



United Nations General Assembly

Working towards political stability

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Topic: Creating and further supporting human rights institutions to protect the right to religious freedom

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II. Introduction

Committee

The General Assembly was established in 1945 under the Charter of the United Nations, and it occupies a central position as the policy-making, representative organ of the United Nations. Consisting of all 193 Members of the United Nations (each one having one vote), it provides an assembly to discuss any international issues covered by the Charter (the founding document of the UN, a global organization that aims to promote peace, cooperation, and human rights.) It also plays a principal role in the process of making international laws and rules. The General Assembly meets from September to December each year, and as much as needed following the New Year.

Its primary role is to discuss issues and make recommendations, though it has no power to enforce its resolutions. Other functions include adding new members; selecting members of the Economic and Social Council, and the Security Council, supervising the activities of the other UN organs, from which the General Assembly receives reports, and participating in the election of judges to the International Court of Justice and the selection of the secretary-general. Decisions normally are made by a simple majority vote. On important questions, however, a two-thirds majority is needed.

Topic

Religious freedom is a very peculiar human right as it can not be seen as an isolated right as it can only access its full significance in combination with other fundamental human rights such as the freedom of assembly. (Therefore the right to religious freedom often collides with other rights and then it depends on how the court defines these rights. In some countries religion is well integrated into society and everyday life and if it collides the court will most likely give it preference over the other. (Freedom of religion against) Religious freedom has a different status in different countries, In some, the focus of religious freedom may lay on openly exercising it and being well integrated into society, whereas in other countries the focus lies on the private character of religion (secularism), both of these definitions are compliant with international rights and have just grown through cultural differences in their respectful systems.

The freedom of thought, conscience, and religion guarantees that:

- Everyone can think and express their thoughts, choose his religion, and can exercise it freely
- The freedom to exercise one's religion can only be restricted by the government to ensure public safety and health or that no fundamental rights from others are violated.
- Parents have the right to educate their children according to their beliefs.

III. Definitions of Key Terms

Secularism

Secularism is basically the technical term for the separation of state and religion. The idea is to conduct human affairs based on naturalistic considerations uninvolved or altered by religion. In philosophy, secularism tries to shift thinking and interpreting life to a more worldly and materialistic focus.

Religious persecution

Religious persecution is the systematic oppression and mistreatment because of religious beliefs. This mistreatment and discrimination is not limited to the state but to society as a whole. Religious persecution is used to deprive the targeted party of their political rights and force them to assimilate or leave.

USCIRF (United States Commission on International Religious Freedom)

USCIRF is a bipartisan US federal government agency that monitors the right to freedom of religion internationally. It advises Congress, raises public awareness, and supports victims of religious rights violations. They publish an annual report on the international state of freedom of religion.

Religious migration

This form of migration is when many believers of a certain religion migrate together to establish a settlement often then mistreating the originally existing religions in that place. Most of the time this type of mass migration is caused by mistreatment and discrimination in the home and people have to flee together.

IV. History of the topic

Ancient civilizations often mixed religion with governance. This made tolerance for beliefs that were not the ones everyone else followed very small. There are multiple religions that have a history of religious freedom.

Muslim religion and the *dhimmis*

After a period of fighting that lasted around a hundred years and mainly involved Arab and Jewish inhabitants of Medina, religious freedom for Muslims, Jews, and Pagans was declared in the Constitution of Medina. The Islamic Caliphate later ensured religious freedom under the conditions that non-Muslim communities accepted that they would have the *dhimmi* status and that adult males would have to pay the *jizya* tax instead of the *zakat* tax that Muslims normally paid. Even though *Dhimmis* were not given the same political

rights as Muslims, they still enjoyed equality under the laws of property, contract, and obligation, which is an important part of the history of religious freedom.

Religious conflicts in Europe

Most Roman Catholic kingdoms did not support religious expression throughout the Middle Ages. Jews were persecuted, the best example being the expulsion of all Jews from Spain in 1492. Despite this, they were the most tolerated of all religions that were not Christianity in Europe. After the fall of Granada in Spain, the Muslims were expecting religious freedom which the Treaty of Granada promised, but they did not end up receiving it. Instead, they were forced to either convert to Christianity or leave the country. Most of them converted but secretly kept practicing their original religion. The Moriscos (converts to Christianity) were fully expelled from Spain between 1609 and 1614.

