is important to ensure that the structure of resettlement programmes does not inadvertently exclude particular groups, especially religious minorities who are often the most severely affected by conflict. The Government's 2017 decision to expand its Vulnerable Persons Resettlement Scheme (VPRS) to non-Syrian nationals was a very welcome step, opening up the possibility of resettlement for more refugees from minority groups including Christians and Yazidis with Iraqi citizenship.⁴ As the Government develops successor programmes to the VPRS, it should consider further measures to ensure religious minorities are protected, including taking account of religion or belief as a vulnerability criterion when there is clear evidence that people are being targeted on this basis.
7. We recognise that these fall outside the scope of this Review. However, especially given the many concerns that have been raised about issues such as aid, trade and resettlement in relation to FoRB it is disappointing that the Government did not use the opportunity for a broader review of its policies and practices.

² Listen to Bishop Paul McAleenan reflect on his recent visit to Northern Iraq and the challenges facing Christian communities there: catholicnews.org.uk/Home/News/2018/Northern-Iraq

³ The Department for International Trade has established offices in Bangladesh, Myanmar, China, Egypt, Iran, Iraq, Libya, Pakistan, Russia, Saudi Arabia, Sri Lanka and Turkmenistan – all of which were identified as human rights priority countries with explicitly-referenced FoRB concerns in the *Human Rights and Democracy Report (2017)*.

⁴ See response from Cardinal Vincent Nichols: catholicnews.org.uk/Home/News/2017/Non-Syrian-Refugees

Freedom of religion or belief - a universal right

8. Our understanding on these issues is framed by Article 18 of the Universal Declaration of Human Rights which states that:

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.

9. In 1993 the United Nations Human Rights Committee made a ‘general comment’ on Article 18, highlighting Article 18’s protective remit beyond traditional faith systems:

Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions.

10. This is a position that both of our churches share, recognising that FoRB is a fundamental component of people’s human dignity and should never be compromised.⁵
11. Despite the non-binding nature of the Declaration it has inspired more than 80 international human rights treaties and declarations, a great number of regional human rights conventions, domestic human rights bills, and constitutional provisions, which together constitute a comprehensive legally binding system for the promotion and protection of human rights. This system is widely considered to reflect customary international law binding on all states.
12. We are aware that despite this human rights framework, FoRB is under duress in many parts of the world and that many are being denied this right in the most gross and systemic way possible, including in some instances the attempted extermination of religious minorities.
13. We hope that this Review will lead to recommendations that, while specifically focused on the situation of Christians, will strengthen the FCO’s overall commitment to defending FoRB for all as set out in Article 18 UDHR.
14. Without a broader reconfiguration of how the FCO understands religious freedom as a key human right rather than an optional extra; it is difficult to see how the Government’s support for persecuted and discriminated-against religious minorities, Christian or otherwise, can be anything but piecemeal.

⁵ See for example: Church of England Synod debate on *Violence against Religious Minorities in Iraq and Syria* 2014 (churchofengland.org/sites/default/files/2017-10/General%20Synod%2017-18%20November%202014%20FULL%20FINAL.pdf); and Bishop Declan Lang, *Stand up against the persecution of Atheists around the world* 2016 (catholicnews.org.uk/Home/News/2016/January-March/Persecution-of-Atheists)

Why freedom of religion of belief matters

15. All too often the impression is given by officials that Article 18 UDHR is a secondary human right and that limited departmental resources should be directed elsewhere. This situation is unlikely to change until such time as officials understand why FoRB matters and the benefits that are to be accrued from a more public defence of this right.
16. At an individual level FoRB enables individuals to follow what their conscience dictates. People are entitled to FoRB by virtue of their humanity. They are entitled to live their lives with authenticity and integrity in line with their best judgments of conscience. This authenticity and integrity is compromised when there is coercion or compulsion in these matters. We recognise that while this freedom is absolute, the capacity to follow the dictates of conscience can be subject to a range of carefully circumscribed limitations.
17. For the vast majority of people around the world religion matters. Some 84% of the world's population identify with a specific religious group. For billions of people it is therefore an inescapable part of identity and meaning. It follows that they want the freedom to practice their religion or belief system without coercion or to be forced to practice one they do not adhere to.⁶ When this freedom is impaired human flourishing is impaired.
18. FoRB, including the freedom to change one's religion or belief, is an important barometer of human rights more broadly. Abuses of this specific right are often an early indication that all is not well politically and that established democratic checks and balances have been corrupted. Restrictions on religious freedom are often accompanied by other human rights infringement such as the right to freedom of expression, association and assembly.
19. In some countries and in some instances, restrictions to FoRB have been justified on religious grounds. Invariably these are distortions and perversions of religion which should be opposed.
20. Research shows that religious freedom is a key ingredient to peace and stability.⁷ When governments enforce laws that restrict religious freedom, they embolden extremists to commit violence against perceived transgressors. When governments fail to protect religious freedom, this can drive those affected into the embracing arms

