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## EAST AFRICA POLICY BRIEF NO.1

Localisation of the Right to FoRB and International Activism

# Reimagining the Role of Religion in Building Peaceful, Just and Inclusive Societies: East Africa and Beyond

*Recommendations informed by a workshop for Scholars, Policymakers,  
Practitioners, and the Communities in the Horn and East Africa*



Ministry of Foreign Affairs





# Localisation of the Right to FoRB and International Activism

## INTRODUCTION

This thematic area examines the protection of the right to Freedom of Religion or Belief (FoRB) in the Horn and East African region. This brief highlights the key findings of the workshop based on local efforts promoting the right to FoRB, its significance, and its challenges. The right to Freedom of Religion or Belief (FoRB) is the foundation for promoting just, peaceful, and inclusive societies.<sup>1</sup> Religious pluralism is an antidote for religious marginalization and discrimination, which trigger violent conflicts. Protecting the right to FoRB enables people of all religions to live together, respecting one another and fostering tolerance and harmony.<sup>2</sup> The scope for protecting the right to FoRB is crucial in the Horn and East African region, where religious marginalization and discrimination mark a landscape conducive to violence and extremism.<sup>3</sup> The adequate promotion and protection of this right is a challenge in the region due to religio-cultural interpretations, politicization, and securitization of religion.<sup>4</sup>

Workshop discussions highlight the importance of localization efforts of the right to FoRB, reflecting local needs and priorities. International partnerships and donors promoting the right to FoRB should consider cultural sensitivities associated with promoting the right. Change should be incremental based on local consensus building in implementing the promotion of the right to FoRB. Recommendations include gender-sensitive capacity strengthening, supporting grassroots women's groups, addressing religio-cultural and structural barriers to ensure marginalized groups meaningful participation in decision-making, and being recognized as leaders in FoRB-led peace-building processes. The right to FoRB needs to be localized to reflect local concerns and accommodate the claims of those affected by human rights violations. Donors need to promote a global and localization agenda of the right to FoRB by responding to community needs and priorities in protecting the right to FoRB.

## THE WORKSHOP

The workshop, 'Reimagining the Role of Religion in Building Peaceful, Just and Inclusive Societies' on 5-6 November 2024, aimed to locate religion's contribution to building peaceful, just, and inclusive societies, creating space to re-envision what these concepts look like in practice. Religion has frequently been viewed as a problematic aspect of peace and security in domestic and international settings. Tainted by associations with conflict, terrorism, and violent extremism within a broadly secularist international public domain, religion is frequently ignored or deliberately excluded from projects aiming to build peace, democracy, and inclusive and just societies. Yet this narrative, while pervasive, is far from the full story. Religion, in all its multifaceted complexity, makes rich and diverse contributions to the goal of realizing just and inclusive societies. Excluding religious actors and factors from analysis and policy and program development limits the options we have available for pursuing peace and, worse, allows fringe and extremist groups to grow and strengthen if unchecked.

The workshop specifically focused on the Horn and the East African context, a region that has seen a marked spread of religion-linked conflicts and extremist activities over the last two decades. Representatives from government, non-government, international organisations, academics, and civil society networks participated in the workshop.

<sup>1</sup> Shaheed, A. (2025). *Protecting and Promoting the Right to Freedom of Religion and Belief for All*. SUR 29 (2019), accessed April 21, 2025, <https://sur.conectas.org/en/protecting-and-promoting-the-right-to-freedom-of-religion-and-belief-for-all/>

<sup>2</sup> OSCE (2023). *Protecting freedom of religion or belief increases trust and makes our societies safer*, OSCE human rights head says, <https://www.osce.org/odihr/574816>

<sup>3</sup> International Commission of Jurists (2022). *Violations of the Right to Freedom of Religion or Belief in Uganda*. Geneva, Switzerland: International Commission of Jurists; Damtie, Y. A. (2025). *Strengthening the Peacebuilding Role of Religious Institutions in Ethiopia*. New York: Wilson Center.

