

International Association for the Defence of Religious Liberty

Conscience and Liberty

Special Edition
Volume II

WORLDWIDE HUMAN RIGHTS & RELIGIOUS LIBERTY

HISTORY OF LIBERTY & RESPECT FOR DIFFERENCES

Bern, Switzerland

In the Light of the Edict of Milan (313) Religious Liberty and Religious Minorities: Between the Balance and the Challenges

Jose Miguel Serrano Ruiz-Calderon.¹

The Human Rights Institute and the Faculty of Law of the Complutense University of Madrid, one of Spain's most prestigious public universities as well as an International Campus of Excellence, together with the International Association for the Defense of Religious Liberty (AIDLR) had the great privilege of holding the most momentous event on the passing of the Edict of Milan that has ever taken place in Spain.

This act was so significant because of three fundamental factors. The first one was evident when Liviu Olteanu invited me to co-lead this event with him. He rightly suggested that we organise an up-to-date and current commemoration conference with a focus on the present day challenges for religious liberty.



The International Conference on religious liberty at the Faculty of Law of Complutense University.
From right to left: prof. José-Miguel Serrano Ruiz-Calderón; Dr. Raúl Canosa Usera,
Dean of the Faculty of Law; Liviu Olteanu, AIDLR Secretary General

¹ José Miguel Serrano Ruiz-Calderon, Professor of the Philosophy of Law at the Complutense University of Madrid

The second factor was the warm welcome extended by the Faculty of Law in the person of its Dean Raul Canosa, the Human Rights Institute with Fernando Falcon, and the Department of Philosophy of Law of the Complutense University in the figure of the Director Jose Iturmendi Morales. They all helped to provide the academic flavour we were aiming for at this commemoration event. In this sense, we cannot overlook the help we received from the Department of Public and Private International Law of the Complutense University. Moreover, we were greatly encouraged by the enthusiastic participation of the students from the Institute, particularly those from the subject of Legal Theory of the Degree in Law and Business of the Faculty as well as those from the *Instituto de Estudios Bursátiles* (Institute of Stock Market Studies).

Finally, the third factor that gave this event special distinction was the involvement of both the Ministry of Justice of Spain and the United Nations.



The International Conference in Madrid. From left to right: Dr. Ganoune Diop; Dr. John Graz; prof. Zoila Combalia; Ms. Fatos Araci, the European Court of Human Rights; prof. José Iturmendi Morales, Honorary Dean of the Faculty of Law of Complutense University, moderator of the workshop; prof. José-Miguel Serrano Ruiz-Calderón; Dr. Harri Kuhlampi, the European Parliament; prof. Joaquin Mantecon; prof. Heiner Bielefeldt; and attorney Liviu Olteanu.

Not to forget the invaluable presence of Heiner Beilefeld, UN Special Rapporteur on freedom of religion or belief and Rita Izsak, UN Independent Expert on minority issues. Topicality, academic excellence and institutional implication have been the three factors that have pervaded the conference as it developed in four thought-provoking panels. The first panel was on "Challenges that Affect Religious Minorities on a Global Scale", the second on "Religious Liberty and Religious Minorities at a Regional Level", the third on "Beyond Religious Liberty and Belief: Warranties for the Rights of Religious Minorities", and the fourth on "Models in the Face of the Trends Regarding Freedom of Religion and Religious Minorities. The Protection of Religious Minorities and the Prevention of Discrimination Against Religious Minorities."

It was a wise decision to focus on religious minorities given that, in a way, and with the exception of some states that have just barely reached the Modern Era, we can all consider ourselves members of a religious minority. This does not only pertain to the obvious reality that individuals will be part of the



The International Conference in Madrid, January 17, 2014. From right to left: prof. Heiner Bielefeldt, UN Special Rapporteur on freedom of religion or belief; Dr. Bruno Vertallier, AIDLR President; prof. Alberto de la Hera, former director-general of the Ministry of Justice of Spain

