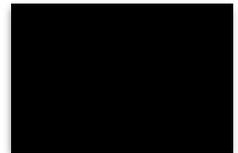


c/o John Hamill
Secretary
Atheist Alliance International



Ireland

22nd April 2016

Mr Filippo Grandi
United Nations High Commissioner for Refugees
Case Postale 2500
CH-1211 Genève 2 Dépôt
Suisse

Re: Respect for non-religious philosophical convictions

Dear High Commissioner Grandi,

When documenting both the goals of your organisation and also the details of your ongoing activities, you frequently employ the term "*religion*" as a reason for persecution and consequently as a possible reason for a person to be granted asylum. For example, within The Convention and Protocol Relating to the Status of Refugees, it states that:

"A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."

We believe that your repeated use of this term in such contexts, is inconsistent with your Human Rights obligations. People with non-religious philosophical convictions, such as secularists, atheists and humanists are persecuted for their beliefs in many countries. This persecution includes imprisonment, torture and execution.

As per Article 2 of the Universal Declaration of Human Rights, in executing your mandate you are obliged not to discriminate against people based on their religious opinions. This includes the opinion that all religions are false and it also includes the right of persons not to have any religion at all.



By insisting on using the term "*religion*" in this manner, you are providing an impetus either towards discrimination against the non-religious, or else towards a requirement that the non-religious must instead consider themselves religious in order to enjoy the same protections as others. The UN Human Rights Committee, in General Comment 22 on the International Covenant on Civil and Political Rights, says that:

1. *"The right to freedom of thought, conscience and religion (which includes the freedom to hold beliefs) in article 18(1) is far-reaching and profound... The fundamental character of these freedoms is also reflected in the fact that this provision cannot be derogated from, even in time of public emergency, as stated in article 4(2) of the Covenant.*
2. *Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community."*

In this context, it is also worth noting that atheism, humanism and secularism have been determined to be philosophical convictions that are on a par with religious beliefs. The European Court has found that secularism is a philosophical conviction protected by Article 9 of the European Convention on Human Rights. The European Court in the "*Lautsi v Italy*" case in 2011 stated that:

*"58. Secondly, the Court emphasises that the supporters of secularism are able to lay claim to views attaining the 'level of cogency, seriousness, cohesion and importance' required for them to be considered 'convictions' within the meaning of Articles 9 of the Convention and 2 of Protocol No. 1 (see *Campbell and Cosans v The United Kingdom*, 25 February 1982, § 36, Series A no. 48). More precisely, their views must be regarded as 'philosophical convictions', within the meaning of the second sentence of Article 2 of Protocol No. 1 ..."*

Non-religious philosophical convictions are often not taken seriously during asylum procedures and the misuse of terminology can even lead to reduced chances of asylum, or exclusion from certain asylum procedures, for those persecuted due to their non-belief. Your misuse of terminology makes it more difficult for non-religious people to have their Human Rights vindicated and we are aware of national asylum procedures that are inheriting such repeated misuses of terminology from UNHCR documents.

The philosophical convictions of non-religious people are not included within the term "*religion*". Instead, we suggest that in all future UNHCR documents you replace this term with a more appropriate and neutral phrase, such as "*philosophical conviction*".



We the undersigned, believe that such a policy will help ensure the vindication of Human Rights for the non-religious and the recognition of the UNHCR as a body that accepts the equal protections and entitlements that should be afforded to those of no religious belief.

Yours Sincerely,

Peter Waterdrinker
Chairman
Atheïstisch Verbond

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Atheist Alliance International

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