<sup>4</sup> Murdock, J. (2012). *Protecting the right to freedom of thought, conscience and religion under the European Convention on Human Rights*. Strasbourg Cedex, France: Council of Europe.



## THE CONTEXT

Violence based on religion or belief can threaten the stability of communities. In the Horn and East African region, religious discrimination, marginalization, and intolerance drive violent radicalization and extremism that lead to terrorism.<sup>5</sup> Within this context, there is an immense need for interfaith and interreligious dialogues to foster conducive environments for building inclusive and peaceful communities.<sup>6</sup>

The right to Freedom of religion or belief (FoRB) is guaranteed by Article 18 of the Universal Declaration of Human Rights (UDHR), Article 18 of the International Covenant on Civil and Political Rights, and the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Article 18 of the UDHR states as follows:

*Everyone has 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>7</sup>*

While activism on Article 18 and international policy dialogues often privilege a focus on recognised religions, especially, so-called “World Religions”, this right protects both religious and non-religious beliefs, including atheism, agnosticism, and other forms of local beliefs. In many countries in the East African region, the African Charter on Human and People’s Rights (ACHPR or the Banjul Charter) in 1981 became significant in protecting individual rights on religious beliefs. This Article does not explicitly mention the word “belief” although the right to hold a particular belief is generally considered to be absolute. However, the article mentions the freedom of conscience and religion. Article 8 of the Charter provides that:

*Freedom of conscience, the profession and free practice of religion shall be guaranteed. No one may, subject to law and order, be submitted to measures restricting the exercise of these freedoms.<sup>8</sup>*

<sup>5</sup> Basedau, M., and Schaefer-Kehnert, J. (2018). Religious discrimination and religious armed conflict in sub-Saharan Africa: an obvious relationship? *Religion, State and Society*, 47(1), 30–47.

<sup>6</sup> Glatz, C. (2024). Interreligious dialogue needed to encourage peace in Africa: experts <https://www.ucanews.com/news/interreligious-dialogue-needed-to-encourage-peace-in-africa-experts/104763>; Makulilo, A. and Henry, R. (2023). Religion and Peacebuilding in Tanzania: Institutionalisation of Interfaith Peace Committee. In: Kilonzo, S.M., Chitando, E., Tarusarira, J. (eds) *The Palgrave Handbook of Religion, Peacebuilding, and Development in Africa*. Palgrave Macmillan, Cham.

<sup>7</sup> United Nations (2015). *Universal Declaration of Human Rights*: [https://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)

<sup>8</sup> Organisation of African Unity (1981). *African Charter of Human and Peoples’ Rights*: [https://au.int/sites/default/files/treaties/36390-treaty-0011\\_-\\_african\\_charter\\_on\\_human\\_and\\_peoples\\_rights\\_e.pdf](https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_e.pdf)

However, like in many international charters and domestic regulations, Article 8 of the charter is subjected to its limitation clause, enabling member states to limit the right to freedom of religion ‘to the maximum extent permitted by domestic law.’<sup>9</sup>

This permits states to enact laws that could potentially violate the right to freedom of religion and belief, negating the regional human rights protection system. States can only interfere with this right if the action is lawful, necessary, and proportionate to protect public safety, public order, health or morals, and the rights and freedoms of other people. The action should be ‘proportionate’ and necessary to address the problem concerned.<sup>10</sup> Other potentially relevant provisions of the ACHPR concerning the right to Freedom of Religion or Belief (FoRB) are Article 2 (non-discrimination), Article 5 (freedom from torture), Article 7 (right to a fair trial), Article 10 (right of association), and Article 16 (right to education), among others.<sup>11</sup>

FoRB gives the state the responsibility to protect all citizens against coercion and discrimination on the grounds of adherence to individual religions or beliefs. Still, in specific countries of the