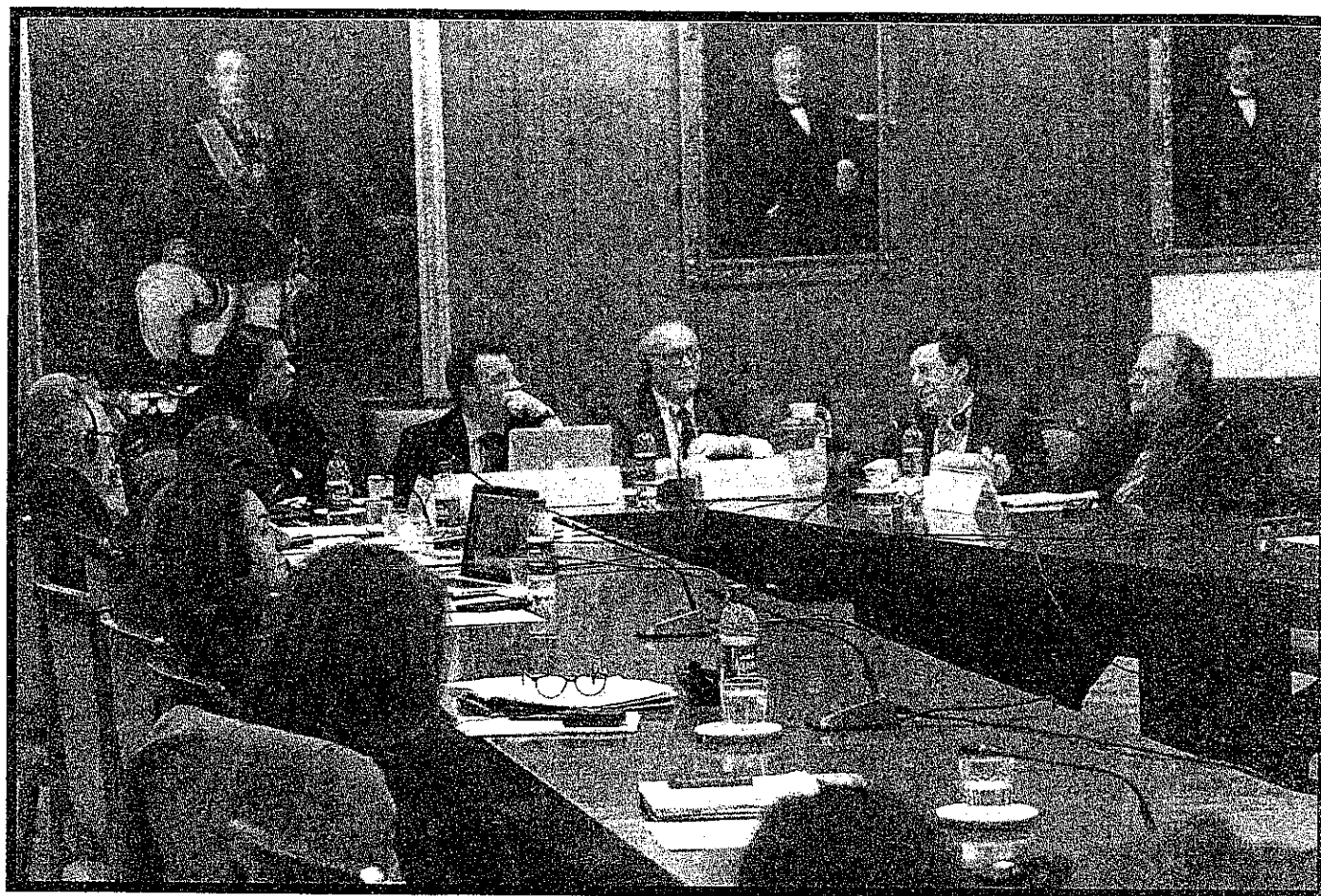
majority in certain places, whilst they will be part of the minority in other places (although some will always belong to the minority). It rather refers to the less evident fact that when confronted by the mainstream of the prevailing thought, the religious, every religion, or, if you prefer, every man and woman with religious beliefs, will always find himself in the position of the minority.

To a certain extent, this issue of religious liberty or freedom of religion can be analysed from several angles of the present day perspective. From the standpoint of scientism, a minority in the popular domain but of great public influence, religion is an atavistic remnant, merely tolerable as a folkloric attitude and worthy of rejection from all truly relevant social life. For others, religion is an attitude or a set of beliefs that represents a great risk when it has public influence. Thus, social action must be fundamentally used to stifle it. However, and in contrast with the previously mentioned attitude, they do not deny that religion serves a role in the formation of a valuable private conscience. There are also those who consider religious liberty as the lesser of evils in the context of a positive evaluation of religion. This refers to those who see the other's religion as a tolerable error since its extirpation would lead to greater problems and issues as experience has shown.



