



GENEVA CENTRE FOR HUMAN RIGHTS
ADVANCEMENT AND GLOBAL DIALOGUE

UNITED NATIONS HUMAN RIGHTS COUNCIL

Interactive Dialogue with the Special Rapporteur on Freedom of Religion or Belief

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PRESENTATION OF THE THEMATIC REPORT

Ms. Nazila GHANEA, Special Rapporteur on Freedom of Religion or Belief

Over the 39 years of the existence of this mandate, countless allegations have been received speaking specifically to the **interrelatedness** of the right to freedom of religion or belief and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

Recognition of the interaction between both rights, where there has been any, has largely been confined to the questions of torture and ill-treatment carried out in the name of religion or religious interpretations and the right to non-refoulement. While these concerns are indeed of enduring importance, there remain significant gaps and unexplored potentials of a deeper understanding of how both rights relate to each other. Indeed, cases received by this mandate beg questions as to the scope of the overlap between the two rights.

It is to those gaps and the greater understanding of those unexplored potentials that this report seeks to contribute. Several consequences flow from the coexistence of these rights throughout the sources of public international law. The **prohibition on torture and ill-treatment** is an absolute *ius cogens* norm of international custom which imposes *erga omnes* obligations on all states. So, if someone suffers torture or ill-treatment by virtue of their religion or belief, this too constitutes a violation of a *ius cogens* norm. Under the ICCPR, both rights share the characteristic of **non-derogability**, even in times of public emergency. Cases involving potential



violations of both rights invite consideration of both rights and indeed their interaction with one another.

The UN Convention Against Torture (UNCAT) considers torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for several purposes, including for any reason based on discrimination of any kind. Hence, this includes discrimination on the basis of religion or belief. State parties to the UNCAT must therefore ensure the protection of individuals or communities that are especially at risk of torture or ill-treatment by virtue of their religion or belief. In addition, different international and regional treaties invoke the importance of contextual factors in determining the classification of a given act as torture or other form of ill-treatment.

Those involved in the determination of torture and ill-treatment must therefore understand the **contextual religion or belief issues** at stake in order to be able to define the severity of the pain inflicted on victims. A significant and underexplored point of intersection between both rights, which is explored in depth in the report, concerns the **prohibition of coercion**, which is common both to the UNCAT as well as ICCPR Article 18.2. While not all forms of coercion reach the threshold of torture or ill-treatment, all forms of torture inflicted on persons on the grounds of their religion or belief constitute coercion. **Both prohibitions are absolute** and do not permit any limitations whatsoever. Consequently, torture and ill-treatment inflicted in order to coerce individuals to change or abandon their beliefs violate not just one but two absolute rights. Regrettably, mandate practise and jurisprudence demonstrates the widespread nature of such coercion both outside and within places of detention.

The Human Rights Committee has established that the use or threat of physical force or penal sanctions to compel believers or non-believers to adhere to their religious beliefs and congregations, to recant their religion or belief, or to convert constitute coercion incompatible with Article 18.2 ICCPR. The crucial element is compulsion. No coercion to adhere, to recant, or to convert. Policies and practises which have the same intention or effect, such as those which perpetuate social and economic marginalisation of religion or belief communities and systematic discrimination with impunity can also amount to coercion.

Coercion can be physical or psychological and mental. This report highlights a particularly insidious and harmful form of coercion outside places of detention, namely disrespect for burial rights and the destruction of cemeteries and places of burial. The relevant case law has tended to silo these acts as a violation of one right or the other. In fact, it implicates both. While freedom of religion or belief protects rituals and places of rest for the dead, this does not fully capture the mental distress that individuals face when these are violated. A broader understanding between both rights can provide a more holistic response to such violations, as evidenced in a commendable recent judgement by the Inter-American Court of Human Rights, *Rio Negro Massacres v. Guatemala*.

In cases concerning coercion within places of deprivation of liberty, a holistic approach similarly leads to stronger and more accurate human rights outcomes. The right to freedom of religion or belief is not suspended for detained individuals. In fact, guidelines provide specific minimum standards on respect for freedom of religion or belief of persons deprived of liberty.



International judicial and quasi-judicial bodies have tended to analyse violations only in light of freedom of religion or belief, without also considering the effect of such violations in a context of detention on the threshold of torture and ill-treatment. In stark contrast to the number of such incidents reported to the mandate, there is a **notable lack of jurisprudence** on these matters. This reflects a lack of information available to persons deprived of their liberty and a lack of attention to this intersection. The same is true of aggravated ill-treatment, which is tailored to degrade people on the basis of their religion or belief. That is, ill-treatment aimed at specifically affecting someone due to their religion or belief. The relevant jurisprudence has typically focused on the action of torture itself, rather than its increased severity due to the purposive targeting of one's religion or belief.

However, a few cases, both before the UN Human Rights Committee and regional bodies, have demonstrated that it is possible and preferable to take both rights into consideration, because by doing so, the remedies provided for victims become more tailored. **Recognition of the interplay of both rights** allows judges and independent experts to consider the specific obligations to prevent, investigate and remedy such violations in accordance with their specific discriminatory characteristics, thereby lending itself to stronger remedial measures, including satisfaction and guarantees of non-repetition.

There is much work for states, regional human rights entities and non-state actors to do. The SR calls upon all actors concerned to step up their activities in this area and do far more to adequately recognise and address violations and to develop effective preventative measures to end impunity. Among her recommendations, the SR urges states to guarantee the **absolute prohibition of coercion** upheld across both rights, including attempts to coercively change people's religion or belief or forcing them to carry out religious or belief practises that go against their religion or belief. She similarly urges states to provide appropriate training and judicial exchanges to allow court personnel to explore how cases relating to both rights can be prosecuted and remedied and how gaps in protection can be addressed.

States must also guarantee that effective preventive measures are in place to ensure non-repetition of violations, including the halting of incommunicado detention and to offer comprehensive redress, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

PRESENTATION OF VISIT COUNTRY REPORT

Upon the invitation of the Government, the SR visited **Hungary** from 7 to 17 October 2024 and she expresses her gratitude to the Government for the cooperation extended. Her report on Hungary assesses freedom of thought, conscience, religion or belief in light of international human rights standards and offers recommendations for addressing areas of concern.

The report assesses the implications of the 2011 Church Law, which marked a major shift in the country's previous legal approach to religion or belief organisations, significantly reducing the number of officially recognised groups and limiting their legal rights. The Church Law was amended in 2018 in response to both domestic and international criticism and a new four-tiered system was introduced, but those amendments have fallen short of addressing broader concerns about discrimination. During the visit, interlocutors in Hungary shared that they enjoy the freedom to have, adopt and change religion or belief and that religion or belief communities can



worship associates and gather irrespective of whether they are recognised under the four-tier system or not.

They did share a sense of confidence regarding a general sense of physical security, which is clearly welcome, but does not cover the full scope of freedom of religion or belief and non-discrimination on the basis of religion or belief. The report finds that **hate speech and intolerance** is prevalent in Hungarian society, including from public figures at the highest levels and in social and traditional media. Such hate speech is directed at a range of religion or belief minorities, both overtly and encoded speech and against others, including Roma, Muslims, Jews, non-believers and LGBTIQ+.

The report also expands on the extensive delegation of public services to churches in Hungary and the many human rights implications that can ensue from this. These have been detailed in the report in relation to health services, schools, universities, care facilities, elderly homes and other services. The SR calls on the Government of Hungary to take the necessary measures to implement the recommendations stemming from the visit and stand ready to support in every way.

CONCLUDING REMARKS

The thematic report only scratches the surface and calls for a deeper understanding of how freedom of religious belief and torture and ill-treatment relate to and interact with one another. A lot more work needs to be done, especially by independent judicial authorities and the designated international mechanisms, first to better understand these rights and second for more effective implementation across jurisdictions.

The SR thanks the distinguished delegate of Hungary for recording that freedom of religious belief is a continuous responsibility for every State and State authority. That offered an excellent starting point for exchanges yesterday. A number of delegations drew attention to the unique nexus between these two rights and the urgent importance of upholding freedom of religious belief in places of deprivation of liberty across the world. Despite the clarity of the legal protections and readily available guidelines, this is often denied. Jordan on behalf of the Arab Group raised this in relation to Muslims, but this of course also holds true for those who hold other religions or beliefs.

Freedom of religious belief has often been overlooked in many instances, and the SR appreciated Pakistan, Ghana on behalf of the African Group, Indonesia, Iraq and Egypt welcoming the report's focus that everyone should be protected irrespective of their religious belief, especially given the absolute prohibition of torture and ill-treatment. Sadly, the lived reality lies in sharp contrast with the standards.

As Egypt, Iran, Pakistan on behalf of the OIC and other delegations noted, there is indeed some continuity between this year's mandate report to the UNHRC and last year's. Last year's report addressed advocacy of hatred based on religious belief. Both reports share an approach in that they are victim-centred and concerned not just with legal standards or assertions and platitudes, but the actual practise on the ground against persons who may be out of favour due to their religion or belief, for not belonging to the majority religion, not practising in the way the state wants them to practise, not constituting the political class in power, and not being so elite as to escape hatred on the one hand and torture and ill-treatment on the other.



