

FREEDOM OF RELIGION OR BELIEF FOR EVERYONE: WOMEN IN FOCUS

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Freedom of religion or belief (FoRB)

- Article 18 in the Universal Declaration of Human Rights (UDHR) & the International Covenant on Civil and Political Rights (ICCPR)
 - Pillars of FoRB
 - To have / not to have*
 - To change / leave*
 - To manifest / practice*
 - Forum internum vs. forum externum (inner vs. outer freedom)
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Women's Equality

- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
 - Aims for equal rights, freedoms and opportunities regardless of one's gender
 - Exposes unequal possibilities for men and women to enjoy fundamental rights
 - Identifies underlying structural issues, gender stereotypes, social norms and values that undermine gender equality
 - Women's equality should not only be seen as a thematic right, but also a lense through which we see all other rights – including FoRB
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Misconceptions about FoRB and women's equality

- FoRB only protects freedom from religion
 - FoRB only protects conservative and/or patriarchal religions
 - State religion vs. FoRB (favoritism)
 - FoRB is an obstacle to women's equality
 - Confusion around practices *violating* FoRB and practices *protected* by FoRB
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Normative intersection of FoRB & women's equality

- Limitations of FoRB (§3 of art. 18 in ICCPR)

Only forum externum (outer freedom); freedom to manifest/practice

Requirement: Prescribed by law & necessary to protect public safety, order, health, morals, or the fundamental rights and freedoms of others

- Civil and political rights of women (including women's right to FoRB) are examples of what constitutes as «fundamental rights and freedoms of others»
 - Hence, FoRB can never be used to justify to suppress women's freedoms
 - Vienna 1993: all human rights are indivisible, interdependent and interrelated
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Discussion groups



1. Have you ever experienced instances where the right to FoRB and the right to women's equality have been regarded as incompatible? What arguments were used to uphold this view?
 2. What are some practices you have heard of that discriminates women, and uses FoRB as a justification for the practice?
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In what way does FoRB violations affect women differently than men?

- FoRB violations are always gendered
 - What is attacked? A person's status, value and role in society
 - Women and men are not homogenous groups: type of violations and level of severity will depend on one's socio-economic status, age, race, ethnicity, religious or belief identity, and other factors
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In what way does FoRB violations affect women differently than men?

- What is men's value mostly related to?

Bread winner

Protector of the family/local community

- What is women's value mostly related to?

Reproductive ability / sexual purity

Symbolic honor-bearers of the whole community

In what way does FoRB violations affect women differently than men?

FREQUENT FoRB VIOLATIONS EXPERIENCED BY WOMEN

- Sexual violence
 - Abduction
 - Forced marriage
 - Social control, including clothing and appearance
 - Discriminatory personal status laws
 - Discrimination within religious/belief communities
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FREQUENT FoRB VIOLATIONS EXPERIENCED BY MEN

- Imprisonment
- Physical violence, torture, death
- Economic limitations and harassment
- Social exclusion

In what way does FoRB violations affect women differently than men?

Attacks on women are often

- *Hidden*
 - *Complex and multi-layered*
 - *Carried out by mainly non-State actors*
 - *Low risk*
 - *Blends in with general cultural patterns*
 - *Highly effective due to the ripple effect*
 - *More severe for converts and women from religious/belief minorities*
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Factors contributing to gender-based FoRB violations

- Patriarchal values, attitudes, systems and traditions
 - Intersection of social, economic and religious factors
 - Discriminatory laws and impunity
 - External pressures amplified by distorted response of the religious communities
 - Religious fundamentalism
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Discussion groups



1. Which of the violations on women's FoRB presented above do you recognize from your own context?
 2. What are some main obstacles for women to enjoy full FoRB in your context?
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