Overview of the International Conference in Madrid, January 2014

The International Association for the Defence of Religious Liberty has always adopted a different attitude from those previously described. It is the actual valuable role of religion in the establishment of personal and social order that calls for its liberty and freedom, which is the human right *par excellence* alongside dignity. Consequently, societies are to be assessed by how much they appreciate religion, which in turn leads to at least two entirely related things. The first is the freedom of its practice, of its diffusion and of its educational effort. The second has to do with how this freedom finds its touchstone precisely in how it treats the religious minority. In accordance with the conclusions reached in the conference, respect, or more exactly the way we treat minorities, is the true test of our appreciation of religion, and with it, of religious liberty.



Madrid International Conference, January 2014. From right to left: prof. Heiner Bielefeldt; prof. Juan Antonio Martinez Munoz, University Madrid Complutense; prof. Alexey Kosheyakov; prof. Ricardo Garcia, Ministry of Justice of Spain; Rita Izsak, UN Special Rapporteur on Minority; prof. Jaime Rossel Granados, Dean of Extremadura University Spain

AIDLR Written Statement submitted to the 25th Session of the United Nations – Human Rights Council

United Nations

A/HRC/25/NGO/121



General Assembly

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Human Rights Council

Twenty-fifth session

Agenda item 3

Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

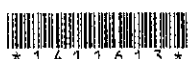
**Written statement* submitted by the International
Association for the Defence of Religious Liberty - Association
Internationale Pour La Defense de la Liberte, a non-
governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in
accordance with Economic and Social Council resolution 1996/31.

[17 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting
non-governmental organization(s).

GE.14-11613



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RELIGIOUS LIBERTY AND RELIGIOUS MINORITIES: “DIALOG FIVE” - DEVELOPING A HOLISTIC FRAMEWORK

INTERNATIONAL ASSOCIATION FOR THE DEFENSE OF RELIGIOUS LIBERTY (IADRL / AIDLR) Bern, Switzerland

I. INTRODUCTION

On the issue of human rights and religious freedom, nothing of a political nature happens by accident.

UNESCO recently confirmed the importance of IADRL's perspective by stating: “the creation of an environment of tolerance, mutual respect and understanding, one which guarantees the full enjoyment of the freedom of conscience and religion, requires that all concerned actors and stakeholders work together closely”.² Thanks to UNESCO, its vision should be fundamental for all people.

Who are these actors and stakeholders?

The International Association for the Defense of Religious Liberty by its Secretary General Attorney Liviu Olteanu draws attention to human rights, religious freedom and religious minorities by proposing synergy between a network of relevant stakeholders in the platform our organization has named DIALOG FIVE: ‘Government – Diplomatic – Religious – Academic – NGOs/Civil Society’ representatives; they must participate in multidisciplinary interaction to construct an efficient and effective understanding between civilizations, cultures and religions.

IADRL gained international expertise in 1946, the time of our founder Dr. Jean Nussbaum and of Mrs. Eleanor Roosevelt- the first IADRL president of the honorary committee. Later, this expertise was developed through the guidance of Dr. Albert Schweitzer, Paul Henry Spaak, Rene Cassin, Edgar Faure, Leopold Sedar Senghor and Mary Robinson- the following presidents of honorary committee.

The framework of ‘Dialog five’ discusses how international, regional and national

2 1 Letter of UNESCO from 22 January 2014 sent to Liviu Olteanu Secretary General of IADRL

institutions can effectively work together, which would activate mechanisms to raise awareness of authorities, religious leaders, diplomats, educators and general population on the need of tolerance and acceptance of Other' differences and the respect of religious freedom for all people.

How can religious freedom and religious minorities be protected in this diverse world with trends, attitudes and contrasts?

The UN Secretary-General Ban Ki-moon suggested: "the best form of protection is prevention. The prevention saves lives as well as resources. Prevention is not a one-off affair. Human rights are an essential component of human protection"³. A strategy of prevention is consolidated through a holistic approach.

