

Research Paper

# Debating the freedom of religious expression in nations affected by terror attacks and/or threats

## **Chair's note:**

*While this research paper does not focus too much on developments in the second half of 2016, as little data and statistics from reknown government and non-government agencies are available so far, be sure to consider recent developments when debating this issue at the conference. As new information becomes available, do take it into account. Don't forget to do your own research in addition to reading this research paper, especially about the situation in the member state that you are representing and the government's position on related issues.*

## **Freedom of religious expression**

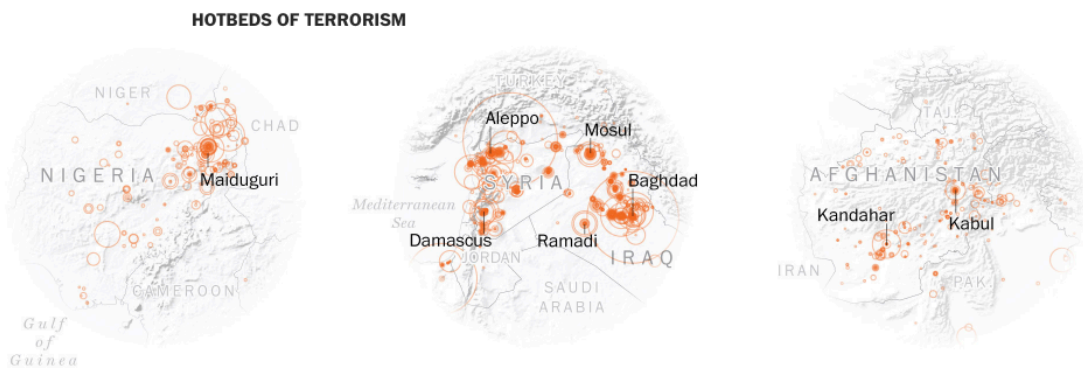
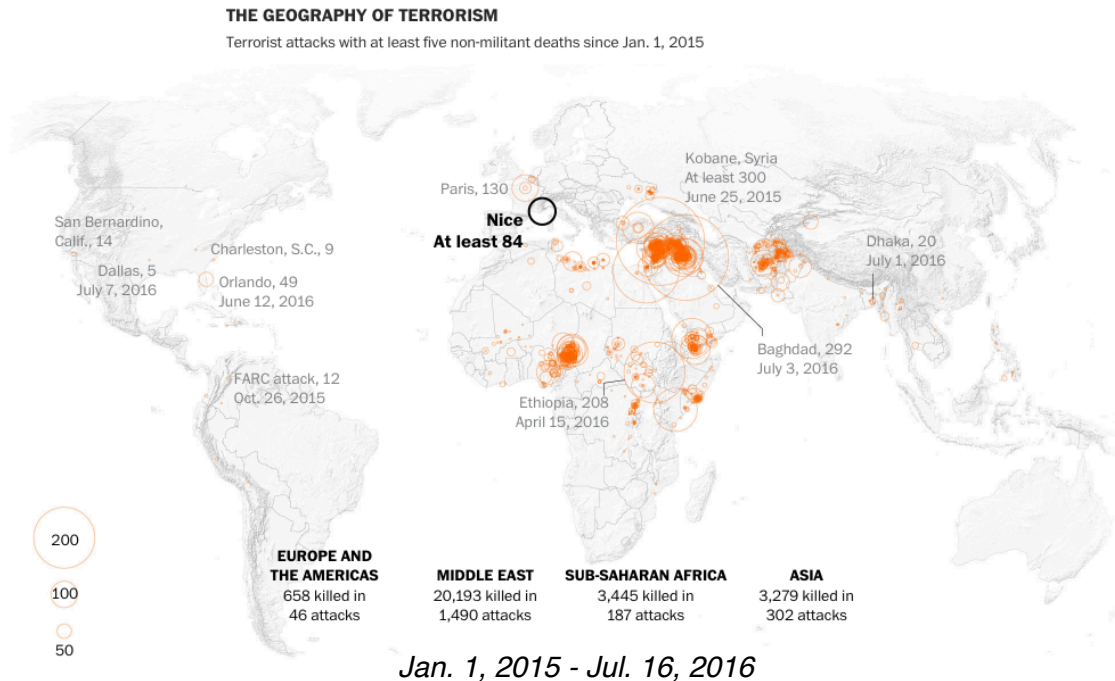
The freedom of religious expression is rooted in Articles 18 and 19 of the Universal Declaration of Human Rights, which was proclaimed and adopted by the United Nations General Assembly in 1948. Article 18 of the declaration grants every person the «right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance»<sup>1</sup>. Article 19 of the declaration further grants every person the «right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers»<sup>2</sup>. Together these two articles grant the freedom of religious expression. At the same time, however, Article 29 of the declaration allows for a certain level of limitation of those rights for the purposes of «securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society»<sup>3</sup>. The interpretation of this article by different member states varies and therefore so do the limitations constitutionally acceptable in each member state - what might be considered a human rights breach can be considered a just requirement for morality, for example, in another.

