

Human right to freedom of religion

With regards to the terms of the inquiry:

2. Action taken by governments, international organisations, national human rights institutions, and non-government organisations to protect the freedom of religion or belief, promote religious tolerance, and prevent violations or abuses of this right;

Tolerance, and hence the freedom from abuse and harassment, is an exceptionally low bar in the goals of any human rights organisation.

The prevalence of blasphemy and anti-atheist laws in governments around the world shows anything but tolerance along with harsh penalties including execution are preventing any divergence in religion and the abuse is at the hands of these governments.

3. The relationship between the freedom of religion or belief and other human rights, and the implications of constraints on the freedom of religion or belief for the enjoyment of other universal human rights;

In an era of religious pluralism there needs to be a continued restraint by those with religious belief towards each other and non religious people. Limits need to be applied to ensure gratuitous litigation of blasphemy is not allowed by law. The entire worlds population represented governments also needs to ensure that constructs that become socially inherited without religious exclusive ownership, like marriage, do not remained universally controlled by religious groups. Belief in the importance of constructs like marriage is fundamental and a believer in nondiscriminatory marriage is also important even without a collective name for this belief.

Constraints on religious freedom as literally coded into the ICCPR article 18 have no intent to limit the enjoyment. The rights of others affected by the exercise of religious freedom and belief. As there is no hierarchy of rights, ICCPR article 26 detailing non-discrimination is equally important.

4. Australian efforts, including those of Federal, State and Territory governments and non-government organisations, to protect and promote the freedom of religion or belief in Australia and around the world, including in the Indo-Pacific region.

In the implementation of the Federal Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 section 38(3) infringes on the rights of parents of students (ICCPR Article 18(4)) to ensure the religious and moral education of their children in conformity with their own convictions. A child's properties regarding a sexual orientation, gender identity, marital or relationship status or pregnancy status injurious to religious susceptibilities should not interfere with the parents right to the education happening.