East African region, the right to FoRB is greatly constrained by the state or by communities fueled by social hatred, which gives rise to discrimination, marginalization, polarization, hate crimes, violent radicalization, and extremism or terrorism linked to religion and beliefs.<sup>12</sup> Initiatives to promote the right to FoRB have been gaining pace in the East African region. Civil society organisations and religious actors are significant in advancing FoRB initiatives in their respective localities.<sup>13</sup>

Despite domestication and the right to FoRB at the national level, FoRB is still viewed as an international norm and, in practice, requires localization to fit local contexts. There is an urgency for the right to FoRB to be localized to reflect local concerns.<sup>14</sup>

In the region, states have used limitations on the right to FoRB on the grounds of national security, public order, health or morals, and the rights and freedoms of others. Religious actors remain pivotal in promoting and protecting the right to FoRB. The Horn and East African region boasts a rich heritage of religious and belief leadership, where religious actors have support, authority, and legitimacy, often more so than state actors.<sup>15</sup> Their networking potential, with

the ability to reach every grassroots community and possess an extensive local knowledge base, in raising awareness of the right to Freedom of Religion or Belief (FoRB) in their respective communities.<sup>16</sup>

#### The following key findings, issues, and recommendations were discussed at the workshop:

1. The right to FoRB needs to be localized to reflect local concerns and accommodate the needs of the human rights users.
2. Localization of FoRB initiatives is contingent on creative, innovative, and needs-focused approaches.
3. Religious engagements<sup>17</sup> often pave the way for FoRB initiatives.
4. Religious actors are vital agents of promoting the right to FoRB as means for social cohesion and peacebuilding.
5. It is important to acknowledge that the right to FoRB needs to be embedded in local understanding of diversity linked to religious and cultural interpretations to reduce intolerance and promote acceptance and inclusion.

<sup>9</sup> *Ibid.*

<sup>10</sup> UN Human Rights Committee (HRC) (1993). *CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)*, CCPR/C/21/Rev.1/Add.4, <https://www.refworld.org/legal/general/hrc/1993/en/13375>

<sup>11</sup> Co-guide.org (1981). *The African Commission on Human and Peoples' Rights: overview* <https://co-guide.org/book/export/html/30>

<sup>12</sup> See similar contexts for limitations on the right to FoRB: Shepherd, A. (2017). *Extremism, Free Speech and the Rule of Law: Evaluating the Compliance of Legislation Restricting Extremist Expressions with Article 19 ICCPR*. *Utrecht Journal of International and European Law*, 33(85), p. 62-83.

<sup>13</sup> Rebasso, M. and Vermaak, N. (2024). *Building Bridges across faiths - The Importance of Freedom of Religion or Belief*: <https://jisra.org/2024/01/23/building-bridges-across-faiths/>

<sup>14</sup> Wilson, E. K. (2022). *Blurring Boundaries or Deepening Discourses on FoRB? From Global to Local and Back Again*. *The Review of Faith & International Affairs*, 20(2), 69–80.

<sup>15</sup> Corman, C. (2016). *Religion in Violence and Peace: Exploring Inter-Religious Peacebuilding Efforts in Kenya* *World Faiths Development Dialogue*: <https://berkleycenter.georgetown.edu/publications/religion-in-violence-and-peace-exploring-inter-religious-peacebuilding-efforts-in-kenya>

<sup>16</sup> Pordon, E. (2024). *The first Women of Faith Conference initiates significant dialogue*. <https://jisra.org/2024/06/19/the-first-women-of-faith-conference-initiates-significant-dialogue/>

<sup>17</sup> *The Common Ground Approach for Religious Engagement describes religious engagement as follows: ‘religious engagement goes beyond interreligious dialogue. It is a variety of concrete activities that reduce conflict and build peace’ (Search for Common Ground, 2020, p.6). [https://documents.sfcg.org/wp-content/uploads/2020/09/CGA\\_to\\_RE-Participant\\_Workbook.pdf](https://documents.sfcg.org/wp-content/uploads/2020/09/CGA_to_RE-Participant_Workbook.pdf)*