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<sup>1</sup> *Universal Declaration of Human Rights*; United Nations

<sup>2</sup> *Universal Declaration of Human Rights*; United Nations

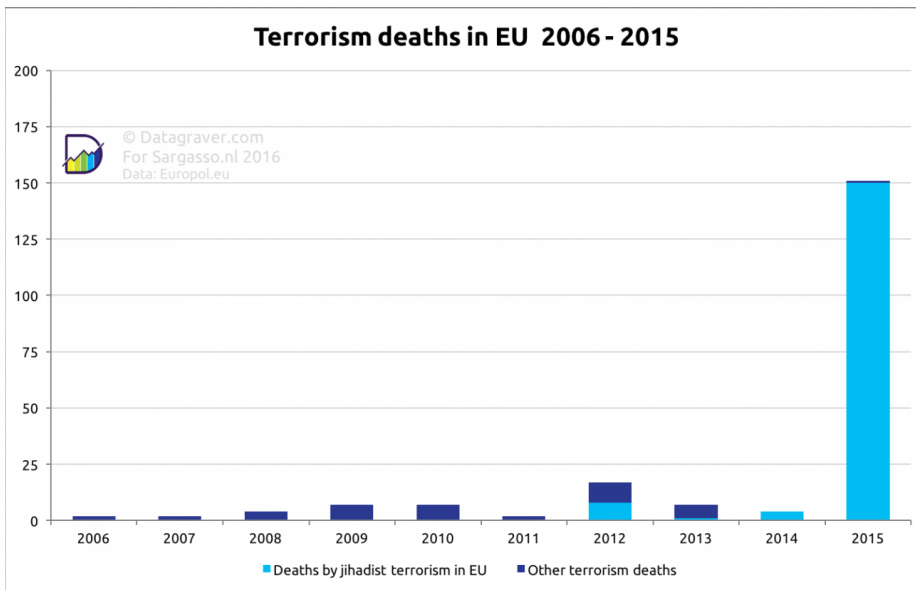
<sup>3</sup> *Universal Declaration of Human Rights*; United Nations