A point from last year's report called on all states to consider **public attacks and demonstrations of hatred** as early warning signals to calibrate appropriate responses to, in order to ensure that those incidents do not escalate or do irreparable societal harm. States are best equipped to address these intelligently and early, and there are many good practises and bad practises to draw lessons from. Hatred cannot always be considered as a foreign policy matter alone, though helpful coordination between states are necessary.

As the variety of contributions confirm, the **victims of coercion** are not of a singular religion or belief, and it is not about comparisons. Coercion is absolutely prohibited and everyone is bound by that obligation. Turning to guarantees of freedom of religion or belief in worship, observance, practise and teaching to all detainees, Section 4, Part C of the report refers to the helpful soft law, including the UN Minimum Standards for the Treatment of Prisoners, the Nelson Mandela Rules, the Principles and Best Practises on Protection of Persons Deprived of Liberty in the Americas, the Juan Mendes Principles on Effective Interviewing, and the European Prison Rules. Belgium and the European Union highlighted that the death penalty, blasphemy, corporal punishment and violations in the name of religion or belief. Numerous human rights mechanisms have rightly and robustly addressed these matters, as has this mandate and this needs to continue.

In relation to **communications**, the SR explains that some have included a joint statement along with two senior UN officials decrying Islamophobia, further concerns being raised regarding Gaza and in relation to access to the Al-Aqsa Mosque, and more comprehensive communications cataloguing freedom of religion or belief concerns in Gaza and elsewhere in the OPT and in Israel. This report sought to break down the chasm between actions to prohibit torture and ill treatment and to uphold freedom of religion or belief. Hence, it had a lot of ground to cover in addressing this legal nexus, how to understand it, and more importantly, how to implement it effectively. Only a few allegation letters were footnoted to illustrate the broader point being made.

One cannot hide behind claims that a cemetery is private to sideline state obligations in relation to its largest non-Muslim minority, the Baha'is in Iran. Hundreds of Baha'i cemeteries throughout Iran have been destroyed, burnt and bulldozed over decades. Baha'i burials have been needlessly delayed due to groundless and cynical impediments raised by the authorities, and even family members seeking burial rights for their deceased loved ones have been given long prison sentences. Similar indignities have also been suffered by religion or belief minorities and communities too, and this is not unique to that country but is a global phenomenon. As many delegates reiterated, everyone has a right to dignity and equality, even in death and irrespective of their religion.

By highlighting the freedom of religion or belief obligations of torture prevention mechanisms at the national and international level, there will be an improvement in the tackling of impunity in this area, and this will go some way towards greater protection of religion or belief minorities. In a nutshell, the SR provides some key steps to follow. One, to promote better understanding of the nexus between these rights. Two, to ensure effective and ongoing training. Three, to better integrate freedom of religion or belief into detention monitoring and case investigations, oversight and reporting mechanisms, including by having strong, well-resourced and independent national preventative mechanisms. Four, to improve accountability for those committing violations.



In case of violations, the SR reminds countries of the tool of **allegation letters** in order to, first of all, appeal to the Government concerned and then to make that public. As always, from all of these harrowing accounts it emerges that minorities are disproportionately impacted. The response to freedom of religion or belief violations cannot themselves restrict freedom of religion or belief. It is very difficult in conflict situations where the stakes are so high, but we cannot suspend human rights or freedom of religion or belief and indeed we find that in the ICCPR Article 18 on **freedom of religion or belief is not subject to derogation** even in times of public emergency that threaten the life of the nation.

Several CSOs referred to **conscientious objection to military service**, something that this mandate has always pursued, always gives attention to at country visits and it was not explicitly noted in this report, but this framework is highly conducive and supports conscientious objection to military service. Perhaps it should have been explicitly mentioned too, in any case the report carries it.

The SR takes the opportunity to recall some **recommendations** evoked in her report.

- First, states should consider the physical and psychological impact of coercion on victims and recognise the severity of the pain inflicted.
- Second, states should also recognise, address and prevent **aggravated forms of torture or ill-treatment** that have been tailored to people to degrade them on the basis of their actual or even their perceived religion or belief and practises.
- Third, states should guarantee that effective **preventative measures** are in place to ensure non-repetition of violations, the halting of incommunicado detention in all circumstances and offering redress as the UNCAT Committee has so often emphasised. This nexus is highly significant and it often carries a double prohibition of two absolute rights. If so, the first thing to do is to provide information, readily provide information to persons in places of deprivation of liberty concerning their rights both to freedom of religion or belief and the prohibition of torture and ill-treatment and how the two may inform one another.
- Fourth, states should ensure that **independent institutions** are well-resourced and independent and able to follow up on cases. States should also follow up on the call in the Istanbul Protocol for awareness of the religious characteristics and contexts when working with victims of torture and ill-treatment, mindful that ideological or religious commitments and official recognition of responsibility can contribute to recovery.
- Last but not least, **Minorities** should be consulted in all matters concerning them, indeed religious leaders and communities can be important in that redress. To conclude, the SR also mentions the **return of bodies of deceased persons** to their families in a timely fashion and respecting their dignity regardless of the circumstances, even war.

INTERACTIVE DIALOGUE

Views Expressed by the Country Concerned

Hungary remains committed and seeks to cooperate constructively and in good faith both with UN Human Rights Mechanisms and the OHCHR. At the same time, Hungary points out that the political bias and lack of professionalism of those mechanisms can cause serious damage to the



acceptance of UN human rights instruments. As many recent developments show, the over-politicisation of the work of international institutions is capable of causing very serious damage both to the legitimacy and the effectiveness of the institution in question. In the case of Hungary, it is evident that the SR on freedom of religion or belief has seriously exceeded her mandate when preparing the report on her visit.

It is also regrettable that the SR did not address at all or indications that the report in question contains a significant number of distortions and factual inaccuracies. For instance, the sections of the report dealing with antisemitism is in stark contrast of the reality of what we and the Jewish communities themselves experience in Hungary. The latter draws the SR's attention to the statement of the President of the Federation of Jewish Communities in Hungary who declared that Hungary is currently one of the safest places in the whole world for Jews.

Moreover, the report also indicates that the primary concern regarding the freedom of religion in Hungary is the disproportionate allocation of the public subsidies to faith communities or churches. However, it should be noted that the allocation of these subsidies is primarily contingent upon the contribution of faith communities to various social services such as education.

As stated in the report, there is an alleged prevalence of hate speech and intolerance in Hungarian society. However, the existing legal and institutional framework is capable of ensuring the protection of dignity and rights of all, whilst also preserving the fundamental right to freedom of expression. In fact, in Hungary Article 9 of the Fundamental Law states that the exercise of freedom of expression should not be aimed at violating the dignity of either an individual or a community, including a religious community. Hungary does not comment about the absurdity of the allegation that political polemics against a foreign citizen billionaire would constitute a risk for freedom of religion in Hungary.

According to Hungary, a similarly bizarre argument in the report is that unless so-called LGBT and related rights are arranged as desired by the relevant NGOs, freedom of religion would be in danger in Hungary. From our perspective, this is clearly a questioning of the very foundations of democracy and the free choice of values by citizens.

Last but not least, it is imperative to acknowledge that the Government of Hungary recognises that ensuring freedom of thought, conscience and religion is a continuous responsibility for every state authority and institution. In Hungary, the relevant legal and institutional framework is evolving in accordance with the country's constitutional identity, reflecting the unique characteristics arising from the history of the nation. This process of evaluation is characterised by continuous dialogue with faith communities.

Views Expressed by State Delegations

Jordan jointly with the Arab Group stresses that the incitement against Muslims, the desecration of the Holy Koran and the campaigns of extremism can sometimes be seen in public offices, especially inside prisons and detention camps. The report also shows that Muslims in many countries are subjected to torture and illiteracy in the context of not respecting their faith. Previous reports have shown that Muslims in countries that give us lessons on human rights are facing such practises and they are constantly facing pressure in the media and in many other



forms. Discrimination and intolerance against some religious communities, especially when instructed by extremist political parties are not admissible. Dealing with this practise by categorising as a flagrant violation of human rights is a turning point and allows to take measures.

Kuwait on behalf of the GCC condemns practises that attack citizens based on their religion. The GCC reaffirms the complete prohibition of torture or treatment for any reason, be it religion or belief. Therefore, the GCC calls on all countries to abide by commitments in accordance with international law. The GCC is surprised that the report does not refer to one of the forms of oppression, namely restrictions against Palestinians in the OPT, not allowing them to reach religious sites. Systematic harassment against them is a flagrant violation in accordance with what was said by the SR. The GCC hopes that the SR will take note of this lack in the report and take necessary measures. All violations must be dealt with equally.

Ghana on behalf of the African Group notes with concern the findings that acts of coercion, discrimination and social economic marginalisation based on religion or belief may amount to cruel, inhuman or degrading treatment. The African Group condemns all forms of discrimination and marginalisation that cause severe suffering to individuals and communities. The Group underlines the need for improved legal frameworks and effective national policies for the prevention of and response to such violations. It calls on all states to ensure the legal protection for religious minorities and vulnerable groups, including through the adoption of legislation criminalising acts of religiously motivated torture or ill-treatment. The Group also encourages increased cooperation with international human rights mechanisms to ensure accountability and justice for victims. The African Group reiterates its commitment to the promotion and protection of freedom of religion or belief and absolute prohibition of torture and calls on all states to take concrete steps to address these violations.