## ISSUES OF CONCERN EMANATING FROM THE WORKSHOP DISCUSSIONS

***Understanding the ‘local’ in promoting the right to FoRB is imperative to the success and sustainability of FoRB initiatives.***

At the national level, many countries in the Horn and East African regions have domesticated the right to FoRB. For example, in Kenya, Article 32 of the Constitution stipulates:

*(1) Every person has the right to freedom of conscience, religion, thought, belief, and opinion.*

*(2) Every person has the right, either individually or in community with others, in public or in private, to manifest any religion or belief through worship, practice, teaching, or observance, including observance of a day of worship.*

*(3) A person may not be denied access to any institution, employment, or facility, or the enjoyment of any right, because of the person’s belief or religion.*

*(4) A person shall not be compelled to act, or engage in any act, that is contrary to the person’s belief or religion.<sup>18</sup>*

Despite domestication, the right to FoRB is still viewed as an international norm and, in practice, faces challenges and is required to be localized to fit local contexts. Most often, people do experience freedom of religion or belief in practice, yet are unaware of this right.

For example, individuals go through religious discrimination in accessing services such as education,<sup>19</sup> health, or employment. These discriminations are amplified during interreligious tensions in communities and religious violence. There is insufficient knowledge of the right to FoRB, necessitating awareness-building of both FoRB and broader socio-political rights at the national and local levels.

The right to FoRB needs to be localized to reflect local concerns and accommodate the claims of those affected by human rights violations.

During the workshop, Prof. Nazila Ghanea highlighted the significance of the right to FoRB as follows:

*Article 18 of the International Covenant on Civil and Political Rights guarantees freedom of thought, conscience, and religion; the ability to think, to reflect, and to examine our conscience is perhaps the most significant resource and protection against any violation of peace. Every human being, whether religious or not, by protecting their freedom of conscience, we are all able to develop insights, ideas, and pro-peace narratives and to promote them, indeed seeking to persuade others towards peace narratives. It also enables us to resist the use of our religious affiliation or belief identity or other affiliations, and for those religions or beliefs to be exploited, to be abused in the name of promoting conflict, violence, or war.*

<sup>18</sup> Kenya Law Reforms Commission (2025). *The Constitution of Kenya*: [https://www.klrc.go.ke/index.php/constitution-of-kenya/112-chapter-four-the-bill-of-rights/part-2-rights-and-fundamental-freedoms/198-32-freedom-of-conscience-religion-belief-and-opinion#:~:text=Freedom%20of%20conscience%2C%20religion%2C%20belief%20and%20opinion,-Chapter%20Four%20%2D%20The&text=\(1\)%20Every%20person%20has%20the,%2C%20thought%2C%20belief%20and%20opinion](https://www.klrc.go.ke/index.php/constitution-of-kenya/112-chapter-four-the-bill-of-rights/part-2-rights-and-fundamental-freedoms/198-32-freedom-of-conscience-religion-belief-and-opinion#:~:text=Freedom%20of%20conscience%2C%20religion%2C%20belief%20and%20opinion,-Chapter%20Four%20%2D%20The&text=(1)%20Every%20person%20has%20the,%2C%20thought%2C%20belief%20and%20opinion).

<sup>19</sup> Nyaua, J. M. (2022). *Kenyan Ministry of Education Declares that ‘Religious Beliefs Can Enter into Schools*. Oxford Human Rights Hub: <https://ohr.law.ox.ac.uk/kenyan-ministry-of-education-declares-that-religious-beliefs-can-enter-into-schools/>

**Localization of FoRB initiatives is contingent on creative, innovative, and need-focused approaches.**

The localization of the right to FoRB is examined under a broad range of initiatives in the regions, both from a descriptive and normative perspective. The success of FoRB initiatives is pegged on how local communities accept and implement these initiatives. Local civil society and institutions are prominent in disseminating knowledge and awareness of the rights in their respective communities.