The Protestant Reformation of the 16th century also caused religious conflicts across Europe. These conflicts, like the Thirty Years' War, led to suffering and this encouraged thinkers like John Locke to fight for religious tolerance. Peace treaties recognized the need for religious freedom, as we can see in the Peace of Westphalia in 1648. The Reformation also caused religious migration, with groups like the Pilgrims seeking freedom in North America.

United Nations' solution

In 1981, the United Nations General Assembly passed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. This declaration says that freedom of religion is a fundamental human right and everyone should be able to have it.

Religious freedom now

Religious freedom may seem like it has improved, not only thanks to declarations that have been passed through the years but also thanks to the countless citizens who have decided to act and take action against religious discrimination. However, restrictions on religion are still very present, and some are even now completely new. From 2007 until now, government restrictions on religion such as laws and policies that restrict religious beliefs and practices increased. For example, the latest data confirms that 52 governments, including some in important countries like China, Indonesia, and Russia, have high levels of restrictions on religion. The Yarovaya law, which passed in 2016 in Russia, is being used to restrict the practices of religious minorities, such as evangelism or the importation of foreign religious literature. Sources also say that since 2020, there's twice as many prisoners in Russia that have been sent to prison for following a certain religion which isn't Orthodox Christianity. Furthermore, social issues involving religion including violence and harassment by private individuals, organizations, or groups also have risen since 2007. In the next text, we explain some examples.

Recent/current issues regarding religious freedom

As previously said, right now there are still many religious conflicts in the world. A very significant one is the Israeli-Palestinian conflict. This conflict primarily revolves around

the competing claims of Israelis and Palestinians over the same land and is closely tied to religious beliefs and practices. Extreme Zionists in Israel increasingly see themselves as definers of how the Jewish state should be, not letting Arabs have that freedom of practicing their own religion without worries. On the other hand, Islamist groups in Palestine and elsewhere in the Islamic world are constantly talking about liberating the “holy” territories and sites for religious reasons and causing violence and hatred against Israel and the Jewish people. There are other causes of this conflict, but religion is the most prominent one.

V. Timeline of Events

Declaration of the Rights of Man and of the Citizen is set (1789):

On July 11, 1789, the Declaration of Rights of Man and of the Citizen passed. The Declaration of the Rights of Man and of the Citizen, set by France's National Constituent Assembly is a human civil rights document from the French Revolution. It was inspired by the philosophers from the Enlightenment era and it clearly represents the values of the French Revolution. The Declaration contains multiple articles, one of them declaring that nobody should be quieted for his opinions, even religious ones if they do not disturb the public order established by the law.

The First Amendment to the United States Constitution is set (1791)

The Bill of Rights was adopted on December 15, 1791. It includes the First Amendment (Amendment I) to the United States Constitution, which prevents the government from making laws that regulate religion, prohibit the free practice of religion, or remove the freedom of speech, the freedom of the press, and other forms of expression.

Universal Declaration of Human Rights (1948)

The United Nations adopted the Universal Declaration of Human Rights, and it declares in Article 18 that everyone has the right to freedom of thought, freedom of religion (which includes being able to change religions or beliefs), and the freedom to practice and express this belief. This was a very big step in the history of freedom of religion.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief passes (1981)

This declaration, passed by the UN, proclaims the right to freedom of thought, conscience, religion, and belief for all human beings. It also calls for the elimination of discrimination and violence from religious causes, and tolerance of all beliefs, even if they are not the ones someone follows.

Religious Freedom Restoration Act passed (1993)

The RFRA was a law passed by Congress to protect the free expression of a person's beliefs and religion, specifically to ensure that laws or policies do not unduly infringe on religious beliefs and practices.

VI. Previous Attempts to Solve the Issue

Throughout history, many attempts to spread acceptance and tolerance throughout the population have been made. Ensuring religious freedom for everyone is a hard task. When 1948 the General Assembly established the Universal Declaration of Human Rights the right to religious freedom was included. These rights were made after the Second World War to prevent an atrocious event like that from happening ever again. These rights set the stage for many more treaties and attempts and were a good first step.