## Countries most affected by terrorism

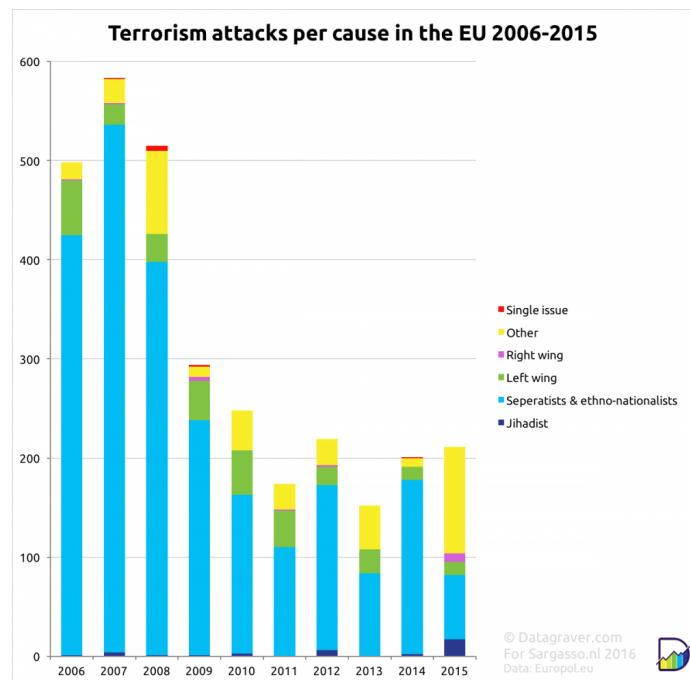
Terrorism and the threat of terrorism continue to grow as some of the most important political topics in both the United States and the European Union, despite these regions actually being only marginally affected by this problem compared to other parts of the world. 80% of voters in the 2016 US Presidential election indicated that terrorism was «very important» to their vote<sup>4</sup>. This paradoxical situation, however, has a rational explanation. Terrorist attacks have become so rare in the West in the past decades, that Westerners have become used to their absence. Because of this, the huge percentual increase in the number of victims of terrorism in 2015 came as an enormous shock to Western society, despite the total number of victims still being negligible compared to the amount of victims elsewhere. 151 people were killed by terrorism in the EU

<sup>4</sup> 2016 Campaign: Strong Interest, Widespread Dissatisfaction (4. Top voting issues in 2016 election); Pew Research Center; 7. 7. 2016



in 2015<sup>5</sup>, while 6960 people were killed by terrorism in Iraq in the same year<sup>6</sup>, a country with less than one fifteenth of the population of the EU - that is an enormous more than 700 times larger terrorism fatality rate per capita. Terrorism killed only 4 people in the EU in 2014.<sup>7</sup>

International tourism is one of the largest global industries and many developing countries heavily rely on it. Tourists themselves are not the only contributors, the tourism industry is also a large source of foreign direct investment (FDI) for many developing countries. Terrorism and threats of terrorism have a heavy impact on the demand for visiting certain regions. Terrorism can hurt the incomes of developing countries not only through smaller interest of tourists, but in the long term also through significantly reducing FDI<sup>8</sup>. The amount of visitors to Tunisia reduced by 25% annually between 2014 and 2015 after the terrorist attacks in Sousse<sup>9</sup>.



<sup>5</sup> 211 Terrorist Attacks Carried Out In EU Member States In 2015, New Europol Report Reveals; Europol; 20. 7. 2016

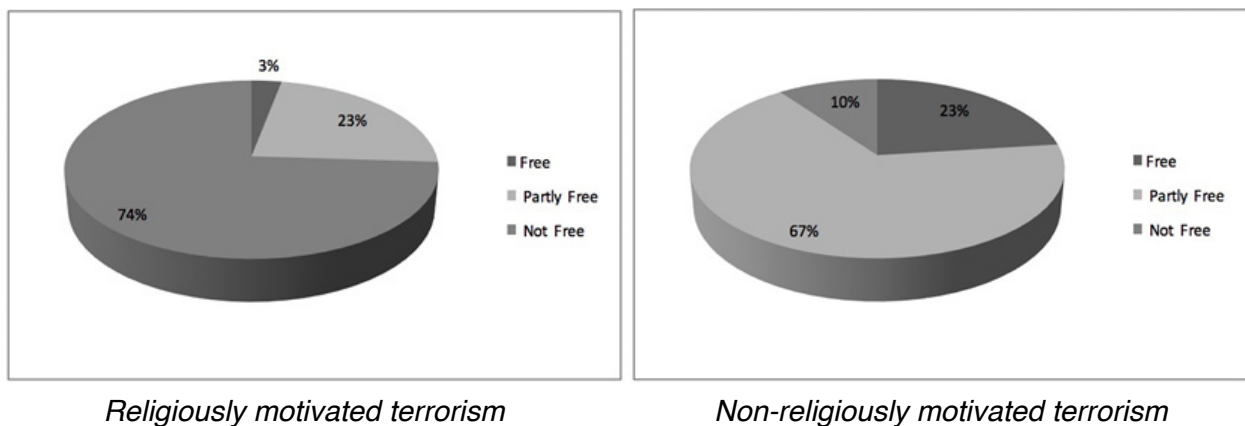
<sup>6</sup> Dominic Dudley: *The Ten Countries Most Affected By Terrorism*; Forbes; 18. 11. 2016