*IRCK is comprised of several bodies. We have the EAK, NCKK, SUPKEM, the Hindu council, and others. This covers a large community. We are also able to engage in both interfaith and intrafaith dialogues. We have had interfaith dialogues to promote FoRB with many religious communities at the advocacy and awareness levels. Between the different faith groups, we coexist healthily. If we have FoRB issues of concern at the national level, we find a forum through the IRCK. This enables us to find common ground to address our issues and move forward through joint peace initiatives. We also work with extra-faith dialogues, which include civil society actors and state actors. Currently, our FoRB initiatives include FoRB literacy programmes. Literacy includes the question of faith and coexistence, creating just and peaceful societies (Workshop Participant, November 2024).*

Among the other FoRB initiatives in the region, the Mulika initiative was highlighted as a successful initiative that responded to the local needs of the communities.

Freedom of religion or belief begs the question of who speaks for religious and belief traditions and which religious or belief traditions are considered and listened to. Spaces for intra- and interfaith dialogue are incredibly helpful in mitigating and transforming violent conflict.

The values of religion or belief include those of forgiveness and justice, and allow us to go to the negotiating table not only when conflict is to be ended but also to prevent violence, conflict, and war.

The published report by the United Nations 'Interim Report of the Special Rapporteur on Freedom of Religion or Belief: Peace and Freedom of Religion or Belief'<sup>20</sup> cannot exhaust the insights and advantages of freedom of religion or belief or its bearing on peacebuilding and conflict transformation efforts. Rather, the whole report is mainly to encourage opening the door for deepening conversations into the future at the international level as well as the local level about the importance of respect for freedom of religion or belief to peace and to countering conflict, violence, and war. By doing so, by considering these issues, more spaces can be created for insights from your lived experiences, from everybody's lived experiences, research, and observations that relate to this project, and for these insights to be better understood and appreciated.

– Prof. Nazila Ghanaia

The JISRA projects in the East African region have shown that the success of FoRB initiatives is reliant on the design of creative, innovative, and locally relevant initiatives.<sup>21</sup> The Joint Initiative for Strategic Religious Action (JISRA) projects aim to advance the promotion of the right to FoRB. JISRA is a partnership of 50 civil society organizations based in Ethiopia, Indonesia, Iraq, Kenya, Mali, Nigeria, and Uganda, with supporting lobby and advocacy in Europe and the USA.

This international, interreligious partnership is implemented in partnership with the Dutch Ministry of Foreign Affairs. JISRA initiatives address harmful norms, narratives, and practices within religious communities, stimulate cooperation between and within religious communities, and illustrate that different religious values and traditions can come together to create inclusive, just, and peaceful societies. To protect the right to FoRB, the JISRA initiative is based on three pathways: intra-religious, inter-religious, and extra-religious.<sup>22</sup>

A representative from the Inter-Religious Council of Kenya (IRCK) explained how these platforms were utilized in the promotion of the right to FoRB.

<sup>20</sup> United Nations General Assembly (2024). Interim Report of the Special Rapporteur on Freedom of Religion or Belief: Peace and Freedom of Religion or Belief" A/79/182. [https://documents.un.org/symbol-explorer?s=A/79/182&i=A/79/182\\_1723739448318](https://documents.un.org/symbol-explorer?s=A/79/182&i=A/79/182_1723739448318)

<sup>21</sup> IRCK (2024). Africa Women of Faith Promoting Interfaith Action and Gender Equality Through Dialogue [https://interreligiouscouncil.or.ke/ova\\_por/africa-women-of-faith-promoting-interfaith-action-and-gender-equality-through-dialogue/](https://interreligiouscouncil.or.ke/ova_por/africa-women-of-faith-promoting-interfaith-action-and-gender-equality-through-dialogue/)

<sup>22</sup> JISRA (2021). About JISRA: <https://jisra.org/>

There is a program that we recently completed in Kenya that I wanted to bring to your attention. It is called the Mulika initiative. It is a 5-million-dollar program that took place over two years, wrapping up at the end of last year.