Denmark on behalf of the Nordic-Baltic countries thanks the SR for her comprehensive overview and for providing us with important insights regarding violations of freedom of religion or belief that appear to reach the threshold of torture and ill-treatment. They commend her focus on nuancing the intersections between freedom of religion or belief and the absolute prohibition of torture and other cruel, inhumane and degrading treatment or punishment. The Nordic-Baltic states are fully and firmly committed to the fight against torture. Fortunately, elaborated human rights norms and international frameworks exist on both the prohibition of torture and the right to freedom of religion or belief. The Nordic-Baltic countries recall their full commitment to these standards and to our collective efforts to promote and protect them.

Pakistan on behalf of the Organisation of Islamic Cooperation (OIC) appreciates the SR's attention to the freedom of religion or belief and the freedom from torture as well as the need for affirmative and preventive measures to uphold both. We have noted the examples provided of violations of these freedoms and acts aimed at humiliating, demonising and stigmatising persons based on their religion or belief. Such acts can inflict psychosocial suffering amounting to torture or ill-treatment on the victims while also mainstreaming hateful ideologies that drive systematic discrimination and hostility. The OIC shares concerns that the freedom to religion or belief is at times overlooked thereby risking a hierarchy of human rights that runs counter to the principles of indivisibility and interrelatedness. The OIC is alarmed at rising religious hatred and intolerance especially Islamophobia. The unchecked rise of these phenomena and potential harm from the misuse of social media and other emerging technologies cautions us against over-reliance on



technical approaches. Incitement to hostility, discrimination or violence must continue to be prohibited by law.

Recalling that right to religion is a basic human right, **Kuwait**'s constitution enshrines it in Article 35 which stipulates the absolute freedom of belief. This stems from the principle of tolerance and abides by international and national legislation on human rights. Kuwait shares the concern of the SR on regard to the increase of cases of discrimination and violence on the basis of religion or belief. All must be provided protection and we deplore the fact that there is an absence of reference to the continuing desecration of the Holy Quran and hate speech and increasing Islamophobia. What the occupying power is doing in the Gaza Strip is a flagrant violation of the freedom of religion. Targeting cemeteries in Gaza is a systematic discriminatory practise.

The **Holy See** states that religious freedom is the right to live in the truth of one's faith and in conformity with one's transcendent dignity as a person. Indeed, religious freedom together with freedom of thought and conscience is essential for a dignified life. The Holy See therefore welcomes the report's recognition of the need to guarantee the absolute prohibition of coercion in relation to religion or belief. Statistics show that an alarming 387 million Christians face significant levels of persecution because of their religious beliefs. Many of them live in countries where they may experience physical and psychological hardship for their faith, including extreme acts of violence, torture, forced conversion, imprisonment and death. Furthermore, there are also more insidious forms of restriction, sometimes amounting to a subtle coercion that exist in countries where legal norms and administrative practises are growing and limit or in fact annul the rights of individual believers and religious groups. The Holy See calls upon all states to promote and protect religious freedom since there can be no true peace without the guarantee of religious freedom, which entails respect for the conscience of individuals and the possibility of publicly manifesting one's faith and membership in a community.

Sierra Leone recognises that coercion remains a driver of violations of both rights and that greater efforts are needed to effectively address overlapping concerns. In Sierra Leone, religious freedom is not only constitutionally protected but also respected in practise. Sierra Leone is a beacon of interfaith tolerance where communities of different religious backgrounds coexist peacefully, fostering mutual respect and understanding. Religious institutions play an important role in nation building, including promoting social cohesion and providing essential services such as education, health care, and humanitarian assistance. Freedom of religion or belief is a cornerstone of Sierra Leone's democratic values, deeply embedded in our cultural heritage. The Freedom in the World 2024 country report rated Sierra Leone 4 over 4 in the practise and expression of religious belief and non-belief in both public and private spheres. This rating underscores our country's unwavering respect for religious diversity and harmony, which has been a defining future of our society. Sierra Leone will continue to take concrete measures to prevent torture and ensure accountability for perpetrators. Sierra Leone supports the call for improved legal and policy frameworks that fully protect these rights and prevent their violations.

Canada thanks the Special Rapporteur for the report to the Council and commends the emphasis placed on intersection between freedom of conviction and belief and with cruel and inhumane treatment. Canada remains concerned by disrespectful funeral rituals and the destruction of cemeteries and places of burial against members of religious minorities such as the Baha'i community as well as the distress and mental suffering persons deprived of liberty



including those detained by criminal justice must continue to enjoy the right to freedom of worship and religion or belief. According to the Mandela Rules, Canada also welcomes the next report of the SR when it comes to protection for asylum seekers and on non-refoulement. Canada strongly condemns recent cases of refoulement of religious minorities back to their countries at the risk of ill-treatment in violation of their rights and freedoms.

Malawi welcomes the SR's report exploring the intersection between freedom of religion or belief and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. Despite well-articulated international human rights standards regarding both freedom of religion or belief and the prohibition of torture, huge gaps remain in the promotion and protection of these rights. It therefore hopes that the SR's efforts in undertaking this study will assist all key players in addressing the existing gaps regarding the intersection between these two fundamental rights in order to protect the victims and would-be victims of human rights violations. Malawi's constitution has entrenched the freedom of religion or belief and maintains an absolute prohibition of torture and continues to put in place a robust institutional and policy architect for the promotion and protection of these rights. Malawi joins the SR in urging Member States to take concrete steps to address the discriminatory policies systematic discrimination based on religion or belief.

Iraq welcomes the excellent report she has presented emphasising issues around freedom of belief and religion and the prohibition of torture and other inhuman and degrading treatment or punishment. Iraq, as a multi-religious country, is committed to ensuring freedom of religious practises for all, as stated in numerous Iraqi laws. Iraq applies the principle of non-discrimination across the whole raft of its legislation and procedures and this pursuant to the constitution in force, which is the ranking document in this area in the country. Iraq refutes laws and legislation inciting religious hatred and therefore discrimination and hostility or violence. The Government is fully committed to ensuring full respect places of worship and religious symbols and practise. To conclude, Iraq insists on the need to protect all independently of their religion and belief and we condemn all violations in this area. Iraq renews its call to all countries to work for peaceful coexistence and the respect for freedom of religion and belief, in particular in the area of asylum seekers.

In line with the SR's report, **Malaysia** affirms that all human rights must be treated in a fair and equal manner. As a State Party to ICCPR and UN Young Cat, Indonesia is committed to protecting and upholding these two fundamental freedoms. Its legal framework protects all free religious and traditional belief followers from violence and discrimination. This provision also applies to detainees as enshrined in our 2022 law on the correctional system. Indonesia noted SR's view on upholding freedom of religion or belief and prohibition of torture and ill-treatment inside places of deprivation of liberty. It is critical to ensure that states have duties to protect the rights of detainees, including to perform religious practises and have a daily diet according to their faiths. This issue is often overlooked but very crucial, particularly when detainees belong to religious minorities.

Malta thanks the SR for her insightful report. As the report highlights, states are required to protect all human rights to all persons, both inside and outside places of lawful deprivation of liberty. This right should apply equally in questions of religion but also of belief, including an individual's choice of non-association with any organised religion. Malta takes note that the SR in



her report places specific emphasis on places of detention, also because it has been a long-established principle that those lawfully detained are classified as persons in a vulnerable situation. Malta recognises that one essential element to combat all forms of discrimination on the basis of religion or belief is in fact engagement with and between all religious communities in society. There remains a significant need for mutual understanding. Malta is convinced that demystifying stereotypical expectations about different religions or belief through direct dialogue remains key, also in combating cruel, inhuman or degrading treatment or punishment.

Iran represents a blend of diverse ethnic groups with distinct dialectic, cultural and religious beliefs. The freedom of expression and opinion is recognised and supported by the Constitution and other laws of Iran and citizenship rights of followers of sects. Allowing with the religious mandatory are also fully respected in this connection. Iran takes note of this report while strongly rejecting the baseless reference made by the SR in her report to Para 56. Iran ensures the dignified burial of all deceased persons irrespective of their background. While respecting this fundamental right, the allocation of land for the establishment of private cemeteries is subjected to national regulation designed to ensure equitable access and the orderly management of burial sites. This is a matter of standard practise consistent with regulation observed in many other countries. To conclude, Iran expresses its concern on the continuous rise of Islamophobia in recent years, particularly in Western countries, and calls upon the SR to give due attention to this issue.

