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## **Periodical Profile**

### **A human rights perspective to the declaration on Human Fraternity**

**Dr. Ibrahim SALAMA (\*)**

**Chief of UN Human Rights Treaties  
Branch/ Office of the United Nations  
High Commissioner for Human Rights.**

On February 4, 2019, His Holiness Pope Francis, Head of the Catholic Church and Sovereign of the Vatican City State, and His Eminence Dr. Ahmad Al-Tayyeb, Grand Imam of Al-Azhar, issued a joint declaration on “Human Fraternity for World Peace and Living Together” which they both signed in Abu Dhabi, the United Arab Emirates. Given both its context and content, this declaration is of an unprecedented significance. It deserves an inter-disciplinary approach to its follow up, given that the problems and solutions analysed in this declaration cover a wide variety of complex legal , political and social issues from a spiritual and yet pragmatic perspective. By solemnly adopting this declaration, H.H Pope Francis and H.E. Dr. Ahmad Al-Tayyeb forged a potential paradigm shift, amid dangerous international turmoil. The human fraternity declaration deserves the highest attention and dedicated follow-up by those whom the declaration addresses, including governmental and non-governmental actors, nationally and internationally. It is a momentum to seize and an aspiration to materialize.

Indeed, there are numerous points for action emanating from this declaration, particularly in relation to the role of faith in our contemporary societies, which are becoming increasingly multi-cultural and multi-religious. This fact heightens the risks of populism and xenophobia but it also offers an opportunity for enriched cohesive societies. The latter requires vision, leadership, rights based approach and empowered civil

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\* The article reflects the personal views of the author

\* Translated by: Mostafa Ahmady/ Former Press & Information Officer in Ethiopia



society, including faith actors. The declaration touches in particular upon the responsibilities and duties of faith actors towards security, development and human rights, be it formal religious institutions or religious civil society actors at national and international levels.

The transformative potential of the declaration on Human Fraternity is grounded in the fact that it contains three innovative characteristics. This declaration transcends the simplistic generalities of interfaith dialogues. It opens unprecedented horizons to produce change through action on the ground, be it at the individual or collective level, nationally and internationally. A result oriented reading of the declaration can inspire numerous projects at the grass root level onwards. Finally yet importantly, the content of the fraternity declaration is not confined to moral and spiritual values. It rather opts for a rights based approach. Indeed, the declaration formulates rights and responsibilities, not only among the followers of a given religious tradition, in accordance with the canon of that faith, but also among followers of different religions, theistic or not. The text of the declaration implies no constraints as to its ultimate foundation: “Human Fraternity”. The declaration is also of a distinct critical nature. Its critical tone of international developments and policies is unprecedented at this highest level of religious leadership. This is an innovative dimension because it sets out a paradigm shift towards inter-activeness that has been missing in the religious sphere as well as the role of religions in societies.

Our analysis of this important declaration embraces a rights based approach. This includes a comparative analysis of the content of the declaration on Human Fraternity in light of its corresponding international human rights norms and standards. These are enshrined in the United Nations human rights treaties and the related “soft law” that includes all international declarations related to various aspects of the relationship between religions and human rights.<sup>(1)</sup>

Our human rights reading of the declaration on Human Fraternity leads us to elucidate ten features that are worth contemplation. Before pointing out these ten features, it may be helpful to refer five overarching characteristics of this pioneering initiative, i.e. critical thinking, moral courage, participatory approach, universal vocation, as well as raising question marks whose answers require other stakeholders to get involved. The above confirms that what we have seen of this initiative is only a starting point. It constitutes a strongly recommended road map



by the highest spiritual authorities in the Christian and Muslim world for all relevant stakeholders to act together in synergy and sincerity to produce tangible needed results.

The very first feature of this historic declaration is expressed in the first word of its initial paragraph: Faith. This is not merely a terminological choice, but rather a fundamental conceptual feature. The Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights (ICCPR) have adopted-, in their Articles 18, the terms of “religion or belief”<sup>(2)</sup>; while the Declaration on Human Fraternity has adopted the term “faith”. This approach is both inclusive and comprehensive, given that faith is the ultimate core of all religions and beliefs. Since faith is the common denominator among all religions and beliefs, it has created a community of believers, in the fullest diversity this notion covers.