The program was a faith-based, civil society-led cohesion and election oversight program to improve accountability and transparency in electoral and democratic processes more broadly while also enhancing the resilience of Kenyan citizens against various forms of political manipulation. It involved employing thematically oriented and long-term observers; it involved the creation of a parallel voter tabulation exercise in the last presidential elections. We facilitated community-led advocacy messaging and outreach initiatives that operated specifically through faith-based institutions and structures. We also strengthened the existing structures of the Kenyan National Human Rights Commission to enhance their monitoring of human rights violations, election-related violence, and gender-based violence. Finally, the work tried to promote agenda-setting for issue-based campaigns and empower citizens, especially youth and young girls, to resist political incitement and manipulation. The program activities took place across 18 counties around Kenya, and we had several crucial local partners. Our prime implementing partner was the National Council of Churches of Kenya (NCKK), but also the Kenyan Conference of Catholic Bishops (KCCB), as well as the Supreme Council of Kenyan Muslims (SUPKEM). That is just one example of a faith-based partnership that USAID has supported in Kenya.

– Peter Mandaville, Senior Policy Advisor for Faith-Based Initiatives, USAID



***Religious engagements often pave the way for FoRB initiatives.***

Many FoRB initiatives are embedded within religious engagements or work well together. A participant at the workshop explained the diverse nature of FoRB interventions in communities. According to the participant, religious or faith-based partnerships are broad and cover different sectors. This includes faith-based partners in health, in combating climate change and

protecting the natural environment, issues around food security, issues related to education, and topics such as democracy, rights, and governance.<sup>23</sup>

Many religious institutions and faith-based organizations have a unique advantage in local peacebuilding due to their trusted relationships and familiarity in the community.

***Religious actors are vital agents in promoting the right to FoRB as a means for social cohesion and peacebuilding.***

The localization of FoRB as a norm occurs through a complex process during which actors build congruence between international norms and local practices and beliefs. Religious actors are pivotal in the framing and dissemination of FoRB in this complex process. The workshop participants highlighted the imperative role of religious actors and the need to acknowledge the varied types of religious actors in the community.

Working with religious actors necessitates knowledge of their diversity and credibility in the communities they serve. Apart from the focus on traditional religious leaders, there is a need to incorporate new emerging religious leadership and positions.

There are religious activists, religious leaders with no official theological hierarchy or certification, and then there are female religious leaders such as Usthadas who are influential in their spheres of activity.

Today, with the advent of technology, online sheikhs and youth religious actors are becoming prominent in their respective communities and online spaces. Then, the traditional, indigenous religious actors and even political actors inhabit spaces of importance as religious actors. Hence, acknowledging these varied types of religious actors is significant in FoRB initiatives, as they incur credibility among their constituencies.

<sup>23</sup> IRCK (2024). *JISRA Kenya Journey on its Submission to the UPR 4TH CYCLE on Freedom of Religion and Belief*

***Adhering to socio-cultural concerns remains core to the localization of the right to FoRB.***

Workshop reflections indicated that local concerns were split<sup>24</sup> between accepting the right to FoRB, rejecting the right, and an in-betweenness of receiving the right with reservations.

Acceptance of the right to FoRB was more prominent in contexts where there was a pressing need to address individual and collective rights for religious minorities, in preventing and countering violent extremism, and in advocating for interreligious

dialogues for peacebuilding.