The **State of Palestine** explains that in the illegally occupied Palestinian territory, the Palestinian people's right to freedom of religion and belief are constantly violated and undermined by Israel's illegal occupying power. Israel's systematic attacks on religious sites, worshippers and religious leaders is part and parcel of its settler colonial project aimed at oppressing and displacing the Palestinian population. In Gaza, the ongoing genocide has led to the destruction of several mosques and churches. Moreover, various testimonies from victims illegally detained in Israeli prisons indicate severe violations of this right and insults to the religious sentiments of prisoners as a matter of stated policy. In some detention facilities, group prayer has been prohibited, while other witnesses describe prison guards mocking them and insulting their faith and religion. Calling for prayers was forbidden. If the guards heard the Quran being heard out in a cell, they would punish all the inmates in it. Despite our repeated appeal to denounce Israel's continued violations of Palestinian rights to freedom of religion and belief, the word remains silent. The lack of serious efforts to hold the Occupying Power accountable and ensure protection of this right has left Palestinians even more vulnerable to the brutality of this illegal occupation.

North Macedonia extends its support for the invaluable work done by the special reporter. The intersection between the right to freedom of religion or belief and the absolute prohibition of torture and other cruel, inhuman and degrading treatment and punishment reveals a critical and often overlooked gap. The findings presented in the report reaffirm the urgent need for greater recognition of these overlapping violations. North Macedonia condemns all forms of violence, intolerance and discrimination based on or in the name of the religion or belief. It urges the promotion of mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief. The present concerns faced by religious minorities, as highlighted in the report, including the denial of burial rights, mistreatment in places of detention



and forced religious conversions, not only constitute violations of fundamental human rights but in certain cases may amount to torture.

The **Netherlands** is strongly committed to the promotion of freedom of religion or belief as a fundamental human right. Everyone should be able to practise, change or renounce their religion or belief without fear. It is deeply concerned that violations of freedom of religion or belief often coincide with torture and ill treatment. Cases of forced renunciation of faith, destruction of burial sites and discrimination in detention facilities highlight the urgent need for stronger protection. It is alarming that such violations are often overlooked or inadequately addressed. The Netherlands therefore supports the SR's emphasis on the absolute nature of both prohibition of torture and forb and states must take concrete steps to prevent coercion and ensure accountability.

Togo remains concerned by the persistent obstacles which jeopardise religious freedom. This fundamental freedom is notwithstanding fundamental in human society that is fully developed and fully flourishing. In this light, Togo launches an urgent call to all states in order to implement the necessary provisions for the rollout of the relevant conventions, in particular the ICCPR and the UNCAT. Togo also call on states that are not yet part of those two conventions right now to sign up to them as necessary as possible. For its part, Togo, in addition to the two relevant UN conventions aforementioned, has elevated to constitutional level the issue of religious freedom in its new constitution of the 6th of May 2024, Article 2. This protection of freedom of religion is demonstrated, among other things, by the comprehensive combat of all forms of discrimination or abuse around religious practises in the prison environment.

According to **Egypt**, the report demonstrates fully the connection between freedom of religion and belief and torture and ill-treatment. On the other hand, Egypt would like to underscore our support for freedom of religion and belief. It is nonetheless essential to make clear our opposition of hate speech or discriminatory practises which undermine this in different contexts, in particular extreme practises of this nature. Muslims, in particular, confront actions of this kind systematically in many contexts and have had, for example, prohibited to them access to appropriate food during Ramadan. In many contexts, we must adopt an approach that fully respects multifarious religions and practises. Egypt reaffirms the importance of comprehensive respect for human rights and tolerance in the context of this area and mutual respect, and calls on the SR to focus on strengthening the framework against hate speech while placing the proper attention on Islamophobia, which prevents the full enjoyment of freedom of religion and freedom of belief.

Belgium is firmly opposed to any act of torture or any other cruel or inhuman or degrading treatment or punishment and is equally committed to freedom of thought, conscience, religion, and belief. Belgium has a legislative raft which is extremely extensive and robust, which includes, among other things, criminal provisions to combat acts of discrimination and incitement to hatred on the basis of religious or philosophical conviction. In conclusion, Belgium intends to continue to actively participate in combating hatred and discrimination as well as torture. Currently, Belgium is preparing its fifth periodic report to the Committee against Torture.

Albania shares the concern expressed in the report on the violation of the rights to freedom of religion or belief and the prohibition of torture and other cruel, inhuman and degrading treatment or punishment where members of religious minorities are arbitrarily imprisoned because of their



beliefs. In this regard, much more needs to be done to address such violations and to develop effective preventive measures. In Albania, the rights to freedom of religion or belief and the prohibition of torture are protected by the nation's laws and by our international commitments.

The diversity of religion groups and the robust legislation that protects their rights is a demonstration of our commitment to religion's freedom and tolerance. The Albanian Penal Code explicitly criminalises acts of torture, ensuring that perpetrators are held accountable for their actions. The commission of the offence, due to the motives related to religion, aggravates the punishment. To conclude, Albania commends the SR for her work on identifying existing and emerging obstacles to the enjoyment of the rights to freedom of religion or beliefs and for providing concrete recommendations on how to overcome these obstacles. Albania fully supports her mandate.

Malaysia appreciates the SR for her insightful report. Freedom of religion or belief includes the right to manifest one's religion and belief through teaching, worship and observance. However, the right must not be exercised to the extent of depriving oneself or others from the other fundamental human rights. This includes observing certain practises that amount to torture and ill-treatment. The intersection between freedom of religion or belief and the prohibition of torture and ill-treatment underscores the importance of protecting individuals from harm while respecting their religious autonomy. At the same time, upholding human dignity must be balanced with recognising the unique context and realities of a state as well as the sanctity of religion and its well-accepted norms and values. Malaysia concurs with the SR's recommendation on the urgent need for effective preventive measures including the prohibition of coercion in matters of faith and necessary redress mechanisms for victims. Indeed, greater international collaboration is needed in addressing aggravated forms of torture and ill-treatment in the name of religion or belief. To conclude, Malaysia remains committed to promoting mutual understanding and peaceful coexistence among all faiths.

Algerian legislation enshrines the constitutional principle which guarantees the freedom of worship practised in compliance with the law. In this regard, the Ordinance of 2011 sets the conditions and rules for the practise of religions other than Muslim religion. On the institutional level, the National Commission for Worship responsible for ensuring respect for the free practise of religion was established by Executive Decree of 2007. Algerian law prohibits the use of coercion or any means of pressure in practising religion, protects against discrimination based on religious affiliation and criminalises any act of violence, defamation or insult based on religion or belief. **Algeria** criminalises in its legislation and in accordance with its international obligations, torture and any act by which severe pain or suffering is intentionally inflicted on a person, whatever the motive.

Ghana believes that countering religious intolerance, discrimination and hate speech should remain a cornerstone of the global human rights architecture. Ghana therefore concurs with the SR's recommendation for states to recognise, address and prevent aggravated forms of torture or ill-treatment tailored to degrade people on the basis of their actual or perceived religion or beliefs and practises. The Government of Ghana, in accordance with its 1992 Constitution, has prioritised safeguarding religious freedoms within the context of our democratic governance,



placing enormous emphasis on the promotion of dialogue and peaceful coexistence among religious groups to enhance national development. As a proud member of the Convention Against Torture initiative, Ghana remains committed to global efforts to prevent all forms or manifestations of torture, including those targeting individuals exercising their rights to freedom of religion and belief. Ghana will continue to advocate for the global eradication of torture and ill-treatment, which can never be justified under any circumstance. In conclusion, Ghana reaffirms our steadfast commitment to promoting global peace through religious freedom and call on all states to combat intolerance, discrimination and religious-based violence.

The **Russian Federation** notes that, overall, the SR has delved into her chosen topic in considerable depth. Russia is however perplexed by the absence in the report of information on unprecedented persecution of the Ukrainian Orthodox Church and of its clergy and worshippers by the Kiev regime. Systemic cases of arson and vandalism in churches have been recorded, violent seizure, acts of intimidation and violence against believers. In the last three years alone, there have been 100 criminal cases being brought against clergymen, 26 priests have been found guilty, 19 have been stripped of Ukrainian citizenship. The 2024 law on protecting constitutional order in the sphere of the activities of religious organisations provides for disproportionate restrictions on freedom of religion and creates a legal mechanism for a full ban on the Ukrainian Orthodox Church, denying millions of Orthodox believers the possibility to practise their religion. The situation is getting bleak in the Baltic countries also. Russia notes attempts by Tallinn to eliminate the Estonian Orthodox Church. Recently, a bill was tabled in the parliament in Riga, providing for the possibility for a legal ban on the contrived grounds of a threat to national security of the country. Russia urges the SR to turn her attention to the unacceptable situation in these countries and to give a due assessment thereof.

China has taken due note of the SR's report which provides an overview of violations of freedom of religion and belief through torture and ill-treatment. Human civilisation is rich and diverse, and different civilisations and beliefs must be respected in mutual tolerance and learning. China notes with concern that religious hatred and intolerance are escalating in today's world. In some countries, violent crime based on religious discrimination continues to escalate, and scandals such as torture and abuse inflicted against religious minorities, such as Muslims, are common. Under the label of freedom of expression, some countries give themselves over to actions and speech which are discriminatory against religion and allow certain politicians to make discriminatory comments, which are incendiary and lead to antagonistic religious hatred. Some violent acts seriously undermine freedom of religion and belief and the fundamental human rights around these, which do warrant the attention of the UNHRC and the SR. China calls on concerned countries to scrupulously respect the freedom of belief and religion and to immediately cease any torture and ill-treatment related to this and prevent these.