The Declaration has linked this universal concept of faith, with another concept that an equally universal concept: humanity<sup>(3)</sup>. It is noteworthy in this respect that the international definition, from human rights’ perspective, of religion or belief, according to the General Comment No. 22 of the UN Human Rights Committee extends to “theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.”<sup>(4)</sup>

The second feature of declaration on Human Fraternity, as defined in its introduction, is that it is not only a an expression of intent, but rather “invites all persons who have faith in God and faith in human fraternity to unite and work together so that it may serve as a guide for future generations.” This Declaration serves, therefore, as a plan of action and calls upon all concerned parties to approach it on that basis. Again, this is reiterated in the closing paragraph of the declaration which reads “The Catholic Church and Al-Azhar announce and pledge to convey this Declaration to authorities, influential leaders, persons of religion all over the world, appropriate regional and international organizations, organizations within civil society, religious institutions and leading thinkers. They further pledge to make known the principles contained in this Declaration, at all regional and international levels, while requesting that these principles be translated into policies, decisions, legislative texts, courses of study and materials to be circulated.”

Such an approach differs from many other declarations and recommendations that were only aimed at expressing a given position, with no



indication as to changing the situation on the ground. This joint declaration reflects a deep recognition, by the two supreme religious leaderships in their respective spiritual spheres of influence, of the range of the serious problems threatening our contemporary world in a double context of spiritual “vacuum” on one hand, and political exploitation of religions, on the other.

Moreover, the third feature of the declaration on Human Fraternity is its exhaustive nature in terms of defining diverse both the areas and the mediums required for its implementation. Giving effect to the principles, standards and approaches enshrined in the declaration requires that: “these principles be translated into policies, decisions, legislative texts, courses of study and materials to be circulated.” This approach coincides with the structure of and the methodology adopted by a key related international human rights standard, namely:-The “Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence” for 2012. The Plan of Action’s recommendations extend to include different sectors, namely legislation and jurisprudence, general policies, and the responsibilities of the clergy, mass media, and non-governmental organizations<sup>(5)</sup>.

The importance of the Rabat Plan of Action in terms of its correlation to the declaration on Human Fraternity is that the Rabat Plan of Action offers the most important medium for implementing the declaration on Human Fraternity. Indeed, the implementation of this declaration presupposes countering hate speech that incites violence and discrimination in the name of religion, in violation of Article 20 of the International Covenant on Civil and Political Rights. The Declaration calls upon “all concerned to stop using religions to incite hatred, violence, extremism and blind fanaticism, and to refrain from using the name of God to justify acts of murder, exile, terrorism and oppression”. This undoubtedly constitutes a prerequisite for equal dignity and cohesion within multicultural and multi-religious societies. The key message is clear: for this Declaration to bear fruit, it is necessary to link it to all related human rights norms and standards. This has been explicitly mentioned in the operative section of the declaration, which stipulates that : “This Declaration, while endorsing previous international instruments that have emphasized the role of religions in the construction of world peace, upholds the following...” This approach provides an explanation for the



“continued neglecting of declarations on countering fundamentalism and religious extremism”.<sup>(6)</sup>

This unfortunate phenomenon, i.e. the launching of many religion-based reform initiatives that remained ineffective, is attributable to two reasons: political and methodological. Politically speaking, many initiatives are initially conceived as a public relations aim in itself more than being a sincere attempt to produce real changes in society. This practice applies at both national and international levels. Such declarations are not only futile, but they are also confusing as they divert efforts and resources away from efficient and effective strategies and policies. From a methodological point of view, various declarations on countering discrimination and violence in the name of religion are never efficiently implementable in isolation from their corresponding human rights standards; Standards that define who owes what to whom. In addition, such declarations would never attain their objectives without monitoring mechanisms or in the absence of synergy and coordination among different implementation bodies. This is of a paramount importance for optimal performance, transfer of experiences, accumulation of expertise, and maximization of benefits.

The fourth key feature of the declaration on Human Fraternity is yet another key human rights fundamental concept: participation of all actors and interdependence between all sets of rights. The declaration is not religious-based in a narrow sense. It rather links religions, through their common foundation of faith, to the legitimate aspirations of all humankind in all fields of life. Humanity has sustained complaints to which governments alone could not respond effectively. The law and its national and international monitoring mechanisms is not a panacea to solve increasing social ills. The declaration on Human Fraternity therefore addressed a wide category of actors to the extent of addressing individuals themselves<sup>(7)</sup>

The expanded scope of addressees by the declaration on Human Fraternity reflects a basic tenant of international human rights law and policy, i.e. the effective participation and the role of the civil society in promoting and defending human rights. Though this remains the primary responsibility of governments, the civil society still has an important role to play in that respect, creating a direct process of checks and balances, complementing the role of parliaments . The role of governments is, in fact, necessary, though insufficient, because promoting the respect



of human rights stems from a continued cultural transformation process of empowerment of individuals and communities. Such process is a permanent work in progress because it goes hand in hand with the rising challenges that face human dignity in all societies irrespective of their “materialistic” advancement or economic growth. The role of government is to adopt and implement policies, while parliaments promulgate norms and the judicial authority ensures their respect. Non-state actors, including religious based organisations and other non-governmental organisations remain the real sensors of social ills and source of inspiration to heal them. A doctrinal conception of secularism has always reduced the potential reformist role of non-state faith actors.

