

# **Human Rights and Religious Freedom**

## **FINAL REPORT**

*Baghdad, December 18<sup>th</sup>-19<sup>th</sup>, 2016*

This International Seminar has been organized in continuity with the conference on *Freedom of conscience, thought and religion: what limits to social, economic and cultural progress?* held in Treviso on September 18-19, 2015, under the auspices and with the support of the Italian Ministry of Foreign Affairs and International Cooperation (MAECI), as well as the Italian Inter-ministerial Human Rights Committee (CIDU).

The International seminar has sought to stimulate and facilitate discussion on how to re-establish a more positive and balanced relationship between the “religious” and “political” dimensions, and between the political-institutional and social-communitarian spheres.

All the participants have been invited to reflect on the relationship between human rights, diversity and pluralism as well as the current development of the phenomena of religion-based violence and hatred in our societies.

The International seminar has been structured as an open and neutral venue of discussion. It has aimed at fostering and building confidence among all the participants as well as conveying a shared understanding on the issues discussed.

### [\*\*Main aims of the International seminar\*\*](#)

The International seminar in Baghdad has been structured along two precise cognitive axes:

1 – The first focused on the nexus between the legal dimension, religious pluralism, diversity and individual rights. Participants have been invited to discuss the relationship between the state, the community and the individual as well as the role of the religious factor within the public sphere.

2 – The second was devoted to analyzing the relationship between politics, religion and identity. Participants have been invited to discuss the importance of religious freedom as a principle useful both in promoting mutual recognition and defusing religion-based violence as well as unmasking manipulation of the religious message for political purposes.

### Main results of the International seminar

The two-day seminar made it possible to define the following analytic framework:

1. In essence, the participants agreed about the need to overcome the conviction that the sectarian question can be resolved solely by religious authorities and through inter-religious dialogue. The roots and logics of sectarianism firstly lie in socio-political dynamics. Nevertheless, while aware that the harshness of the current conflict is tied to a power-struggle masked by often artificial identity dynamics, everybody agreed on the importance of active and constant commitment by religious authorities. They have the responsibility to free minds from ignorance and prejudice and to foster dialogue to recognize the real content of the current polarization.
2. From this standpoint, sectarianism stems from the actions of certain politicians who have exploited people's attachment to religion to promote their own interests, inevitably also triggering the scourge of terrorism. Religious sectarianism is therefore also the result of polarizing and politicizing religion on the institutional plane. However, the solution cannot simply be to isolate religion from public life but to include it in as a pillar for developing a healthy and inclusive society with shared values. This can make it possible to effectively deal with crisscrossing manipulations and accusations.
3. Religions are therefore called upon to urgently rethink their role and position in contemporary societies, without, however, relinquishing any part of their own "authenticity". It is first necessary to recognize that people should recognize to be at the service of religion. Secondly, men of religions have to publicly and unanimously declare contrary to any manipulation and use of violence in the name of religion against any living being.
4. In Iraq, peace and coexistence should be pursued opening a new discussion on the concept of "homeland" as a factor/principle able to unite all the people and ethno-religious communities of the country around a set of shared values. This may also lead to the political compromise that the country requires to resist the numerous foreign influences and interferences that have made it the scene of regional proxy wars.
5. There must be a new discussion of how institutions should function, so that principles like religious freedom (included in the constitution) can really become an active part of the country's society and political life, beyond solely and simply declaiming it.
6. There is the need to actively promote Iraq as a civil state (*al-dawla al-madaniyya*), making it a broad and inclusive sphere in which everyone can recognize themselves. The civil state is incompatible with the "state of tribes" or "of the communities" nor it should be considered the cover for a *de facto* "religious state", as many actors have interpreted in the post-Saddam epoch.