Cameroon reaffirms its commitment to freedom of religion and belief, which is a fundamental guarantee protected in a robust legal and institutional framework in the country. Cameroon firmly condemns hate speech based on attempts to limit religion, as well as the persistence of religious radicalisation, which leads to further extremism. Guaranteeing freedom of religious expression is based on every individual's ability to freely express themselves without limitation, and this is why all religions are recognized in Cameroon, and this all on the basis of administrative tolerance. This is illustrated by the common celebration of some religious festivals and many inter-religious



dialogues. Cameroon takes due note of the comments made by the SR concerning the connection between prohibition of torture and freedom of belief and religion, and it shares the idea that religious coexistence in all forms must enjoy measures taken in the area of human rights in order to ensure freedoms are fully supported. Cameroon deplores any acts of religious destruction of venerated sites, which constitutes a serious threat to human dignity, and it calls for international commitment to ensure that these pernicious acts are combated and the respect for all is upheld.

Bangladesh agrees with the SR that any type of coercion, including discriminatory policies and systemic discrimination on the grounds of religion or belief, desecration of symmetries and general restrictions on freedom of religion or belief are the converging elements that conjure the violations of the above-mentioned human rights. It underscores reinforcement of positive obligations by all states to prevent violations of the provisions of torture and ill-treatment and freedom of religion or belief. Bangladesh attaches high importance to the right of freedom of religion or belief. As a State Party to the Universal Declaration of Human Rights and the ICCPR, Bangladesh guarantees the freedom of religion as well as freedom of thought, conscience and speech for all its citizens regardless of religious identity. Ensuring safety and security of every citizen, including from the minority community, remains the cornerstone of the interim Government of Bangladesh. In Bangladesh, at no point in history had it observed such harmony among the people as now because this has been forged by its people's common aspiration to

Freedom of religion and belief are enshrined in the Constitution of **Cuba** and full exercise of this right is robustly protected and guaranteed by the State. Cuba distinguishes itself by immense religious plurality. Catholicism, religions of African origin, Protestantism, Spiritism, Judaism and Haitian Voodoo coexist in peace, among others. All beliefs and religions enjoy equal consideration. Conducts of intolerance, discrimination or violence based on religion are prohibited and sanctioned in Cuba. It notes with concern increasing manifestations of discrimination on the religious grounds in the developed countries, including acts of Islamophobia. Hate speech must cease. With their typical hypocrisy, the government of the USA issues unilateral lists, which are politically motivated, passing judgement on religious freedoms in other countries. The listing of our country in those lists is arbitrary and Cuba rejects and does not recognise them. It shows that the government of the USA needs to resort to dishonest accusations to keep alive its indefensible criminal economic war against the Cuban people. Cuba reaffirms its commitment to religious freedom and multiculturalism.

Romania reiterates its strong support for the mandate and appreciates the in-depth analysis of the implications formed at the intersection of the right to the freedom of religion or belief with the absolute prohibition of torture and other cruel, inhuman or degrading treatment and punishment. Women and persons belonging to religious and other minorities are disproportionately affected by coercion and the violation of these rights, both inside and outside the places of detention. Romania rejects firmly any form of religiously motivated intolerance, coercion and violence and condemns the use of torture and other cruel, inhuman or degrading treatment or punishment against anyone and on any grounds. We remain committed to protect victims and promote all aspects of freedom of religion or belief and to ensure the full exercise of religious freedom according to its constitutional, legal and institutional strong frameworks. Discrimination,



intolerance, violence, persecution or torture and ill-treatments based on religion or belief should be rejected and countered, including through effective measures to end impunity.

Poland welcomes the SR's report which highlights the alarming intersection of religious persecution and ill-treatment, including acts of torture, sexual and gender-based violence and human treatment. These grave violations demand urgent and coordinated action from the international community. Poland underscores the importance of upholding human rights and ensuring that religious or belief-based protections are fully integrated into global efforts to prevent torture and ill-treatment. Poland reaffirms its unwavering commitment to the protection of freedom and religion or belief as a fundamental human right. Around the world, individuals and communities continue to face discrimination, persecution and even violence simply because of their faith or beliefs. Poland strongly condemns all forms of violence or the threat thereof based on someone's religion or belief and call for collective international efforts to safeguard this right for all.

Paraguay is proud of being a country where, in addition to having it guaranteed in the Constitution, religious freedom is alive and well in practise. This was confirmed by the SR on Minorities during his visit to the country, where he said that it is comforting to say that Paraguay, despite many challenges, does it much better than the majority of societies in many aspects. In that respect, in line with the obligation that falls on states to protect the rights of its inhabitants, prioritising the victims by sanctioning and remedying violations, Paraguay reaffirmed its commitment to continue promoting an environment where all beliefs can be practised freely and respectfully. Paraguay appreciates the recommendations proposed in the report to further bolster our own capacities for promotion, protection and respect for this right, recognising the importance of promoting a comprehensive approach which includes prevention of violations, accountability and reparations for victims.

Italy thanks the SR for her insightful report which highlights the often overlooked intersections between the right to freedom of religion or belief and the prohibition of torture and ill-treatment. We share her call for a more robust legal and policy framework to prevent violations to ensure effective redress for victims. Any form of oppression to alter a person's faith or belief, especially through violence, degrading treatment or systemic discrimination, must be firmly condemned. Issues such as the desecration of burial sites and religious persecution in detention centres require urgent attention. Italy remains firmly committed to promoting freedom of religion or belief in its bilateral relations and across multilateral platforms, including the UPR. Italy's efforts are concrete, as demonstrated by the establishment of a dedicated fund to support persecuted Christian minorities in crisis areas. In this spirit, Italy will continue working to prevent and address violations of freedom of religion or belief and to protect vulnerable religious communities worldwide.

Cambodia's constitution guarantees religious freedom and allows religious discrimination in a way that does not affect other religions or beliefs to public order and security. Yet the vast majority of Cambodians are Buddhist. Buddhism, Islam, Christianity and other religions have been practised harmlessly in the Kingdom. The Muslim community accounts for around 5% of the total population and has been well incorporated into society. They enjoy democratic rights to vote and to be elected and even assume legislative and diplomatic roles. Cambodia remains steadfast in international unity and harmony across all races and religions and respects human rights as



stipulated in the United Nations Charter, the Universal Declaration of Human Rights and other conventions related to human rights.

As a State Party of the ICCPR and UNCAT, **Slovakia** recognise the need to address the intersection of these rights and commends the SR's report. It reaffirms that freedom of religion or belief must be guaranteed for everyone and everywhere without coercion. Equally, the absolute prohibition of torture and ill-treatment is a non-negotiable principle of international law. Slovakia strongly condemns any form of violence, intimidation or repression used to suppress one's religion or belief. In this context, Slovakia is concerned about deadly violence and hatred against Christians in too many countries of this world. We must ensure that laws and policies do not contribute to religious persecution or facilitate acts of torture or violence against individuals based on their faith. With increased human rights violations and polarisation in many parts of the world, Slovakia is particularly concerned about the risks faced by vulnerable groups, including women and children. Harmful practises falsely justified as religious traditions, such as forced marriage or violent initiation rites, often mask systemic torture and gender-based violence. In concluding, Slovakia highlights the importance to respect international obligations, including repealing of laws that criminalise religious expression and ensure accountability for those who perpetrate violence or torture under the guise of religious enforcement.

Ethiopia thanks the SR for her insightful report and supports her recommendations, particularly the need for enhanced international cooperation to uphold freedom of religion or belief. Ethiopia is deeply committed to upholding human rights across all dimensions, as demonstrated by our ongoing efforts to protect the rights to freedom of religion or belief, as well as the prohibition of torture. As a signatory to various international human rights instruments, Ethiopia has made significant strides in promoting religious freedom. Its constitution guarantees the right to freedom of thought and religion, ensuring that individuals can practise their faith without fear of prosecution or coercion. This commitment is further reflected in our rich cultural and religious diversity, where Ethiopians of all faiths are able to coexist peacefully. The Government of Ethiopia actively promotes interfaith dialogue and fosters an environment of mutual respect and tolerance. Furthermore, Ethiopia has strengthened its national legal frameworks and institutional mechanisms to combat any form of ill-treatment and ensure the protection of individuals from cruel, inhuman or degrading treatment. It has placed a strong emphasis on building the capacity of law enforcement and judicial officials to address such violations effectively and fully.

The **United Kingdom** reiterates its commitment to protecting and promoting freedom of religion or belief for all. The SR's recent report on the intersection of freedom of religion or belief and torture highlighted deeply concerning cases of violations and torture in detention centres. The report notes that in Myanmar, detainees were denied the right to observe their faith through psychological torture and attempts by the state to change their religious identity. And in Sudan, non-Muslims were reportedly coerced to change their beliefs through denial of work, food aid and education. The UK unreservedly condemns the use of torture. Preventing torture and tackling impunity for those who torture is vital to safeguarding our security and rule of law. We must collectively do more to address and prevent torture and ensure the fundamental right to freedom of religion or belief is protected.