II. A HOLISITIC FRAMEWORK - "DIALOG FIVE"

The International Association for the Defense of Religious Liberty, as a permanent representative to the UN and EP, representative to the COE and OSCE, organizer and attendee of conferences at governmental, parliamentary and university levels, evaluated the different models of protecting religious liberty and proposes a model that can be referenced by other national and international organizations.

The IADRL willing to test experimental conclusions, initiated⁴ a 'Human Rights and Religious Liberty Project' with a holistic approach. Dr. Bruno Vertallier, the president of the organization, correctly noted: "freedom of conscience and of religion hangs today in a fragile balance." That is why this project established a precise structure of different actors and stakeholders representing: Institutional and Multi-disciplinary Frameworks.

- On an Institutional level, there is a need of a special approach that includes international, regional and national actors; UN, COE, EU (EP), ECtHR, OSCE, Ministry of Justice, Ministry of Foreign Affairs. Different actors can look to the same issue from different angles and consistency, using a different language and prototype that does have a holistic approach.

³ UN Secretary General Ban Ki-moon, see at: [http://www.un.org/sg/selected speeches/statement_full.asp?statID=1064](http://www.un.org/sg/selected%20speeches/statement_full.asp?statID=1064)

⁴ As important mentors: professor Jose Iturmendi Honorary Dean and professor Juan Antonio Martinez Munoz; also had an instrumental role: UAE Jesus Calvo-president UAE, Corrado Cozzi-director, Alberto Guaita-president ADLR, Mercedes Hamed, Pedro Torres, Conchi Carasco.

- Further, this multidisciplinary interaction with different stakeholders must embody the five different categories of representatives: Government – Diplomatic – Religious – Academic – NGOs/Civil Society.

Madrid International Conference

To demonstrate the efficiency of the holistic approach, IADRL initiated a new paradigm project. The IADRL and Human Rights Institute of University Complutense of Madrid, organized the International Conference hosted in Madrid at the Law Faculty on January 17, 2014. The theme was: “In the Light of Edict of Millan, Religious Freedom and Religious Minorities in the World: New Balance or New Challenges?” Professor Jose Miguel Serrano Ruiz-Calderon is an important researcher and contributed as co-director of the Conference along with Liviu Olteanu. We thank the Spanish Government for the contribution of Ricardo Garcia of the Ministry of Justice and Ambassador Belen Alfaro of Ministry of Foreign Affairs, and to Law Faculty Dean Raul Canosa. The project joined a multidisciplinary network of experts representing the – governmental, academic, diplomatic, religious and NGOs/civil society field as part of national, regional and international actors.

The main guests were: professor Heiner Bielefeldt Special Rapporteur of UN on Freedom of Religion and Belief and Ms. Rita Izsak Independent Expert of UN on Minority Issues. They stressed to the 200 participants present on January 17, 2014 at the University, and on January 18, to around one thousand people participating in the Religious Liberty Concert: “Ambassadors of Liberty, Hope and Peace”, on the close relationship which exists between ‘religious freedom and religious minorities’ and the need of its protection in entire world. Other important international guests have also contributed to this International Conference.⁵

The topic of the panels were:

- Challenges and trends, which globally affects religious minorities.
- Relation between religion freedom and religious minorities.
- How to promote multidisciplinary dialogue and to sustain the work of the UN special rapporteur and independent expert.
- Protection of religious minorities and prevention of the discrimination against them.

At the conclusion of the Conference, the Special Rapporteur of UN on Freedom of Religion and Belief, Heiner Bielefeldt rightly expressed:

⁵ Ambassador Alexey Koshemyakov-Council of Europe, Dr. Harri Kuhalampi-European Parliament, Fatos Araci-ECtHR, professor Ganoune Diop-UN Relations New York, Dr. Bruno Vertallier-president IADRL, Dr. John Graz-Secretary General IRLA, professor Jeremy Gunn. Also have participated or contributed the professors: Alberto de la Hera, dean Jose Maria Espinar, dean Jaime Rossel, Joaquin Mantecon, Zoila Combalia, Javier Martinez Torron, Jose Luis Andavert, Ryay Tarari Islam, Alberto Benasuly Judaism, Jose Luis Andavert president FERED.