<sup>7</sup> *European Union Terrorism Situation and Trend Report 2016*; Europol; 20. 7. 2016

<sup>8</sup> Konstantinos Drakos, Ali M. Kutan: *Regional Effects of Terrorism on Three Medditerranean Countries*; October 2003

<sup>9</sup> Tunisian Ministry of Tourism and Handicrafts: *Tourism in figures*

Are the countries most affected by terrorism necessarily the same as the countries with the greatest social impact of terrorism? Moreover, are the consequences of terrorism different in developed and developing countries? As terrible as the impact of terrorism is on the thousands of people whose relatives and friends are killed by terrorist attacks every year in countries such as Iraq, Nigeria, Syria, Afghanistan, Pakistan or Libya, are those also the countries where society in general is most affected by it? Terrorism doesn't seem to be such an important political topic in these countries. It does however have a large impact on economic development, since economic effect of terrorism, on the other hand, is accentuated especially in developing countries.



## Religion and terrorism

While religiously motivated terrorism is not very common in the West compared to other motives, its proportion grew significantly in 2015. Moreover, religiously motivated attacks are generally deadlier compared to attacks with other motives. In other parts of the world, however, religiously motivated attacks are a lot more common. In fact, the amounts of religiously-motivated attacks and non-religiously-motivated attacks are completely different in countries with different levels of freedom<sup>10</sup>.

Research shows that the lower the level of *religious security*, ie. the level of physical security of persons of a minority faith if they publicly express their religion, the higher the tendency for religion to turn violent. Religious security is most often compromised by «government restrictions on religious practice in the forms of unfavorable laws, violent state suppression, or cooptation of religious institutions, [...] domestic or international conflict, religiously-based social hostilities and persecution, bellicose religious doctrines, and so forth.»<sup>11</sup> When (a) faith becomes targetted in any of those ways, it is the perfect breeding ground for radical political theologies and religious extremists claiming that their religion is under attack. An absence of support from the state or from society can

<sup>10</sup> Nilay Salya: *Religion, Democracy and Terrorism*; Perspectives on Terrorism; Volume 9, Issue 6 (2015)

<sup>11</sup> Nilay Salya: *Religion, Democracy and Terrorism*; Perspectives on Terrorism; Volume 9, Issue 6 (2015)

further make it compelling for many to take matters into their own hands. The isolated and radicalized groups created by the absence of religious security can then use any means possible to resist the group or government that they believe are attacking their religious identity.

Despite all the evidence for the contrary, many in Western liberal democracies believe that the suppression of religious expression can help prevent terrorism. Research, however, proves the exact opposite. In states with true freedom of religion - where people are free to believe in whatever they want and practice their religion however they want, there is less perceived danger and a smaller need to fight against an oppressor. «As countries transition toward greater religious tolerance and inclusivity, the subsequent strengthening of religious security reduces the necessity of violence on the part of religious adherents.»<sup>12</sup>