The fifth feature of the declaration is that despite the fact that it has commendably widened the range of the actors whom it addresses, it did not elucidate their respective specific responsibilities. This is fully understandable, given that assigning defined responsibilities for different stakeholders in this area is a complex exercise that exceeds the role of such a declaration. Such an exercise remains essential but it would fall within the prerequisites of putting the declaration into effect. This feature opens prospects for a follow-up of its implementation, starting with assigning different roles and responsibilities for state and non-state actors, within their respective areas of competence and interest.

The most distinct sixth feature of the declaration on Human Fraternity is that it reserves the bulk of its criticism to the international community’s responsibilities regarding the suffering of humankind. The duties and responsibilities of national governments are almost marginal in the declaration. According to the text of the declaration: “we call upon ourselves, upon the leaders of the world as well as the architects of international policy and world economy, to work strenuously to spread the culture of tolerance and of living together in peace”; those are the stakeholders addressed by the declaration to shoulder the responsibility for effecting a “change”. The reason maybe, as the declaration further explains, “This Declaration, stemming from a profound contemplation of our contemporary world,” and not from a contemplation of the realities of the diverse national societies. This priority focus on the international community is justified by the declaration itself by the fact that the world has reached the extent of “what might be qualified as a third world war being fought piecemeal..... in a global context overshadowed by uncertainty and disillusionment.”



We do not believe that the declaration meant to undermine national responsibilities, given that all international crises have national origins and that every change needs to begin at home. The explanation probably lies in the fact that national responsibilities are of such a diverse nature that it would be impossible to analyse them in a single declaration. This is an interesting observation as it raises a complicated problem of causality between the national and global levels of international crisis. The correlation between the national roots and global structural origins of international crises is quite challenging to establish in clear terms. This includes the politics of religions and the resulting political exploitation of religious sentiments, leading to atrocities committed under their banner.

The seventh feature of this declaration is that it is the most expansive high-level religious statement touching upon modern human rights issues. The declaration on Human Fraternity has touched on the right to life, right to development, freedom of expression, freedom of religion or belief, women's rights, as well as social and economic rights and the rights of migrants, although the declaration used some other terminology to designate these rights. The declaration has also criticized some established human rights terminology, such as the discriminatory use of the term "minorities".

An eighth feature of the declaration that derives from the previous observation is of paramount importance concerning the interaction between religions and human rights. The declaration on Human Fraternity has explicitly alluded to tension zones and areas of disagreement between religions and some human rights' interpretations.<sup>(8)</sup>

It would not have been honest to deny such tension zones. Like other disciplines, religious thinking includes fundamental established pillars and other areas that are less certain, i.e. it bears interpretations that can be seen in different shades and develop as time and circumstances change. This is similarly valid in human rights discourse. This is why both religious thinking and that of human rights need to engage and can enrich one another.

Its ninth feature relates to the priorities of the declaration on Human Fraternity. In that respect, the most clear-cut priorities are liberation of religion from those pretending to speak in its name and countering the phenomenon of political exploitation of religions as a medium of conflict and manipulation as well as advocacy of hatred and violence. Such



a phenomenon disturbs and confuses both believers and non-believers as much as it fuels xenophobia and, negative stereotyping and religious profiling.

The declaration of Human Fraternity has honestly acknowledged the responsibility of religious leaders, in various historical stages, for the emergence of such a phenomenon. Hence, the declaration has called for countering the manipulation of religions a shared responsibility by the believers of all religions.

The tenth feature of our rights based reading of the declaration on Human Fraternity is that it calls for action without identifying its modalities. While the declaration pointed to dialogue among followers of different religions and collaboration between the Catholic Church and Al-Azhar, it did not define an implementation mechanism. The Catholic Church and Al-Azhar pledge to convey their joint declaration “to authorities, influential leaders, persons of faith all over the world, appropriate regional and international organizations, organizations within civil society, religious institutions and leading thinkers. They further pledge to make known the principles contained in their declaration, at all regional and international levels, while requesting that these principles be translated into policies, decisions, legislative texts, courses of study and materials to be circulated.”

The lack of an implementation mechanism is a not a weakness in the declaration. It rather constitutes an acknowledgment of a collective responsibility of all stakeholders and recognition of the vast scope of required action in areas of different types. In essence, the issue of follow up on the implementation of the declaration amplifies the political, moral and legal responsibilities, in a differentiated manner, of all stakeholders whom this declaration addresses.