⁶ The right to manifest, practice and express one's belief in private or public, alone or in community with others is a key characteristic of FoRB and set out in Article 18 of the International Covenant on Civil and Political Rights. ICCPR's General Comment 22 sets out the broad scope of this right while Article 18.3 ICCPR makes clear that the freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

⁷ Brian Grim and Roger Finke, *The Price of Freedom*, Cambridge, 2011

of radical groups and movements which can in turn give rise to conflicts which have religious overtones.

21. When governments attempt to crack down on everyone's liberty in the name of fighting extremists, it can strengthen the hands of extremists by weakening more liberal opposition. As President Obama put it in his Cairo speech of 2009, "freedom of religion is central to the ability of people to live together."
22. An important tool to help defeat terrorism is the ability to persuade people to reject the extremist ideologies that support it. In the struggle for global safety and security, FoRB is a powerful and effective means of countering violent religious extremists. Seen from this perspective, defending this right and protecting those most at risk from abuse is an important counter-terrorism strategy.
23. Matters of FoRB are woven throughout many of the greatest foreign policy challenges facing us so it is self-evident that we must have an effective, religiously informed, philosophically sound strategy to guide how our Government will protect and promote it abroad.
24. A study undertaken by Georgetown University suggests that FoRB is a key ingredient in a country's economic growth.⁸ Religious persecution can destabilise communities and marginalise whole groups of people causing their creative talents and gifts to go unrealised. This impoverishes individuals, communities and wider society.
25. At a civic level, when FoRB is denied, countries surrender the tangible benefit that religious belief may yield through the process of empowering individuals to exercise positive and responsible citizenship. Religious hostilities and restrictions also create climates that can drive away local and foreign investment, undermine sustainable development, and disrupt huge sectors of economies.
26. It follows that FoRB is not only a basic human right, but it is also important for the democratic and economic situation of a state, the wellbeing of its citizens and the stability and peace among its inhabitants. Neglecting this freedom can have far-reaching and serious consequences both nationally and internationally.
27. Above all, we must recognise that FoRB is of great importance to everyone – whether religious, agnostic or atheist. Defending this right is not a sign of a state's religiosity, but rather an indicator of good statecraft and the marker of a civilised state. Advocating FoRB and defending this right when it is threatened is now more than ever about advocating peace.

⁸ The full report *Is Religious Freedom Good for Business?: A Conceptual and Empirical Analysis* is available on the website of the Interdisciplinary Journal of Research on Religion (IJRR).