III. WHY IS THIS MODEL OF HOLISTIC FRAMEWORK INITIATED BY IADRL SO IMPORTANT?

Heiner Bielefeld's observations:

1. "I attach great importance to the design of Madrid Conference for the systematic consideration to have 'five' different actors, different institutions' presence but also at various levels of Human Rights Institutions."
2. "We have human rights obligations at different levels: national, regional and international and religious beliefs and human rights develop in different directions and can mutually undermine each other. We have the Council of Europe approach, the EU approach, various national approaches, the UN approach... Still I think as a matter of fact these different institutions sometimes are worlds of their own." "We need coordination: one purpose is to avoid a mutual undermining of the authority of human rights standards and for that reason we have to know one another better, to be aware of what's happening, so from my perspective now working in the UN, it is very important to see what's happening in the Council of Europe, in the EU, in different countries..."
3. "The structure of Madrid Conference was demonstrating how to avoid damage, risky situations or a loss of authority because one institution could be played off against other institutions; but of course there is also the positive opportunity to learn from one another, this is the task of cross "fertilization."
4. "We do need these exchanges in order to know from one another's activities to mutually support and reinforce one another's rather than possibly undermine it without even knowing what we are doing."
5. "The Madrid Conference really sets an example, this is something we have to do, is really something we should copy, it is a good and useful; we should establish that on a regular basis in fact."
6. "The project of IADRL aims at the need of developing a consistence of the holistic framework at various levels, institutions and elements of infrastructure to fit together."

IV. PLANS: INTERNATIONAL PRIZE & INTERNATIONAL CONGRESS "AMBASSADORS OF LIBERTY, HOPE AND PEACE"

International Association for the Defense of Religious Liberty plans to organize and promote each year (1), or periodically (2):

1. INTERNATIONAL HUMAN RIGHTS AND RELIGIOUS LIBERTY AWARD

2. INTERNATIONAL RELIGIOUS LIBERTY CONGRESS: "Ambassadors of Liberty, Hope and Peace".

The International Religious Freedom Congress will take place in spring 2015. The IADRL plans to host the congress at the UN in Geneva during the 28th Session of Human Rights Council

V. THE IADRL RECOMANDATIONS

1. We ask for the support and co-sponsorship of the UN delegations and other international, regional and national actors at the INTERNATIONAL CONGRESS. Further details will be made available during the 27th HRC Session.
2. We ask the UN delegations to send us proposals for nominating candidates for the "International Prize/Award" of IADRL.
3. We propose the UN HRC, the UN delegations and other actors:
 - α. To introduce in the UN Agenda of future sessions of HRC, the holistic approach "Dialog five" on religious liberty and religious minorities according the EU/Western and Islamic countries.
 - β. To establish a Multidisciplinary Forum – "Dialog five." The IADRL is open to cooperate with all UN delegations and other regional and national actors.

VI. CONCLUSION

We are not 100% free as long as the Other is detained, condemned and persecuted for his/her conscience, religion or belief. Or doing nothing for the one belonging to a religious minority.