## Timeline of important events

*DD/MM/YY*

25/07/95	Paris (France)	Armed Islamic Group	8 killed, 150 injured
11/09/01	NY, VA (USA)	al-Qaeda	approx. 3000 dead
11/03/04	Madrid (Spain)	al-Qaeda	192 killed, 1800 injured
07/07/05	London (UK)	al-Qaeda	52 killed, 100+ injured
03/01/15	Baga (Nigeria)	Boko Haram	150-2000 killed
07/01/15	Paris (France)	Daesh-inspired	12 killed
04-05/02/15	Fotokol (Cameroon)	Boko Haram	91+ killed
20/03/15	Sanaa (Yemen)	Daesh	137 killed
02/04/15	Garissa (Kenya)	Al-Shabab	147+ killed
25/06/15	Kobani (Syria)	Daesh	154+ killed
17/07/15	Mosul (Iraq)	Daesh	76+ killed
20/09/15	Borno (Nigeria)	Boko Haram suspected	145+ killed, 150+ injured
10/10/15	Ankara (Turkey)	Daesh suspected	103 killed, 200+ injured
31/10/15	Sinai (Egypt)	Daesh	224 killed
14/11/15	Paris (France)	Daesh	127 killed, 100 injured
11/01/16	Sharaban, Baghdad	Daesh	132 killed
17/05/16	Baghdad (Iraq)	Daesh	101+ killed, 194+ injured
03/07/16	Baghdad (Iraq)	Daesh	341 killed, 246 injured
14/07/16	Nice (France)	Daesh	87 killed, 434 injured
23/07/16	Kabul (Afghanistan)	Daesh	97+ killed, 260+ injured
08/08/16	Quetta (Pakistan)	Taliban	94 killed, 120+ injured
19/12/16	Berlin (Germany)	Daesh suspected	12 killed, 56 injured
01/01/17	Istanbul (Turkey)	Daesh	39+ killed, 70+ injured

<sup>12</sup> Nilay Salya: *Religion, Democracy and Terrorism; Perspectives on Terrorism; Volume 9, Issue 6 (2015)*

## Suggested further reading

- *Global Terrorism Index 2015* (<http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf>)
- *European Union Terrorism Situation and Trend Report 2016*; Europol; 20. 7. 2016 ([https://www.europol.europa.eu/sites/default/files/publications/europol\\_tesat\\_2016.pdf](https://www.europol.europa.eu/sites/default/files/publications/europol_tesat_2016.pdf))
- *Annual Report on the State of Freedom of Religion or Belief in the World 2015* (<http://www.religiousfreedom.eu/2016/06/30/annual-report-on-the-state-of-freedom-of-religion-or-belief-in-the-world-2015-2016/>)
- *The Right to Freedom of Expression and Religion*; Icelandic Human Rights Center (<http://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/substantive-human-rights/the-right-to-freedom-of-expression-and-religion>)

## Other sources

- *Universal Declaration of Human Rights*; United Nations ([http://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf))
- Dominic Dudley: *The Ten Countries Most Affected By Terrorism*; Forbes; 18. 11. 2016 (<http://www.forbes.com/sites/dominicdudley/2016/11/18/countries-most-affected-by-terrorism/#a0aaf489d42b>)
- *Europol Reports: Terrorism In the EU 2006-2015*; Datagraver; 20. 7. 2016 (<http://www.datagraver.com/case/europol-reports-terrorism-in-the-eu-2006-2015>)
- *211 Terrorist Attacks Carried Out In EU Member States In 2015, New Europol Report Reveals*; Europol; 20. 7. 2016 (<https://www.europol.europa.eu/newsroom/news/211-terrorist-attacks-carried-out-in-eu-member-states-in-2015-new-europol-report-reveals>)
- *2016 Campaign: Strong Interest, Widespread Dissatisfaction (4. Top voting issues in 2016 election)*; Pew Research Center; 7. 7. 2016 (<http://www.people-press.org/2016/07/07/4-top-voting-issues-in-2016-election/>)
- Nilay Salya: *Religion, Democracy and Terrorism*; Perspectives on Terrorism; Volume 9, Issue 6 (2015) (<http://www.terrorismanalysts.com/pt/index.php/pot/article/view/471/html>)
- Lazaro Gamio and Tim Meko: *How terrorism in the West compares to terrorism everywhere else*; The Washington Post; 16. 7. 2016 (<https://www.washingtonpost.com/graphics/world/the-scale-of-terrorist-attacks-around-the-world/>)
- Philip Keefer, Norman Loayza: *Terrorism, Economic Development, and Political Openness*; 2008 (<https://books.google.cz/books?hl=cs&lr=&id=tzQobMX-nNAC&oi=fnd&pg=PA17&dq=effects+of+terrorism+on+developing+countries&ots=wGI>)