The UK's response

28. The promotion of FoRB needs to be clearly articulated in a strategy paper and subsequent operational plans and resource allocation. We welcome the Prime Minister's decision to create the post of a Special Envoy on Freedom of Religion or Belief, and we hope that this position will be maintained under future governments. But, while recognising the need for efficiency across Government we do not believe that the responsibilities associated with this post can be adequately fulfilled when the incumbent is also the PM's Special Representative on Preventing Sexual Violence in Conflict and the Minister of State for the Commonwealth and the UN. Combining these roles is too much for any one individual.
29. Responsibility for safeguarding FoRB rests not only at ministerial level but also with diplomatic posts, which should provide mandatory reports about the FoRB situation in their respective countries.
30. Notwithstanding the FCO's Freedom of Religion or Belief Toolkit, the impression is given that FCO officials see Article 18 as a problematic right and one that is either at odds with other rights, such as women's rights, or it is seen as a 'Western Christian' right and one that is best promoted through an array of associated rights, such as the right to assembly. Either way Article 18 is downgraded with the result, as noted by the All-Party Parliamentary Group for International Religious Freedom, that this most basic of rights becomes orphaned with Ministers and officials apparently self-censoring whenever its impinged. The FCO needs to show greater self-confidence when defending core human rights, of which this is one.
31. So long as this situation remains unchecked, the FCO is unlikely to be able to provide appropriate and proportionate support for Christians, or indeed for other religious minorities and discriminated-against groups. We recommend that further attention be given to how the FCO undertakes training on human rights issues.
32. The ways that FoRB and women's rights depend on each other and strengthen each other are often overlooked and underexplored.⁹ Important human rights conventions uphold religious freedom as a right for each individual, including women. Promoting women's right to religious freedom should be seen as an important and integrated part in the work of gender equality.
33. In addition to reviewing the training provided to staff on human rights, we recommend that further attention be given to improving the religious literacy of ministers, ambassadors and diplomats. Any decisions or advocacy affecting faith communities must be informed by a strong comprehension of different traditions, sensitivities and historical contexts. Training about local faith communities should be given in advance of postings (possibly alongside language training).

⁹ Professor Nazila Ghanea, *Women and Religious Freedom: Synergies and Opportunities*, US Commission for International Religious Freedom 2017

34. While some staff receive specific training on FoRB, the effectiveness, content and application is currently unclear and should form part of the focus of this Review. So long as the existing training module is voluntary rather than mandatory then it is doubtful that the training will reach those who need it most. If the FCO is serious in its commitment, then training should not be provided as an optional course, but rather included as one of the Faculties provided by the Diplomatic Academy and linked to career progression.
35. Diplomatic posts must also be informed by regular engagement at an ambassadorial or appropriately senior level with local faith communities. There is currently no centralised recording of such engagement, which could help to identify limitations in communication with or understanding of different faiths. The US *International Religious Freedom Report* lists representatives of faith groups that each diplomatic post has met over the preceding year, with varying degrees of detail to account for sensitivity and security. Adopting a similar system may facilitate better scrutiny of country-level activity and strengthen the UK's work in this area.
36. Ambassadors in parts of the world where FoRB is at risk should be encouraged to engage with the respective faith communities here in the UK. We are aware that some ambassadors do this on their own initiative, but it is a practice that could be encouraged more widely. Similarly, we suggest including within the annual Heads of Mission Leadership Conference a session on FoRB involving experts in the field.
37. We hope that these steps might help to nurture a more receptive environment for the FCO's Freedom of Religion or Belief Toolkit. This is a valuable resource, and the Government should be congratulated for commissioning it, but it is evident from our interactions with embassy staff that there is either a lack of awareness that this resource exists or a reluctance to operationalise it with the net result that for the most part it remains a well-intentioned document gathering dust on embassy bookshelves.
38. We were encouraged that when we shared our concerns with the Head of the Human Rights and Democracy Department in 2017 that steps were taken leading to the FCO Minister for Human Rights writing to all embassies commending the resource. This was a welcome step and underlines that relevant ministers are receptive to change, but the incident underlines the lack of systematic monitoring and evaluation of how core guidelines produced in London are taken up by diplomatic posts around the world. Sadly, our interactions with embassy staff since this communication suggests that little has changed.
39. Further attention also needs to be given to funding of FoRB projects. It is welcome that FoRB has been included as a thematic area of interest in the invitation of bids for the Magna Carta fund; however, it is notable that in 2017/18 just 7.2% of the fund was spent on projects in this area. While the allocation of funds will always be determined to a great extent by applications received, proactively aiming to increase the amount spent on FoRB initiatives would give weight to the FCO's commitments and have a very practical impact in supporting those facing persecution.

40. Critically, the government's work to promote FoRB will require continuous and rigorous accountability – which could be provided through annual scrutiny by the Foreign Affairs Select Committee.