Both religious institutions and religious civil society organizations are facing a heavy responsibility and a great opportunity in this respect. If there was only one message that those actors need to capture from the declaration signed by both the Grand Imam and the Supreme Pontiff, it is that humanistic principles are much more important than humanitarian relief. The role of those organizations should never be limited to providing aid to the needy, though important. Their role, within their respective areas of action, should always extend to defending equal dignity, freedom of conscience, equal rights, and the freedom of religion or belief to all women, men and children in all parts of the world. Nobody



should only defend his or her own freedom but we should all stand for every body's equal rights.

This remark raises a number of fundamental questions that would entail separate studies by relevant experts in follow up to the declaration on Human Fraternity. The most preliminary among these questions is how to identify such experts, stakeholders and concerned actors, simply because a mere public would not reach a given recipient. Who would assign them? Or should they be self-proclaimed volunteers? What kind of empowerment, support and guarantees of independence should be provided to them? Should there be a process of following up the implementation of the Declaration or various processes at different levels starting from the grass roots? What are the features of the religious civil society organizations as compared with the standards and practices of non-governmental organizations in general? How would we protect religions and religious actors against political manipulation without undermining freedom of expression? How would we differentiate between freedom of expression and incitement to hatred that leads to violence? What are the precise human rights' responsibilities of non-state religious actors? Are they qualified for the task of follow up on such an important interfaith joint plan of action? What would they be lacking in order to assume such an important responsibility not only at the individual and the community levels, but also for world peace and security? How can religious institutions and non-state faith based actors be empowered to engage in such a role? What are the boundaries between the roles of official religious institutions and the responsibilities of religious non-governmental organizations? What are the national and international lessons that can be captured in that respect?

These are some essential follow up questions that have been innovatively and boldly raised thanks to the declaration on Human Fraternity. Should not this declaration have raised anything else other than those questions, it would have still been an important step in the rights direction. Ultimately, a thorough comprehensive diagnosis of manipulation, violence and discrimination in the name of religion entails an interdisciplinary and multi-pronged approach, in full participation of religious actors themselves. This is the required methodology to follow up on the implementation of declaration on Human Fraternity. A strategic leap towards is looming at our national and international horizons. Seizing such an opportunity is a rare opportunity and a historical responsibility.



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Failing to assume this responsibility would further enhance political populism, xenophobic tendencies, conflict and human rights violations across the globe.

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1. See the most recent compilation of standards in this respect entitled “Faith for Rights” The Beirut Declaration in 2017, and Rabat Plan of Action in 2012 on the responsibilities of religious actors in the field of human rights, issued by the UN office of the High Commissioner for Human Rights: <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx>
2. The same holds true for the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief of 1981
3. In the initial paragraph of the Declaration on Human Fraternity, interrelation between faith and humanity has been reiterated. The Introduction reads: “Faith leads a believer to see in the other a brother or sister to be supported and loved. Through faith in God, who has created the universe, creatures and all human beings (equal on account of his mercy), believers are called to express this human fraternity by safeguarding creation and the entire universe and supporting all persons, especially the poorest and those most in need.”
4. General Comment No. 22 of 1993 by the UN Human Rights Committee/- UN CCPR/C/21/Rev.1/Add.4
5. Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence/Outcome and Recommendations of the four regional workshops organized by the UN High Commissioner for Human Rights in 2011, adopted by experts in Rabat, Morocco, October 5, 2012 (UN Doc.A/HRC/22/17/Add 4.appendix)
6. “On the continued neglecting of declarations on countering fundamentalism and religious extremism”, Dr. Mohamed Badr Eddin, Al-Hayat Newspaper, May 25, 2019
7. The Declaration reads: “In the name of God.... in the name of innocent human life... in the name of the poor.... the destitute, the marginalized and those most in need... in the name of orphans, widows, refugees and those exiled from their homes and their countries; in the name of all victims of wars, persecution and injustice; in the name of the weak; in the name of human fraternity; In the name of freedom; in the name of justice and mercy, In the name of all persons of good will.”
8. For example: the declaration on Human Fraternity has expressed the right to life as the gift of life, it reads “this universe depends on a God who governs it. He is the Creator who has created us with His divine wisdom and has granted us the gift of life to protect it. It is a gift that no one has the right to take away, threaten or manipulate to suit oneself. Indeed, everyone must safeguard this gift of life from its beginning up to its natural end. We therefore condemn all those practices that are a threat to life such as genocide, acts of terrorism, forced displacement, human organ trafficking, abortion and euthanasia. We likewise condemn the policies that promote these practices.”