[38mpTrk&sig=QZTYffmhrxBRac0eBnozTJgMJ6l&redir\\_esc=y#v=onepage&q=tourism&f=false](#)

- Konstantinos Drakos, Ali M. Kutan: *Regional Effects of Terrorism on Three Mediterranean Countries*; October 2003 (<http://journals.sagepub.com/doi/pdf/10.1177/0022002703258198>)
- Tunisian Ministry of Tourism and Handicrafts: *Tourism in figures* (<http://www.tourisme.gov.tn/en/achievements-and-prospects/tourism-in-figures/figures-2015.html>)

## Research Paper

**RESOLVING CULTURAL AND LOGISTICAL OBSTACLES TO CONTRACEPTIVES: PROMOTING SOCIAL AND ECONOMIC RIGHTS OF WOMEN**

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**KEY TERMS**<sup>13</sup>

**Abortion:** „The deliberate termination of a human pregnancy, most often performed during the first 28 weeks”

**Contraceptives:** „serving to prevent pregnancy”

**Emergency Contraceptives:** „A contraceptive pill that is effective if administered within a specified period of time after sexual intercourse”

**Sexually Transmitted Disease (STD):** „A sexually transmitted disease.”

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**BACKGROUND INFORMATION**

Reproduction is not only one of the basic needs of all living organisms, but reproductive rights are also amongst those that should be ascribed to everyone. In other words, such sexual and reproductive rights should include, among others, the right to decide whether or when and how many children one wants to have. Issues concerning this topic include awareness and accessibility of contraception and its emergency alternatives.

According to the latest estimates provided by the World Health Organisation, 222 million women do not have needed contraception at their disposition. In some developing countries, 6 out of 10 women who do not wish to get pregnant or want to delay their pregnancy are not using any means of contraception.<sup>14</sup> Those societal layers affected the most by unmet need for contraception tend to be the most vulnerable ones, such as adolescents or the poor. In such situations, not only contraception, but also abortion is found too expensive by expectant mothers, which then might turn to self-induced abortions, a very dangerous practice which leads not only to the death of the foetus, but also often to the death of the mother.

If sufficient means of contraception were provided to these population groups, 54 million unintended pregnancies, 26 million abortions, 7 million miscarriages, 79,000 maternal deaths and 1.1 million infant deaths could be prevented on average every year according to WHO.<sup>15</sup>

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Contraception has numerous health benefits, including the decreased maternal and infant mortality and morbidity due to preventing unwanted pregnancies. The UNFPA estimates that out of the 80 million women who experience unintended pregnancies every year, 45 million undergo abortions.<sup>16</sup> On top of that,

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<sup>13</sup> <https://en.oxforddictionaries.com/>

<sup>14</sup> World Health Organization. (2014). *Ensuring human rights in the provision of contraceptive information and services: guidance and recommendations*. World Health Organization.

<sup>15</sup> World Health Organization. (2014). *Ensuring human rights in the provision of contraceptive information and services: guidance and recommendations*. World Health Organization.