Mauritania is fully abiding by the principles of tolerance and peaceful existence with stemming from the principles of Islam. The increase in cases of discrimination and hatred, especially



against Muslims, is unacceptable. Islamophobia seems to be widespread and is often tolerated. We have seen mocking and ridiculing of religious symbols as well as a prohibition of building minarets and prohibiting the veil. Mauritania condemns all events that lead to provoking the emotions of the Muslims around the world and calls on a full respect of places of worship and religions. Measures must be taken in cases of any vandalization or abuse.

Georgia remains committed to upholding the right to freedom of religion or belief. Georgia's legal framework prohibits discrimination, including on religious grounds. Crimes motivated by religious intolerance are considered aggravating circumstances. Government actively promotes interfaith dialogue through the Interreligious Council and Interreligious Dialogue for Peace conferences. Awareness campaigns further strengthen tolerance and mutual respect. Georgia fully agrees with the SR that coercion is an important interlinkage between violations of religious freedom and ill-treatment. As highlighted in the report, systematic discrimination, restrictions on religious expression and destruction of religious sites remain deeply concerning. Georgia draws the SR's attention to the alarming cases of destruction, looting, desecration of religious and cultural monuments in the Russia-occupied Abkhazia and Tskhinvali regions of Georgia. It is particularly distressing that conflict-affected populations remain deprived of access to their religious sites. Tragically, Russia's ongoing illegal occupation led to the killing of yet another Georgian citizen in 2023, who was murdered on his way to pray at Lomisi Church in the village of Gerbali, Gori Municipality. These acts, carried out by the Russian occupation regimes, are deliberate attempts to erase Georgian heritage and religious identity.

New Zealand reaffirms its strong commitment to the freedom of religion and belief, and the prohibition of torture and other cruel, inhumane or degrading treatment, both at home and internationally. New Zealand thanks the SR for shining a light on the complex intersection between these rights. This is an issue that has not received sufficient attention, and her report makes a significant contribution to deepening our collective understanding and to identifying current gaps in protection, oversight and accountability. New Zealand echoes the SR's observations on the extreme suffering that violation of these intersecting rights can inflict on what she describes as a victim's inner realm. The psychological harm inflicted by targeting the fundamental tenets of an individual's beliefs and identity are no less abhorrent than the infliction of physical harm, and can cause enduring, even lifelong, suffering. The report addresses the responsibility of states to take action to recognise and address violations of these rights. It highlights concerning examples of aggregated forms of torture or ill-treatment intended to degrade people based on their religion or beliefs, as well as situations where torture or ill-treatment has been used to coerce victims to change their religion or beliefs.

Tunisia abides by peaceful coexistence amongst countries and the right of all to religious customs and traditions. The protection of these freedoms and rights is essential in order to preserve rights around the world. Tunisia abides by protection from any hatred and preserving the dignity of people and that in accordance with our international commitments. Tunisia condemns the barbaric attack by the Occupying Power in Gaza and the OPT and the systematised attacks against places of worship. Tunisia calls on the international community to interfere in order to hold the perpetrators accountable.

Venezuela guarantees freedom of belief, religion and worship as a right enshrined in Article 59 of our Constitution, which states that any individual has the right to profess their religious faith and



belief through their own private or public worship, through teaching or other practises, as long as this does not oppose public order and morals. Similarly, Article 46 of our supreme legal text indicates that any individual has the right to have physical, psychological and moral integrity respected and as a consequence cannot be subjected to cruel and degrading treatment or torture. To this end, Venezuela highlights that the Ministry of Popular Power for Interior Relations, Justice and Peace, through the Directorate General of Justice, Religious Institutions and Worship, has developed an effort for ensuring coexistence, belief and tolerance to avoid stigmatisation, negative stereotypes and any action on religious grounds that could undermine human rights in the country. Finally, Venezuela reaffirms that religion can play a key role to help to consolidate harmony and social peace in the world.

The **Gambia** is deeply concerned by the misuse of freedom of expression as a cover for acts that incite religious hatred, intolerance and violence. Freedom of expression must not be weaponised to legitimise acts that infringe on the rights of others, particularly those belonging to religious minorities. The balance between the right to freedom of expression and the right to freedom of religion or belief must be upheld in a manner that fosters mutual respect and coexistence among all peoples. The Gambia calls for stronger measures to prevent incitement to religious hatred and for states to fulfil their obligations to protect all individuals from coercion, discrimination and degrading treatment.

The SR's report emphasises the obligations of states in ensuring the enjoyment of freedom of religion by taking measures to eliminate all forms of intolerance, torture and stigmatisation and negative stereotyping of persons based on their religion or belief, as well as adopting effective policies to prevent acts of violence or incitement. This is a responsibility **Botswana** understands well and one which is inextricably linked to the country's culture. Chapter 2 of Botswana's constitution, freedom of religion along with freedom of conscience, of expression and of assembly and association are enshrined as basic and fundamental rights to be enjoined by all. Moreover, the constitution prohibits forced religious instruction, torture, forced participation in religious ceremonies or taking oaths that run counter to an individual's religious beliefs. Botswana has also taken measures to include public discussions on religion or belief, including through ensuring that religious education is part of the curriculum in schools which is meant to teach children from a very young age acceptance, understanding and tolerance of the different religions in the country.

Pakistan has noted the role of coercion in linking violations of the freedom of religion and freedom from torture. It has seen coercion and coercive methods recur amidst the worldwide surge in religious hatred, discrimination, hostility and violence, including Islamophobia. In illegally occupied territories, the situation is even more alarming. The report under discussion documents several cases where the freedom of religion or belief is not accorded centrality and relevant adjudication. Religious hatred, discrimination or hostility are often relegated below other bases, such as race. An approach that enables actors of hatred, rather than upholding protections for victims, risks reinforcing the atmosphere of coercion. This makes coded messages or so-called dog whistles more viable for spreading hatred, triggering neither societal opposition nor the requisite state responses. What is needed instead is a victim-orientated approach.



Ukraine states that freedom of religion is an inalienable right, but Russia has turned it into a weapon of war. It exploits the face of justified atrocities, spreads propaganda and tightens its grip in the temporarily occupied territories of Ukraine. In these areas, Russia persecutes religious communities that refuse to submit to the Moscow Patriarchate. In Ukrainian Crimea, Muslim Crimean Tatars are targeted to afford the face, and Protestant churches are seized and repurposed. Russia killed 67 priests, pastors and ministers from various religious organisations and damaged or destroyed over 640 religious buildings in Ukraine. Priests of the Russian Orthodox Church recruit soldiers, indoctrinate children and bless Russian militants and even weapons of mass destruction to wage war against Ukraine. Notably, over 1,300 Russian Orthodox Church clerics have been sent to the front as agents of war. And yet, Russia shamelessly spreads the falsehood that Ukraine suppresses religious freedom, attempting to mislead nations that uphold this right as well as this very council. The Ukrainian State has a responsibility to protect its citizens from the malign influence of an aggressor that weaponizes religion to undermine Ukraine's statehood, identity and fundamental freedoms. Despite the existential threat posed by Russia's war, Ukraine remains firmly committed to safeguarding religious liberty in line with international legal standards. Ukraine urges the SR to shed light on Russia's systematic violations of religious freedom in Ukraine and ensure they are fully addressed in her reports to the Council.

India is home to almost all religions of the world. The Indian Constitution is characterised by religious tolerance, respect for all faiths and religions and equal treatment for all religious groups. A range of legislations has been enacted to punish offences that restrict freedom of religion or belief or deliberate and malicious acts designed to outrage religious feelings. The Government has issued advisories to address issues of hate speech propagated both online and offline. This has been further emphasised by the directions of the Supreme Court of India to the law enforcement agencies. The National Human Rights Commission and the National Commission for Minorities have the authority to take sumo to cognisance of incidents relating to infringement of the right to religion and cases of ill-treatment against religious minorities. India reaffirms its commitment to freedom of religion and belief, ensuring that dignity, respect and equality are upheld for all individuals. Torture and ill-treatment due to someone's religion or belief have no place in a civilised society.

Armenia agrees that coercion is the key link between the freedom of religion or belief and prohibition of torture, which is particularly vivid in conflict situations. Freedom of religion and belief and respect for culture and religious rights are essential prerequisites for inclusive and just societies, as well as building culture of peace and tolerance between peoples and states. Armenia is strongly convinced that the deliberate destruction of religious heritage and places of worship violates human rights. It is also premised on the hatred towards a group of people. It proliferates conflicts and undermines reconciliation efforts. Two consecutive SRs raised the issues of widespread deliberate destruction of Armenian religious and cultural heritage in Nagorno-Karabakh and put forward concrete suggestions for joint reconstruction efforts.

Sudan agrees with the SR's observations about the negative impacts on human rights resulting from coercion, discrimination and torture when linked to symbolic religious and belief aspects. We also agree with the recommendations about the importance of collaborating with various segments of society as part of elevating this right because it is interrelated with other rights. Sudan rejects the UK's allegations that there is coercion in converting certain persons in Sudan.