A universal right under duress

41. While the focus of this Review is on the persecution of Christians, we recommend that the Review contextualises its work within a wider understanding that FoRB is under duress across the world. This is not to downplay the suffering experienced by Christians, indeed Christians probably suffer by far the most harassment and persecution, but focusing on the persecution of individuals from one religion without due regard to an understanding of broader dynamics is likely to skew the Review's analysis and recommendations.
42. We are aware that attempting to systematically quantify FoRB in different countries around the world – and therefore the extent to which Article 18 is complied with – is not straightforward. As the UDHR is not in itself legally enforceable, instances where Article 18 has not been adhered to are not always clearly identifiable or necessarily formally documented.
43. We are also aware that there is no international consensus on how to define or measure persecution. This is a problem that the Review will need to grapple with. However, one aspect of persecution seems to be constant, namely violence or the threat of violence towards individuals because of their religion or belief either by a state or non-state actors.
44. Notwithstanding difficulties in measuring FoRB, the insights and experiences of our communities across the world reflect that this a right under serious and sustained pressure. That is also consistent with the understanding of organisations responsible for monitoring and analysing violations.¹⁰
45. Different types of religious hostilities singled out by the Pew Research Centre's 2014 Report include: abuse of religious minorities by private individuals or groups in society for acts perceived as offensive or threatening to the majority faith; violence or the threat of violence used to compel people to adhere to religious norms; mob violence related to religion; religion-related terrorist violence and sectarian violence. This is a useful matrix that the Review could usefully adopt when framing its own analysis.

¹⁰ The 2014 Pew Research Centre's Report which finds that restrictions on religion – whether resulting from government policies or from social hostilities – are high or very high in 43% of countries, a six-year high. Because some of these countries are very populous, it is calculated that more than 5.3 billion people – equivalent to 76% of the world's population live in countries with a high or very high level of restrictions on religion. This is up from 74% in 2011 and 68% as of mid-2007.

46. While FoRB violations are often an aspect of some larger conflict with complex roots, the fact that minority groups are so often identified as the proxies for other resentments shows that religion or belief continues to be a mark of vulnerability to violence and coercion.
47. Knowing about a problem is the first step towards its solution. While the FCO's engagement in freedom of religion or belief issues is highlighted through the annual *Human Rights and Democracy Reports*, this approach often lacks consistency and depth. Adopting a process modelled on the US State Department *International Religious Freedom Report* would create a sharper focus, allowing trends, gaps and opportunities to be identified. It would also facilitate greater scrutiny of the FCO's work in this area.
48. It is important to not only focus on the most egregious manifestations of persecution or discrimination. Even in democratic states, unjust policy or legislation may impact upon religious minorities. Following their recent visit to the Christian community in Israel, an international delegation of Catholic and Anglican Bishops reflected that "*along with other Palestinian Arab citizens and migrants living in Israel, many Christians find themselves systematically discriminated against and marginalised.*"¹¹
49. The suffering of Christians in other countries such as Iraq is unambiguously of a completely different magnitude, but their experience also highlights the importance of addressing less visible systematic persecution. While the mass-killings and destruction of towns in the Nineveh Plains has drawn considerable international attention in recent years, this came against a long backdrop of religious minorities being inadequately protected by the constitution, marginalised in society, and subjected to regular violence (which was also exacerbated by the prevailing absence of security following the 2003 invasion and lack of adequate planning about the aftermath).¹² Likewise, while the most serious individual cases of persecution in Pakistan receive extensive global attention, these are generally underpinned by less visible systemic factors including discriminatory legislation, hate speech, and bias in educational curriculums.¹³

Conclusion

50. Every day people across the world are facing discrimination, persecution or even death because of their beliefs. This is a grotesque violation of the human dignity innate to all people. The UK government has consistently spoken up for freedom of religion or belief but has so much more potential to make a real and lasting difference on the ground.

¹¹ *Holy Land Coordination 2019 - Final Communiqué* (catholicnews.org.uk/Home/News/HLC19-Final-Communique)

¹² See speech by Archbishop Warda: catholicbishops.ie/2011/03/16/christians-iraq-address-archbishop-bashar-warda-erbil-northern-iraq

¹³ See *Human Rights Monitor 2018: a report on the religious minorities in Pakistan* (National Commission for Justice and Peace, Pakistan Catholic Bishops' Conference)

51. We hope that our submission and recommendations can contribute towards forming a bold strategy for defending this right. It is only through measurable actions, honest scrutiny and a lasting commitment to freedom of religion or belief for all, that the UK can meet its moral responsibility to protect those suffering persecution.

April 2019