<sup>16</sup> Anna Glasier et al., Sexual and reproductive health: a matter of life and death, 368 *Lancet* 1595, 1607 (2006) [hereinafter *A matter of life and death*].



according to the UNFPA, approximately 33 million people worldwide are living with HIV<sup>17</sup>, and there are about 340 new cases of curable STIs in adults aged 15-49 every year.<sup>18</sup> It is likely that with more accessible contraceptive means and services, a lot of these diseases could be prevented. The UNFPA determined that up to 150,000 maternal deaths and 25 million induced abortions could be prevented annually worldwide if the current need for contraceptives was met.<sup>19</sup>

Particularly adolescents would benefit from being provided with sufficient contraception as adolescent girls are at an increased risk for medical complications such as miscarriages or other medical issues associated with pregnancy, as well as have to undergo compromises in education and employment, often leading to poverty, lack of education and overall insufficient living conditions and an unhealthy environment for both the mother and child to live in. All of these aspects are included in both international and regional treaties, as well as in national constitutions and laws which state that human rights include the right to non-discrimination, the right to life, survival and development, the right to the highest attainable standard of health, and the rights to education and information. Because the use of contraception falls in, but at the same time interferes, with some of these rights, it has naturally become a sensitive issue whether contraceptives should or should not be freely accessible, eventually in which cases they should or should not be allowed.

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## WHAT IS BEING DONE ABOUT IT

The World Health Organisation has it as its aim to provide assistance to all Member States to help them achieve the highest attainable standard of life. According to the International Conference on Population and Development (ICPD) which took place in 1994, reproductive health and rights are significant components that determine the quality of living conditions, and as such are not only important for individual health and well-being, but also play a significant role in the question of women's empowerment and gender equality.

In 2004, the World Health Organisation adopted a reproductive health strategy which included access to contraceptive information and services, while promoting and protecting human rights. Similarly for example in Kenya in 2006, the Kenyan Ministry of Public Health and Sanitation, along with two nongovernmental organisations, collaborated to launch an initiative which aimed at increasing the overall awareness about Emergency Contraception across the country, as well as to improve the quality of EC services in Kenya. The outcomes of the steps taken showed a dramatic increase in public awareness as well as the utilisation of EC. Another big success in the recent history of contraception occurred in Romania where, in 2001, the Ministry of Health and Family set aside considerable funds to provide free contraceptives to eligible women. Also in 2001, it launched a very successful Family Health Initiative which provided free contraceptives to low-income families, resulting in the decrease of abortion rates from 2.2 abortions per woman in 1999 to 0.84 in 2004.

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<sup>17</sup> Joint United Nations Program on HIV/AIDS, UNAIDS Report on the Global AIDS Epidemic 2010 7 (2010), available at [http://www.unaids.org/documents/20101123\\_GlobalReport\\_em.pdf](http://www.unaids.org/documents/20101123_GlobalReport_em.pdf).

<sup>18</sup> World Health Organization (WHO), Sexually transmitted infections, Fact sheet No. 110 (2007), available at <http://www.who.int/mediacentre/factsheets/fs110/en/index.html>.

<sup>19</sup> Ibañez, X. A., Phillips, S., Fine, J., & Shoranick, T. The right to contraceptive information and services for women and adolescents. Briefing paper.

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## IMPORTANT INSTITUTIONS

### **Amnesty International**

#### **Global Strategy for Women's and Children's Health**

- Aims to end all preventable deaths of women, children and adolescents, and ensure that they not only survive, but also thrive and transform the world.
- Focus on key areas that affect health, including: insurance, electricity, clean water, information and communication technology, training, medical equipment, nutrition and food safety.

#### **- Every Woman Every Child**

A global movement launched by the ex-Secretary-General Ban Ki Moon to address the major health issues facing women, children and adolescents throughout the world.

#### **The United Nations Population Fund (UNFPA)**

- Women's and adolescents' right to contraceptive information and services is grounded in internationally recognised human rights. These include:
  - The right to life
  - The right to the highest attainable standard of health
  - The right to decide the number and spacing of one's children
  - The right to privacy
  - The right to information
  - The right to equality and non-discrimination

#### **the Committee on the Rights of the Child & the Committee on the Elimination of Discrimination of Women (CEDAW)**

- Both have recognised adolescents' right to contraceptive information and services.
- Adolescents, however, still frequently encounter significant barriers to accessing contraceptive information and services, leading to high rates of unintended pregnancy and increased risk of contracting HIV and STIs.