7. This conviction conflicts, in fact, with reality and the situation that to date has characterized the country. The principle of religious freedom has not been truly applied. Minorities have not been protected but have become the scapegoat for the failures and appetites of politics. Religious authorities are at fault, too, in not having declared themselves unanimously and publically in favor of a civil state. This has given wide margin for action to those intending to manipulate religious and community issues.
8. Furthermore, there still remains laws (inherited from the epoch of Saddam) that limit the possibility of concretely promoting religious freedom and defending pluralism. These difficulties can be plainly seen in the fact that in ten years it has not been possible to create a unified tribunal for religious affairs, although it is foreseen in the constitution.
9. This condition leads to a double knot, which must be undone on the political as well as on social levels:
  - a. The growing polarization and politicization of denominations within Islam has wound up by negating aspirations to and the creation of a civilian state. Each group tends to seek social and political hegemony and not inclusion and sharing, inevitably strengthening the polarization between the country's different religious communities.
  - b. It is therefore fundamental to go beyond the sole dimension of political or institutional recognition of the different communities and denominations living in the country. The new constitution introduced the themes of protecting human rights and safeguarding pluralism, but they have been ignored and have not penetrated into society.
10. It is necessary to promote new routes of civic education and of knowledge about other religions as well as denominations within Islam, not only one's own. This can effectively contribute to develop attachment and understanding of the richness of the Iraqi homeland. Accordingly, the Ministry for Higher Education's programs and its 13 dedicated projects (such as publishing a new manual on Islam, its history and the Arabic language) should be supported and further developed to promote a culture of coexistence, mutual recognition and acceptance, fighting ignorance and prejudice of the "Other" and contrasting the manipulation of religion.
11. At the same time, it should be borne in mind that the threat of Daesh goes beyond the simple notion of security, presenting a challenge also from the ideological and social standpoints. Its eventual defeat in Mosul is not, from this point of view, to be considered definitive. To be dealt with, in fact, is the issue of the psychological wounds inflicted by these years of the Daesh regime, as well as the pressing problem of young people's lack of opportunities and the complex political and institutional legacy of the Saddam and post-Saddam era. These issues are considered extremely urgent. Therefore, it is necessary to promote organic projects, with an equal focus to restore basic services and confidence-building, in order to bring back to their homes refugees and internal displaced peoples, paying particular attention to the return of minorities.

Accordingly, Mosul could become the litmus test for new policies more inclusive Iraq.

12. Finally, it is strategic to establish international/joint centers and programs to research and map “terrorist geography” as well as to devise counter-narratives. Precisely this issue aroused the great interest of the participants, who declared themselves willing to strengthen joint research work and promote new projects.

### Proposals and future recommendations

At the end of the two-day seminar these general recommendations emerged:

1. It is necessary to support the development of a civil (or citizens’) state system (*al-dawla al-madaniyya* or *dawla al-muwatana*). Iraq must become a country in which to freely live the relationship between individual and God without this influencing the nature of the state and the position of each citizen within the public sphere. To do so it is important first of all to deal with the issue of registering religious affiliation on documents.
2. It is necessary to reform the law on the protection of minorities, passing specific laws regarding religious hatred.
3. It is necessary to put stakes on civic education and the dissemination of reciprocal knowledge of different religions and denominations, for the purpose of educating citizens and the new generations to the value of religious freedom and its political-social function. The hinge-pins of this long-term goal are schools, whose programs require profound reforms.
4. It is important to continue on the path of dialogue and cooperation between religious, political-institutional and academic representatives, creating mixed (Iraqi-international) committees to promote joint research and study projects, analyze the geography and geopolitics of contemporary terrorism and devise shared work to combat it and provide a counter-narrative.
5. All the participants hoped for a third meeting (after Treviso and Baghdad) sponsored by the Italian Ministry of Foreign Affairs and International Cooperation and Iraqi counterparts, to continue the discussions begun and to further formulate concrete proposals.

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*Authored by the Center of Research on the Southern System and the Wider Mediterranean (CRiSSMA), Catholic University of the S. Heart, Milan, January 2017*