

'Strengthening our response to violations against religious minorities: How can we better advance their rights?'

By Diane Ala'l, representative of the Bahá'í International Community

- What has been the BIC experience?

- 1979 we did not know, we had to learn
- we started working with special procedures – not that many at the time
- 1984 Special Representative on Iran
- 1986 Special Rapporteur on Freedom of Religion or Belief
- 2002 Loss of the mandate on Iran – we turned to ALL thematic procedures possible and encouraged visits (particularly WGAD – but also Freedom of Expression and Adequate Housing)
- 2005 IE on minority issues – three NGOs behind the creation of the mandate, MRG, FIDH and BIC
- 2011 Special Rapporteur.

- It is all well and good, but there is still a gap that has not really been filled: communal rights.

- right to meet (there is freedom of association, but NGOs are under such attacks that it is not a priority), addressed at this session by the wife of pastor Abedini
- to have an administration – IRI refers to the illegal Baha'i organization, Yaran in prison
- historical places
- funds – excuse to level accusations of espionage
- right to teach their children
- right to express their faith as members of a community and a minority.
- double curse as far as recognition is concerned: definition of religion and definition of minority. As we know the issue of definition of minorities is pending -- and rightly so, and the successive special rapporteurs on freedom of religion or belief, from Mr. Amor to Ms. Jahangir and then Mr. Bielefeldt, have clearly stated that a state has no right to determine what is a religion or a belief and what is not. It is essential that this prohibition and the recourse to this excuse be constantly reaffirmed.

Of course Abdelfattah Amor dealt with these in his recommendations after his visit to Iran and Heiner Bielefeldt had a whole report on the issue of recognition, but perhaps this angle could be pursued by the IE, and maybe a session of the Minority Forum.

- The "joke" of standing invitation – why country visits are essential and why we suggest that a system be put into place whereby the requests, the pending, etc. be more visible and put a stronger pressure on the country (acknowledge it already exists, but strengthen it).

- The follow-up to recommendations. There is now a very good mechanism that is used by some SPs with regards to follow up on communications. For example Juan Mendes does great follow up. Perhaps this could be strengthened by other SPs, and also something similar on follow up to recommendations, particularly after country visits. We have been talking about this for years, if not decades (what is the use of recommendations, particularly after country visits then?)

- There is a strong interest in good practices. Perhaps, when there is an accusation that is leveled against a minority by a particular country (where its rights are violated) the IE (and the SR) could have a questionnaire on positive experiences with these same minorities in other countries and publish it in its following report.

- There are religious minorities in some countries that are majorities in other countries. These have a stronger voice at the UN, in their defense. It would be important that they be encouraged to share their experience in support of smaller religious minorities.