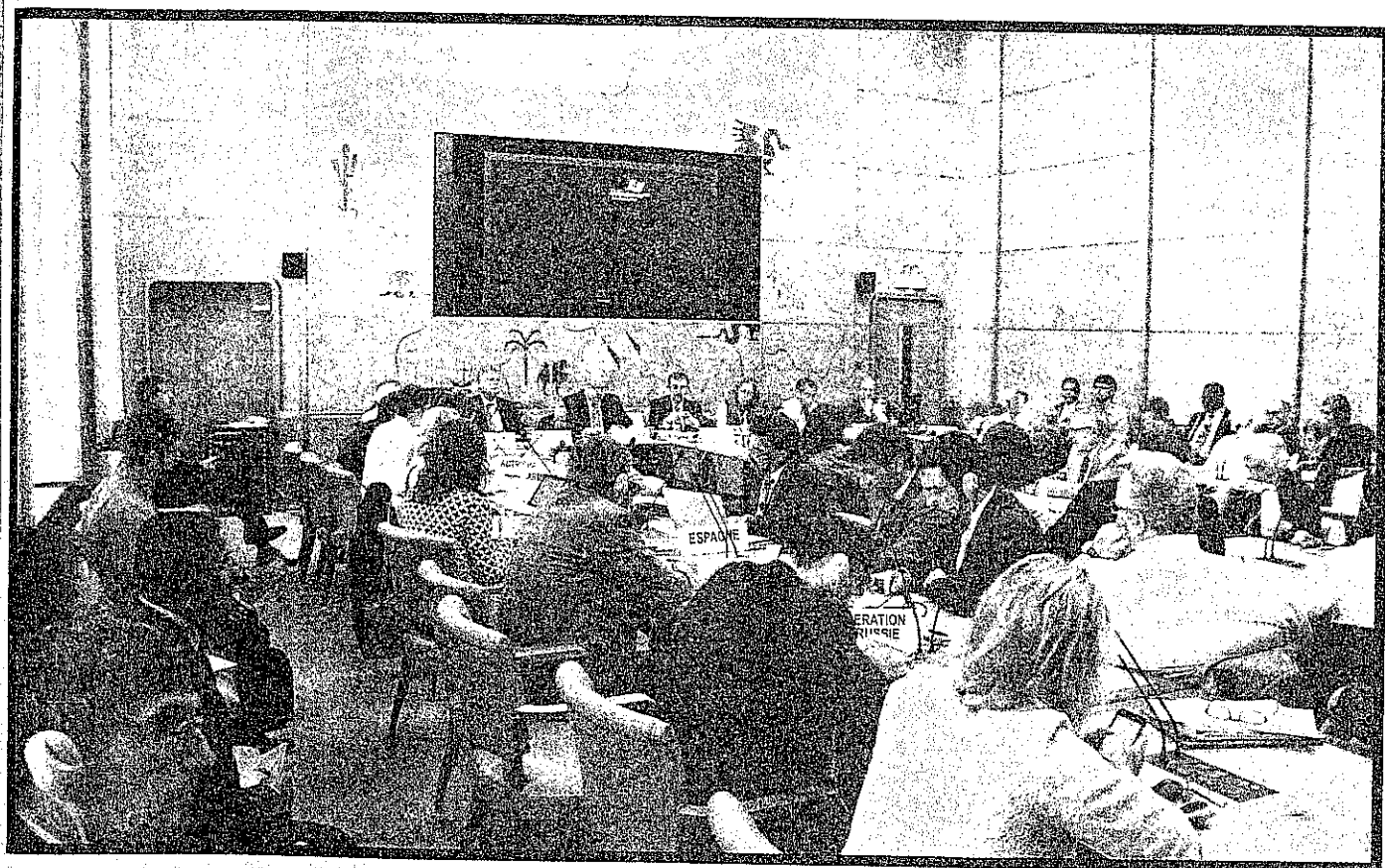
Today, there is a big need for references and models in the entire world; => From the past up to now: i.e. Jesus Christ, Prophet Muhammad in the field of religion; Eleanor Roosevelt, Dr. Jean Nussbaum, René Cassin, Dr. Albert Schweitzer, Martin Luther King, Richard Wurmbrandt, Vaclav Havel, Nelson Mandela, Kofi Annan, Dr. Ben Carson, Ban Ki-moon, Heiner Bielefeldt, etc; or UNESCO, Unicef, Amnesty International, Human Rights Watch, USCIRF, Pew Forum, are some references.

We don't defend one religion, church or belief but the Principle of religious liberty for ALL people.