In Sudan, legislation insists on the importance of freedom of religion, belief and also the performance of various rights and religious ceremonies and no one is coerced into a religion that they do not believe in or to practise any religious practise that they do not believe in. Any kind of attempt to attack a sanctuary or a place of worship is forbidden by Sudanese law.

Denying freedom of religion or belief is a violation of human rights of the individual, so is any degrading treatment or punishment. Therefore, when these two abuses are combined, their impact is very concerning and often adversely influences the enjoyment of other human rights of the victims, including social, political and economic ones. Accordingly, safeguarding freedom of religion or belief in full respect of the law and away from coercion, supremacist or discriminatory policies or ill-treatment, in our opinion, could contribute to societies which are more prosperous and less prone to conflict. Home to communities of different faiths, **Lebanon** has long upheld the principles of coexistence and power sharing despite enormous challenges. Recognising the deep connection between religious freedom, human dignity and human rights in general, Lebanon remains committed to ensuring that no one faces coercion, mistreatment or discrimination based on their faith.

Timor-Leste shares the view of the SR that the use of torture to force individuals to engage in specific religious practises is a serious violation of human rights that the international community must work together to combat. No one should be subject to any form of coercion or torture that impedes their ability to freely follow the practise or religion of their choice. Timor-Leste is firmly committed to protecting the inalienable rights of freedom of religion and freedom from religious coercion and torture. Its constitution respects the right of every individual to freely practise the religion of their chosen and explicitly prohibits any form of persecution or discrimination based on religion. Timor-Leste's penal code further guarantees freedom from torture, coercion, and other inhuman treatment, including in the context of religious persecution. This includes penalties for those who have a duty to prevent or investigate instances of torture or other inhuman treatment and fail to do so. In recent years, Timor-Leste has strengthened its legal and institutional framework to combat religious persecution and torture. It has made significant strides in promoting interfaith dialogue, fostering a culture of tolerance and reinforcing mechanisms that ensure justice for victims of human rights abuses. Timor-Leste calls on states to fulfil their obligations by ensuring the full protection of individuals against religious coercion.

Azerbaijan states that Armenia committed large-scale offences against Azerbaijani cultural and religious heritage both in its territory and in the former occupied territories of Azerbaijan. Thousands of cultural objects, including mosques, temples, mausoleums, and graveyards were systematically destroyed, desecrated, vandalised, and misappropriated. In the former occupied territories, 65 out of 67 mosques were destroyed. The remaining two were vandalised and used for defence purposes. Deliberate use of mosques as pens for pigs and cows during the occupation was a premeditated violation intended as a particular insult. More than 900 cemeteries in those territories were either destroyed or desecrated. They were targeted deliberately owing to their family, historical, and cultural importance to our people. Armenia planted landmines in places where cemeteries are located in the former occupied territories of Azerbaijan, which proves that landmine threats have been purposefully aimed at causing high casualties among the civilian population. Furthermore, faith and whereabouts of close to 4,000 Azerbaijani citizens who went missing in the course of the military aggression by Armenia remains



unknown, still preventing their families to organise funeral ceremonies for their deceased loved ones in accordance with national religious traditions. Azerbaijan calls on OHCHR and the SR to reflect on their activities, the issues stemming from the military aggression by Armenia against Azerbaijan.

Belarus is very proud that against a backdrop of regional and global conflict, the Government of Belarus has managed to ensure interfaith peace. This is thanks to the special attention by the authorities to ensuring interfaith harmony, clear legislation in the area of religion, and also open and effective channels and mechanisms for constructive dialogue between religions, the state, and society. In Belarus, in accordance with the formula of respect, understanding, and harmony, we have peaceful coexistence of thousands of religious organisations from various beliefs, and our holy sites are open to foreign visitors. In August 2024, Belarus presented its report to the Committee on the Elimination of Racial Discrimination, setting out our experience in ensuring interfaith harmony and peace, and we think that this could serve as experience for other countries.

Kenya takes note of the SR's report and acknowledges its insightful exploration of the intersection between the right to freedom of religion or belief and the prohibition of torture and other cruel, inhuman, and degrading treatment or punishment. Kenya recognises the critical importance of safeguarding both these fundamental rights. Its Constitution, enacted in 2010, enshrines these protections for all individuals within our borders. Specifically, Article 32 guarantees freedom of conscience, religion, thought, belief, and opinion, while Article 8 establishes Kenya as a secular state, ensuring no-state religion and promoting equality amongst all faiths. Kenya acknowledges the report's emphasis on the less explored areas where these rights converge, such as discriminatory policies, restrictions in places of deprivation of liberty, and aggravated ill-treatment based on religion or belief. In line with its Constitutional guarantees, Kenya continues to promote interfaith dialogue, upholding the detainee rights to religious practise without ill-treatment, and engaging with religious organisations and civil society to address discrimination and promote inclusive policies. Kenya is carefully reviewing the apt recommendations within the report and will consider them in our ongoing efforts to promote and protect these fundamental rights.

Bahrain has always been a cradle for the interfaith dialogue within the same social fabric. This is why Bahrain shows respect for the various religious rites and ceremonies, and this is a common practise in the Kingdom, protecting the dignity of individuals and their freedom of religion without impingement. In 2020, Bahrain has hosted the West-East Interfaith Dialogue for coexistence with the Pope of the Vatican and other high-profile religious leaders calling for tolerance, coexistence and mutual appreciation. Bahrain works in a framework that seeks to adhere to international law and the preservation of various freedoms, including freedom of religion or belief and without discrimination, in an effort to promote and protect all human rights.

Afghanistan expresses deep concern over the deteriorating situation of the freedom of religion or belief in Afghanistan. The extreme interpretation of the religion by the Taliban have led to severe discrimination against the people of Afghanistan, with special regard to women and religious minorities. The escalating number of intensity of the attacks on Hazara Shia communities, ranging from restriction on religious practises to deadly violence, inflict several physical and psychological pain and suffering on victims. The restriction and regulation imposed by the so-

called Ministry of Propagation of Virtue and Prevention of Vice are absolute violations of the rights to freedom of religion or belief.

Views Expressed by intergovernmental Organizations

The **European Union** thanks the SR for her report and reaffirms its commitment to the promotion and protection of the right to freedom of thought, conscience, religion or belief for all. The EU agrees that states must ensure freedom of religion or belief without coercion in all circumstances and for everyone. Coercion to change, recant or reveal one's religion or belief is prohibited. States have an obligation to guarantee human rights protection and to exercise due diligence to prevent, investigate and punish acts of violence against persons based on their religion or belief. The EU wishes to emphasise that laws criminalising blasphemy restrict freedom of expression related to religious or other beliefs. Such laws are often applied in ways that persecute, mistreat or intimidate persons belonging to religious or other minority groups. States should also never impose the death penalty and certainly not for any religious practises or expressions of conscience.

The **Sovereign Order of Malta** commends the SR's report and fully shares her views on the role regional human rights entities and non-state actors can play in raising the awareness of states about the link between freedom of religion and the prohibition of torture and other degrading treatment. The international community should address and prevent forms of torture or ill-treatment tailored to degrade people on the basis of their religion or belief and practises. In its worldwide humanitarian action, the Order of Malta considers as its essential obligation to advocate for the respect and promotion of freedom of religion and belief and the prevention of ill-treatment in accordance with their obligations under international law. The Order of Malta provides legal aid and rehabilitation support to detainees at risk of torture, ensuring their rights are upheld. Through medical assistance, diplomatic influence and human rights advocacy, the Order actively promotes awareness and accountability, reinforcing the responsibility of prison actors to report and prevent violations of the prohibition of torture and ill-treatment.

Views Expressed by National Human Rights Institutions

The **National Independent Commission of Human Rights of Burundi** states that the right to freedom of religion is recognised by the constitution of Burundi in its Articles 31 and 14. The Act No. 130 of 16 September 2022, amending Act 135 of December 2014, deals with the various religious confessions. The multifaceted religious confessions demonstrates how vivacious this right is within our national policy for education, which allows for pupils to have free choice of religious teaching in their schools. The right to freedom of religion is guaranteed in various prisons, where pastors, imams and priests officiate over religious worship and services at appropriate allocated days. The Commission recommends the Government strengthen mechanisms to settle disputes within different religious confessions, ensure the setting up of churches in appropriate areas to not perturb citizens and to combat any anti-ethical behaviour that disorients and infantilises the followers of certain religious beliefs.

Views Expressed by Non-Governmental Organizations

Humanists International thanks the SR for her report and for her consistent acknowledgement of the extension of her mandate to the rights of the non-religious. Humanists International



additionally thank the SR for her explicit inclusion of the plight of humanists and atheists in her report on her visit to Hungary. As the report notes, systemic discrimination on the basis of religion or belief can amount to coercion, and we see such discrimination against the non-religious around the world. This can manifest in various ways, including the use of blasphemy laws against the non-religious, the denial of education and medical care, and the non-recognition of the non-religious. These laws suppress the legitimate expression of atheist and humanist views. The Special Rapporteur's comments on the lack of legal cases in this realm are particularly of note. The suppression of the rights of religious or belief minorities in detention settings extends beyond the violations of the rights to form and freedom from ill-treatment. It may also extend to the denial of the right to effective remedy. All stakeholders must ensure those subjected to violations of the right to form should have access to the information and the means to pursue legal remedy. Humanists International call on states to heed the SR's recommendations and to implement a concrete framework for preventing and addressing instances of torture and cruel, inhuman and degrading treatment as they relate to freedom of religion or belief.