#### **The Convention on the Rights of Persons with Disabilities**

- Explicitly recognises that individuals with disabilities have the right to "decide freely and responsibly on the number and spacing of their children, and to have access to age-appropriate information, reproductive and family planning education."

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## LIMITATIONS WHICH PREVENT A SOLUTION

Some countries value for example the right to life, survival and development more than the right to education and information or other rights concerning adolescent women, and as such they tend to limit the availability of particular contraceptive methods, or they may not assure regular stocks and distribution of contraceptives at an affordable price throughout the country.

There are also two points of view on contraception, both with a large support group, and both of these clash in their stance towards the accessibility and distribution of contraception. These two points of view could be summarised as „all potential children have the right to live” and „all potential mothers have the right to live (their life how they want to)”. In the first case, contraception is often criticised as it is undoubtedly very difficult to determine when a foetus becomes a child, and therefore when an abortion is a murder, as well as whether it is not a crime against life to prevent new lives from happening. However, the second opinion states that all potential mothers should have the right to avoid any medical problems that might be brought about by their pregnancy. This is an important issue mainly concerning adolescent pregnancy, but could arise for women of all generations. In such cases, a pregnancy might be dangerous both for the mother and the child. The most obvious human right violated by avoidable death in pregnancy or childbirth is women’s fundamental right to life itself. It is therefore arguable that the minimum that governments are obligated to provide all potential mothers with is the access to affordable health services as well as safe abortion or other services that would prevent maternal mortality.

- Countries from the HRC with very high maternal mortality rates:<sup>20</sup>
  - Chad (2nd in the world)
  - Egypt (92nd)
  - Iraq (98th)

Some countries support the first view more than the second one, and vice versa, however, there are cases when countries do not legally abide to the laws they have established concerning this issue. For example, according to reports from Mexico, one fourth of women that have been sterilised claim that they had not been informed about its irreversible nature or about alternative contraceptive methods, while two fifths claim that they had not signed a consent form prior to receiving the sterilisation surgery. This, of course, is illegal in Mexico, but in this case *de jure* is something else than *de facto*. This is in violation with women’s right to autonomy and informed consent and it is believed that countries should do more to educate women about family planning and contraceptive means and services.

Another limitation which sometimes prevents the distribution of contraceptives is religion. Even though not all religions have a negative stance towards contraception, some religions still tend to uphold the conservative view and state that that none or not all forms of contraception are permitted. Islam, for example, is of the opinion that contraception should be allowed in special cases; it is, however, sometimes hard to determine which cases would be considered special and which not.

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## CONCLUSION

States and the international donor community might not have done enough to offer adequate resources for contraception or to assure sufficient education about family planning and contraceptive services which should include appropriately trained staff offering a full range of methods within easy reach of the entire population. According to the UN standards and passed treaties, such states should be obligated to review those laws and conventions that limit access to contraceptive means and services in such a way.

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<sup>20</sup> *The World Factbook* 2013-14. Washington, DC: Central Intelligence Agency, 2013 .

## Important links:

- [http://apps.who.int/iris/bitstream/10665/102539/1/9789241506748\\_eng.pdf](http://apps.who.int/iris/bitstream/10665/102539/1/9789241506748_eng.pdf)
- <http://www.who.int/life-course/partners/global-strategy/global-strategy-2016-2030/en/>
- <http://www.un.org/womenwatch/daw/csw/shalev.htm>
- <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2223rank.html>
- <https://www.unfpa.org/sites/default/files/resource-pdf/Contraception.pdf>
- <http://www.fpa.org.uk/factsheets/religion-contraception-abortion>
- <http://www.everywomaneverychild.org>