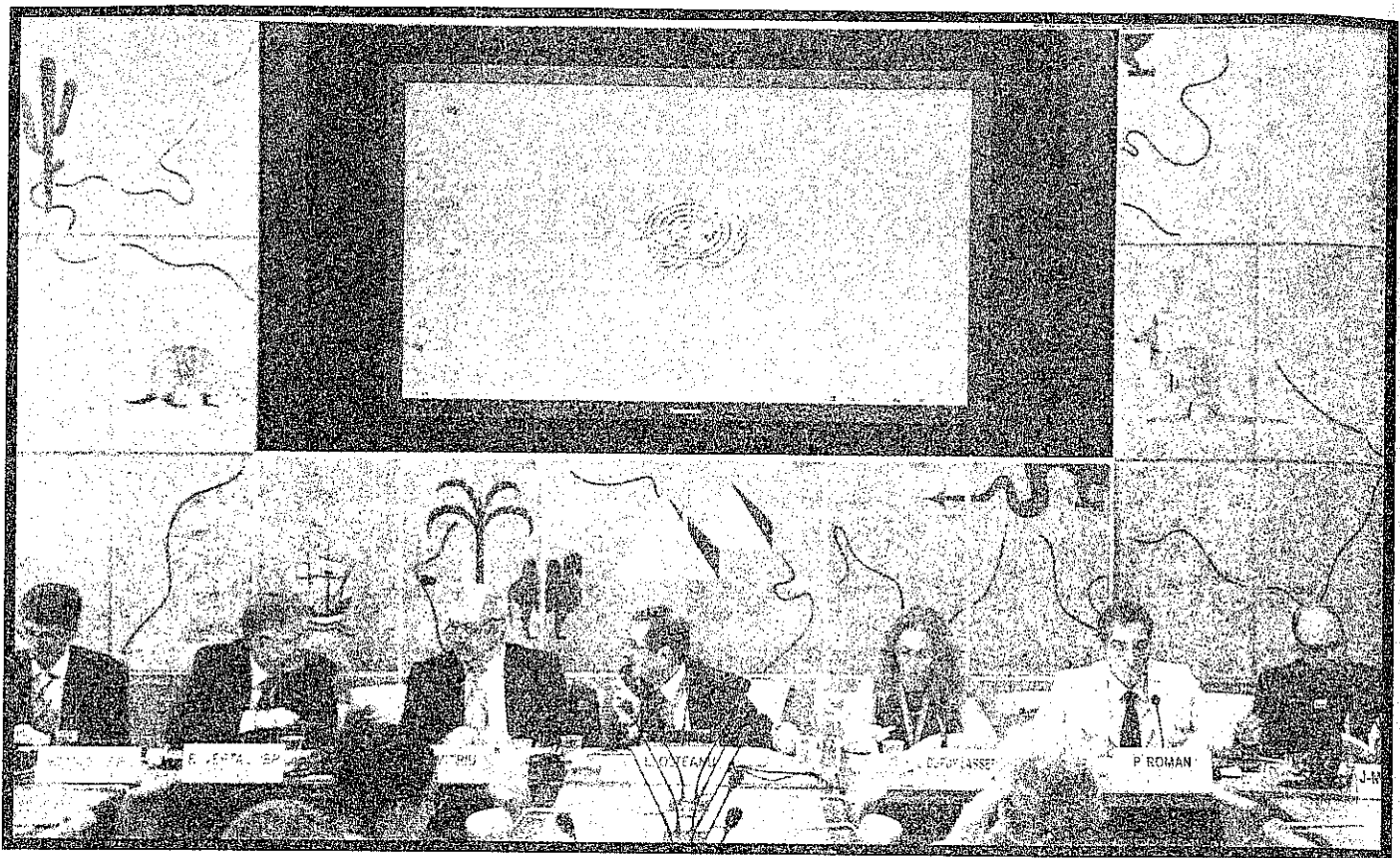
Let us be Ambassadors of liberty, hope and peace!

Upcoming Article: UN & AIDLR on Human Rights & Religious Liberty at Palais des Nations Unies

This side-event on “Worldwide Human Rights and Religious Minorities” have been organized by AIDLR during the 26TH Session of UN HRC and co-sponsored by the Council of Europe, Uruguay, Canada, Spain and Norway. The participants have discussed perspectives on protecting freedom of religion and the rights of religious minorities, highlighting the importance of all actors work closely together to promote world peace. In next journal we'll debate on this important theme. For this edition we introduce the ambient by some photos.



Overview of the participants at the UN HRC event on religious liberty organized by AIDLR



The AIDLR panel at the United Nations. From left to right: judge Harald Mueller; Dr. Bruno Vertallier, AIDLR President; H.E. Petru Dumitriu, Ambassador and Permanent Observer of the Council of Europe to the United Nations Office in Geneva; Liviu Olteanu, AIDLR Secretary General, moderator of the panel; H.E. Ambassador Laura Dupuy Lasserre, Permanent Representative of Uruguay to the United Nations Office in Geneva, former president of the HRC; prof. Petre Roman, senator, former Prime Minister of Romania; prof. José-Miguel Serrano Ruiz-Calderón, Complutense University.



The UN religious liberty side-event. From left to right: attorney Liviu Olteanu, Permanent Representative at the United Nations; Dr. Ganoune Diop; Ms. Rira Izsak, UN Special Rapporteur on Minority Issues; H.E. Petru Dumitriu, Ambassador and Permanent Observer of the Council of Europe to the United Nations.