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**UNITED NATIONS, HUMAN RIGHTS,  
FREEDOM OF RELIGION OR BELIEF**

*The Tandem Project is a UN NGO in Special Consultative Status with the  
Economic and Social Council of the United Nations*

*Separation of Religion or Belief and State*

**ISSUE**

**[Can a person who is Muslim choose a religion other than Islam?](#)**

*Human Rights Lesson – Coercion and Freedom to Choose* on Article 18 of the International Covenant on Civil and Political Rights and the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief.

The question *Can a person who is Muslim choose a religion other than Islam?* is from an article in *The Economist* asked of Ali Gomaa, Grand Mufti of Egypt: <http://www.aligomaa.net/>. Shari'ah Law is a respected religious paradigm linked here to Human Rights Law, a secular paradigm on Freedom of Religion or Belief: [Cairo Declaration on Human Rights in Islam](#)

**Objective**

*Separation of Religion or Belief and State*

The right of all persons to their own values, cultural identity and core principles based on religion or belief, separate from the state *in tandem with* international human rights law on freedom of religion or belief for the common good.

Lesson: [http://www.tandemproject.com/part2/article1/art1\\_2.htm](http://www.tandemproject.com/part2/article1/art1_2.htm)

Reply: [http://www.tandemproject.com/databases/forms/card\\_int.htm#1\\_2](http://www.tandemproject.com/databases/forms/card_int.htm#1_2)

Surely one of the best hopes for humankind is to embrace a culture in which religions and other beliefs accept one another, in which wars and violence are not tolerated in the name of an exclusive right to truth, in which children are raised to solve conflicts with mediation, compassion and understanding.

*Can a person who is Muslim choose a religion other than Islam?* In *The Economist* article many Muslims found it an affront to Islamic traditions and cultural norms to even ask the question. For others, Muslims and non-Muslims, not to have the right to change one's religion or belief is seen as coercion and a challenge to the universality of human rights.

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**BACKGROUND**

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## **International Human Rights Law on Freedom of Religion or Belief**

International human rights law on freedom of religion or belief protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief*, - General Comment 22 on Article 18 of the International Covenant on Civil and Political Rights. Some Parties to the Covenant sign and ratify with Reservations: <http://www2.ohchr.org/english/bodies/hrc/index.htm>

The General Comment on Article 18 of the Covenant provides equal protection against discrimination for all members of all religions and beliefs or no belief.

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/9a30112c27d1167cc12563ed004d8f15?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/9a30112c27d1167cc12563ed004d8f15?Opendocument)

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### **2007 - UN Human Rights Council Resolution Adopted Without Consensus**

Resolution A/HRC/6/L.15/Rev.1 sponsored by Portugal in 2007 on behalf of the European Union (EU) was **not adopted by consensus** in the sixth session of the UN Human Rights Council. Abstentions were based on objections from Pakistan speaking on behalf of the 57 country Organization of the Islamic Conference (OIC) that **norms in Muslim countries prohibit leaving Islam as a religion** and were not being honored in the draft resolution.

[http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_6\\_37.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_6_37.pdf)

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### **2011- UN Human Rights Council Resolution Adopted By Consensus**

#### **Resolution A/HRC/16/18 - Combating Intolerance, Negative Stereotyping, Discrimination and Incitement to Violence & Violence Against Persons Based on Religion or Belief**

*Introduced by Pakistan on behalf of the Organization of the Islamic Conference (OIC) adopted by consensus without a vote by the UN Human Rights Council on 24 March 2011.*

[UN Human Rights Council Panel Discussion - Culture of Tolerance and Peace - 14 June 2011](#)

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### **Somalia: Draft Shari'ah Law**

The *Human Rights Lesson – Coercion and Freedom to Choose* uses the Draft Constitution of the Federal Republic of Somalia. The Draft Constitution of the Federal Republic of Somalia has 179 articles under Shari'ah Law. Article 22, Freedom of Religion and Belief, states **no Muslim can renounce Islam**. Each constitution under Shari'ah Law has different wording but the Organization of Islamic Conference (OIC) countries seem to agree, **constitutions, national laws and religious norms** prohibit leaving Islam.

[FINAL CDC 30 July ENG](#); [FINAL ISSUES QUESTIONS 30 JULY ENG](#); [Final Main Consultation 30 July - ENG](#)

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## Conference, Course and Questionnaire

The Tandem Project 1986 international conference on *Tolerance for Diversity of Religion or Belief*: <http://www.tandemproject.com/tolerance.pdf>. still relevant in 2011.

The Tandem Project Internet Course on the 1981 UN Declaration on Freedom of Religion or Belief: <http://www.tandemproject.com/toc/toc.htm>

Indicators to measure **inclusive and genuine** awareness and understanding of International Human Rights Law on Freedom of Religion or Belief. [QUESTIONNAIRE](#)

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**The Tandem Project** a non-governmental organization (NGO) founded in 1986 to build understanding, tolerance, and respect for diversity of religion or belief, and to prevent discrimination in all matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference material and programs on Article 18 of the International Covenant on Civil and Political Rights- Everyone shall have the right to freedom of thought, conscience and religion – and the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

*In 1968 the United Nations deferred work on a legally-binding treaty on religious intolerance as too complex and sensitive and passed a non-binding declaration in its place. The Tandem Project believes until a core legally-binding human rights Convention on Freedom of Religion or Belief is adopted international human rights law will be incomplete. It may be time to begin to consider reinstating the 1968 Working Group to bring all matters relating to freedom of religion or belief under one banner, a core international human rights legally-binding treaty.*