Asociacion HazteOir.org states that censorship is a direct threat to human rights. In Australia, civil society recently pushed back against the combating misinformation and disinformation bill. Legislation that would have given the government the power to dictate which opinions are acceptable and which must be silenced. Laws like this do not just restrict rights. They create coercion and hostility towards religious beliefs, labelling moral or faith-based views as misinformation or hate speech. This fuels intolerance, weakens democracy and suppresses free debate. It creates an atmosphere where people are afraid to speak, knowing their views could be censored or punished. As noted by SR, coercion against conscience does not just restrict rights, it enables persecution. Around the world, those who challenge official narratives on religious or moral issues face harassment, discrimination and violence. When the state claims the power to decide which ideas are acceptable, it opens the door to persecution and greater human rights abuses. Digital censorship is never just about misinformation. It silences dissent, suppresses conscience and fosters a culture of fear. In many cases, an angry mob manipulated by media or government narratives is all it takes to incite violence against those who refuse to conform. It urges this Council to reject laws that disguise censorship as fighting misinformation. Suppressing conscience leads to persecution. When free speech falls, so do other fundamental rights.

War Resisters International (WRI) is deeply concerned that torture and other cruel treatment or punishment are also affecting some of those who exercise the human right to conscious objection to military service, which is inherent to Article 18. Every trial enforces a de facto indefinite national service. Imprisonment of conscious objectors takes place under conditions amounting to torture or other cruel, inhumane or degrading treatment or punishment. The European Court of Human Rights has issued numerous judgments concerning Turkish conscious objectors stating, for instance, in the Ulke case, that the acts concerned constitute degrading treatment within the meaning of Article 3 of the Conventions and define the condition of conscious objectors as of civil death. Israel, conscious objectors used to be sentenced to repeated disciplinary punishment in military prison. Currently, however, detention is indefinite and they are forced to agree to be released for medical or other reasons. In the context of the ongoing war of the correction of the Russian Federation in Ukraine and the forced mobilisation in the occupied territories, refusal to serve could end in punitive fine or detention, psychological pressure and physical torture. Forum 18 reported officials in recruitment offices and military units



in Ukraine subjecting people, including objectors, to arbitrary detention pressure to accept mobilisation. WRI calls upon the UNHRC to fully protect Article 18 and the human rights of conscious objectors from military service.

Jubilee Campaign jointly with Yemeni minorities underscores that Yemen is living through one of the worst humanitarian crises where hunger and destruction reign supreme in front of the eyes of the world. The country is between the hands of rebels, including the Houthis, who destroy the livelihoods as well as rights, including the right to religion and belief. This includes torture and summary trials, and this included the Baha'is, the freethinkers and the Christians as well as the Jews. Many are detained in Ma'rib based on sham trials just because they express their own national identity. We recommend what follows. The protection of the freedom of religion and belief based on international standards. Second, to stop the propagation of hate speech and incitement. Third, to release all of the detainees. This catastrophe does not have an impact on Yemenis as well, but it will have an impact on stability and security internationally.

The **World Evangelical Alliance** explains that in several countries around the world, people face torture for practising their faith. In its submission to the SR, the World Evangelical Alliance expressed concern regarding the forced disappearance of the leader of the Eritrea Evangelical Alliance, who has been imprisoned without charge for over 20 years in Eritrea. In countries that criminalise apostasy, individuals who convert from Islam to Christianity are frequently subjected to torture in order to coerce them to recount their new faith. Several countries impose the death penalty for apostasy from Islam. The Alliance notes with concern that Christians in certain areas of India, particularly in Chhattisgarh, have been prevented from burying their dead in their communities on the basis of their religion. Torture and coercion related to matters of faith is unacceptable and clearly violates international human rights law. It calls on the UNHRC to call for the implementation of the SR's recommendations and to guarantee the absolute prohibition of coercion against people who decide to change from one religion to another.

The **World Jewish Congress** extends its gratitude to the SR for her work to protect the freedom of religion and belief for all and to uphold human rights. Regrettably, recent months have witnessed an alarming surge in religious hatred and discrimination worldwide, including antisemitism. This increase manifests not only in physical attacks and harassment but also in the online sphere. The Jewish community has been disproportionately affected, facing threats to both personal safety and religious freedom. To combat these challenges, the World Jewish Congress collaborates with international organisations, national governments and civil society coalitions. We actively work with governments to develop national action plans against antisemitism, aiming for a more comprehensive approach across state policies. In South Africa, we have seen the successful establishment of the Cultural, Linguistic and Religious Rights Commission, an independent body that protects each group in our multi-faith country and recognises the unique contributions of diverse communities to our Rainbow Nation.

The **British Humanist Association** welcomes the SR's recommendation that states uphold an absolute prohibition of coercion as a vital intersect between the rights to freedom of religion or belief, and freedom from torture and other cruel, inhumane, degrading treatment. The Association highlights that states have a positive obligation to prevent coercive actions by non-state actors, including coercion from within the family or community. Humanist UK's Faith to Faithless Programme allows to see what happens to those in need of state protection when they



leave a high-control religious group. Often referred to as apostates, they may be shamed by their family and community, losing their homes, employment and even custody of their children. This can result in exceptional isolation and vulnerability to abuse. A study of the experiences of nearly 230 apostates from 30 countries shows a widespread culture of abuse hidden within the home, carried out under the guise of protecting or honouring a sense of religious tradition. Perpetrators are almost exclusively close family members, which means that victims are unlikely to report the abuse to police. Only 6% of those surveyed had experienced assault, reported it to the police, with only one charge being made against the perpetrator. 27% stated that they feared not being believed by the police or felt that the police were not capable of helping. British Humanist Association therefore recommends appropriate training for all relevant public authorities and ask the Special Rapporteur how she can support states to protect apostates from coercive control from non-state actors. Thank you, I give the floor to

Conscience and Peace Tax International (CPTI) notes that in the SR's report there is no reference to the linked violation of the rights of freedom of religion or belief and freedom from torture by the ill-treatment suffered by conscientious objectors following refusal to perform military service. The European Court has found a linked violation of the relevant Articles 3 and 9 of the European Convention in the situation of conscientious objectors from Türkiye. The SR identifies coercion to abandon or act contrary to one's beliefs as the key link between all violations of both rights. This is explicit in Israel, where conscientious objectors of both sexes endure a theoretically unlimited sequence of consecutive sentences of imprisonment, each preceded by the opportunity to recant and accept a fresh military call-up, or eventually the degrading alternative of accepting discharge on psychiatric grounds. The Human Rights Committee has found the right of conscientious objection to military service to adhere in the freedom of thought, conscience and religion or belief. Systemic ill-treatment by the state arising directly from the attempt to exercise the right thus engages and violates both the freedom from torture and the freedom of religion, both non-derogable.

ILGA World welcomes the SR's report and thank her eagerness to meet with their communities during her visit to Hungary. It especially applauds the SR's consideration of the context of LGBTI persons in Hungary and their right to freedom of religion and belief. In this regard, ILGA World highlights its concerns that religion is often instrumentalised against LGBTI people and their human rights are portrayed as threats to Hungary's cultural and religious heritage. This has led to banning legal gender recognition, restricting adoption by same-sex couples and restricting access of minors to age-appropriate comprehensive sexuality education. Furthermore, religious communities that have progressive views on the rights of LGBTI people and other minorities are systematically sidelined and made invisible. ILGA World therefore encourages the SR firstly to continue assessing the situation of LGBTI persons in Hungary in regards of religion and to follow up the developments of her report. Secondly, it recommends the Government to repeal discriminatory legal provisions including those in the amended fundamental law in Act No. 1 of 2010 and Act No. 79 of 2021 and ensure that all national laws and policies are compatible with international human rights standards including the ones related to LGBTI persons.

The **Brazilian Institute for Social and Economic Analysis** explains that in Brazil, religious freedom is deeply threatened by the growth of the extreme right that uses religious arguments as a cultural tool for domination. This tool has led to restrictions on rights according to the beliefs of



the person. An example of this is the Brazilian prison system, where in some prisons there are wings devoted to certain religions where they guarantee rights such as for work and study and yet for other religions this is ignored. This practise has led to the emergence of a pattern of attacks or prohibition of existence. The connection between religious radicalism and organised crime in Brazil is a reality. According to data from the government of Brazil, in 2024, 42% of complaints of religious intolerance were against religions of African origin. In order to tackle religious racism in Brazil, punishment is not sufficient. The Institute calls for structural action that guarantees the plurality of religion.

FACTS & FIGURES ON ID PARTICIPATION

57 State Delegations

2 Inter-Governmental Organizations

1 National Human Rights Institution

10 Non-Governmental Organizations