The Religious Freedom Restoration Act was passed in 1993 and further expanded upon the Bill of Rights and ensured that generally applicable rights that burden the free exercise of religion do not violate the First Amendment. The law in question will have to be justified as the least restrictive means of pursuing a compelling governmental interest.

Many attempts have been made and many treaties have been signed, still, the right to religious freedom is lingering in a state of uncertainty. Wars on every end of the world and declining respect for human rights in many countries.

VII. Major Countries Involved

United States of America

In the USA the previously mentioned First Amendment of the Bill of Rights ensures religious freedom and the separation between state and church.

To make sure that acts or policies do not violate religious freedom, the Supreme Court (1971 *Lemon v. Kurtzman*) established a tripartite to categorize violations of the Establishment Clause of the First Amendment. The established tripartite can be separated into these criteria: The state cannot...

- have a religious purpose
- favor any religious beliefs
- overly involve the government with religion

This means that in schools teachers can only teach about religion in the context of history and the government cannot financially aid religious organizations such as housing spaces for homeless people or religious private schools.

Still, when Trump walked across Lafayette Park and held a bible there were no repercussions for him except for the public backlash.

Another controversial topic is the oath every president swears. The words "So help me God" are obligatory/mandatory for judges and officers when they swear their oaths but not for the presidents, The constitution only specifies the oath of the president, and the phrase is not included. These oaths also leave the option to omit the phrase which then would be considered an affirmation instead of an oath, still, every president uses the phrase "So help me God" even if they are not required to do so.

Germany

The Weimar Republic guaranteed religious freedom and established the separation between state and government in 1919, til 1933 when Adolf Hitler and his party (NSDAP) seized power and tried to take over every aspect of life. They shut down the German Freethinker League, forced the catholic church out of political affairs, and brought Protestantism under their control.

Since Hitler's rise to power Jews became more and more marginalized which all culminated in the Holocaust (1941-1945). After the fall of Nazi Germany Germany got split into West and East Germany. West Germany which was under the so-called Western allies adopted a constitution in 1949 and the previously stated regulations from the Weimar Republic and began a more secular way of governing. Whereas East Germany under the influence of the Soviet Union was under a communist regime that actively discriminated against and restricted Christian activities to purge religion out of society, even nowadays Eastern Germany is less religious than Western Germany.

Religious communities can be recognised by the state as estuary corporations which would give them privileges such as being able to educate at schools or cooperating with the tax department to collect memberships for the church. The church tax applies to the catholic church, the main protestant church, and some Jewish communities. Other religious groups like Muslims are to this day still exempt from this program.

In today's Germany, the biggest problems are disparities, discrimination, and right-wing violence against religious minorities. Even though the two big churches in Germany (Catholic and Main Protestants) are suffering from dwindling membership numbers they still hold the majority of members and small communities are only slowly getting recognized by the system and suffer from being underprivileged (The big churches hold privileges).

Secularisation of the population leads to less understanding of religion and religious freedom this at first sight may not be a problem but many people with power like judges are constricting religious freedom without noticing.

On paper religious freedom is well protected but through the factors, right-wing violence, secularization, and pluralization (More religious communities) the execution of these rights is failing.

Russian Federation

In 1933 the newly established constitution separated the state from the church and states that every religion is equal. To this day the biggest threat to religious freedom poses the lack of independence of the courts, corruption, and xenophobia.

The Russian Orthodox Church has a strong lobby and if religion is involved politically in any way they have their fingers in play, for example when marriage was defined as a bond between a man and a woman. The law to prevent religious discrimination (Law against blasphemy) is mostly used in favor of the Russian Orthodox Church.

Discrimination against Muslims is also a big topic, e.g. local policies declared Wahhabism as an extremist ideology which caused the police to often act against any form of Islamism.

A report from the USCIRF (2021 USCIRF Annual Report) states that the government of Russia is targeting non-traditional religions with detentions, fines, and criminal charges and is actively pursuing, locking up, and torturing Jehovahs Witnesses.

With the Russian-Ukrainian war and the general concerns for human rights in Russia, religious freedom is also in an unsafe time.

Israel

Even though in the Basic Laws Israel is referred to as a “Jewish and democratic state” Judaism is not stated as an official religion and is equal to all other religions.

Israel is home to one of the longest and biggest conflicts of modern history, which stems from the discussion of whether Israel should be divided into Palestine and Israel. (Since the 3 Abrahamic religions all have strong religious ties to that region)

1000 BCE King Saul set up the Israelite monarchy in the region Canaan (today's Israel) and his successor's son built the first Jewish temple there. This became one of the claims that it is the country that rightfully belongs to Jews. Throughout history, Israel would become conquered multiple times which caused jews to spread through all of Europe.

When the Ottoman Empire conquered the land they called Palestine it became a sacred site for Christians, Muslims, and Jews alike. But as Jews faced oppression and persecution in Europe they started to emigrate back into their land in 1880, which was under the Ottoman Empire. After the First World War Great Britain took control over modern-day Israel and Jordan and declared to establish a national home for Jewish people in 1922, which was realized more than 20 years later as the Second World War started. In 1947 after the war was over the UN decided to divide Palestine into two countries, the Jewish state of Israel and the Arab state of Palestine. While Israel agreed many Arab residents thought that it was unfair and soon violence began to break out. As the state of Israel was established the surrounding Arab states attacked and after 9 months of fighting, Israel had occupied much of the land designated to be the Arab state Palestine.

The plan for a Palestinian was done and Egypt took control of the Gaza region and Jordan of the West Bank. Since then conflict and tension are escalating. In 2017 Hamas, the group governing the Gaza stripe, demanded the formation of a Palestinian state using the borders from 1967 but they did not recognize Israel as a state, so Israel refused.

Today the conflict is ongoing and many Palestinians are fighting for their state and it is getting even more complicated as many Israelis are settling in the West Bank. Israel has accepted the idea of a Palestinian country but has not accepted the suggested borders since 1967.

VII. Questions a Resolution must answer

- What measures should be taken to combat religious violence/hate speech?
- What consequences should there be when someone causes religious violence/hate speech?
- Are there limits to freedom of religion?
- Does freedom of religion equal freedom of speech?
- How can education or the internet help with combating religious violence/hate speech?
- What mechanisms can be used to report and combat religious violence/hate speech?

IX. Possible Considerations for the Future

As explained previously in “Previous Attempts to Solve the Issue” the international community has already laid out a pretty good basic right concerning freedom of religion. The only thing lacking is the execution to ensure that everyone abides by the law. Many treaties regarding this have been signed but till today the lack of respect towards these basic rights is not something that can be resolved by treaties between governments. To establish sustainable peace and religious freedom, society has to be changed from the root up, and where can you start such a switch-up in people's way of thinking better than in school?

International educational plans to raise respect and awareness and sensitize the youth towards this topic. Having the youth sensitize will lead to the diffusion of conflict and eventually guarantee peace- and respectful coexistence.

Meanwhile, the fight against corruption should be of foremost importance as corruption always leads to favoring and eventually, oppression. Unity will bring forth even more unity, which is why the international community has to stand together in defusing conflicts such as the Middle East conflict or the Russian-Ukrainian war, showing clear borders and not indulging in national treaties between 2-3 countries.

X. Conclusion

It is clear that there has been a long history regarding religious freedom, with multiple big changes that have shaped the way many see religion nowadays. From endless wars revolving around religion to uncountable declarations to fight these, it is a major topic in our world. Despite all these changes, the problem is still extremely present. From countries

in which not following the religion the majority follows can lead to consequences, to countries where someone following a certain religion will be discriminated against, it is still an urgent issue to fix. There are multiple solutions to it, but they have to be planned smartly so that no new issues arise. As this debate revolves around religion, a topic which is very present in all nations, not only big countries like the ... are significant for the conference, but also less important nations in which the citizens still are seriously affected by religious conflicts. We hope that all delegations build interesting and fruitful discussions in the upcoming debate!

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