A participant highlighted the importance of the FoRB conversation by situating it within the national human rights framework of the Bill of Rights in Kenya:

*How does the FoRB discussion fit into our societies? It is a conversation. We want to believe that literacy and advocacy efforts will play a big role in educating our communities on their rights. And how this right will enable social cohesion – that we exist under one banner, the Kenyan banner, and the Constitution.*

*The Constitution provides for human rights and is based on the UN Charter and the Human Rights, particularly the Bill of Rights—all advocate for FoRB. It's right; it has its limitations. These freedoms can be exercised within certain parameters for peaceful coexistence and tolerance.*

*(Workshop Participant, Nov 2024)*

***FoRB initiatives faced challenges in how local communities perceived topics such as religion, culture, and human rights.***

Secular human rights systems are seen to challenge the authority of religion. The right to freedom of religion or belief can be abstract and potentially divisive in some local communities.

The right to freedom of religion or belief needs to be connected to people's daily lives and realities. Religion is a central part of Kenyan

society and the East African region as a whole, and has to be taken into consideration for all projects, not just for the right to freedom of religion or belief.

'God and Religion' is rarely separated in the Kenyan/East African sensibilities. However, in the western mindsets, religion and God can exist separately. Different

worldviews on religion and human rights impact the right to FoRB.

As such, it can be more effective to highlight the synergies between religious and human rights value systems, or to use religious language, discourses, narratives and imagery to discuss human rights, rather than the language of rights themselves.

What I've seen from the lessons learned in this workshop is that it looks at the religiousness of people. Religiousness may be notorious, as the previous speaker said jokingly, and that's the sense of humor I know from Kenya, but religion is also a force and a strength. And I've seen that in a seminar in Geneva when the delegation from the JISRA project from Kenya came to inform us about the findings of the project, where one of the representatives was working with disadvantaged youth boys, and she showed the results of taking these boys out of poverty, giving them a sense of inclusion through religion and social action, and that combination has always been a strength.

Talking about language, I do think we've sometimes diverted a little bit from the language that the initial Human Rights Treaties and the Universal Declaration of Human Rights brought us. The 4 fundamental freedoms are very close to my heart. The freedom of thought, conscience, religion, and belief. That is clear language. It doesn't matter whether you talk about religion or belief. The freedom of thought and conscience is clear, as is the freedom to express yourself without hate or discrimination.

– Ms. Bea ten Tusscher

<sup>24</sup> <https://interreligiouscouncil.or.ke/jisra-kenya-journey-on-its-submission-to-the-upr-4th-cycle-on-freedom-of-religion-and-belief/>

***Acknowledging that the right to FoRB needs to be embedded in local understandings of diversity linked to religious and cultural interpretations is important for reducing intolerance and promoting acceptance and inclusion.***

The prevailing ‘Western’ or outside bias for the right was evident in some of the discussions during the workshop. Participants expressed concerns about the language from the global North donors, suggesting that FoRB initiatives were in some ways reinforcing rather than addressing Islamophobia. Recipient countries and communities were framed in some of the discourses as dangerous, volatile, and insecure. There was also a perception among some that the right to freedom of religion or belief is seen as a project to promote Christianity and to end Islam. Non-belief and atheism are often not considered or included in conversations on the right to freedom of religion or belief. They are also sometimes discussed as sources of immorality and corruption. Additionally, there is a lack of clarity about what belief

entails regarding framing the right. Human rights are often seen as abstract, such as women’s rights and the rights of sexual minorities. Foreign agenda settings were linked to FoRB, such as the case of LGBTQI rights being seen as eroding local cultural values.

A participant described this context as follows:

*There is the issue of cultural imperialism and the need to protect religious and cultural spaces. One thing that has emerged is that the global North says that we should have FoRB fit into our communities. We have a contextually appropriate FoRB that has a strategic respect for our Africanness, and the global North should not push certain agendas and attach these agendas for funding (Workshop Participant, Nov 2024).*

How to sensitively and appropriately support the recognition of FoRB, indigenous religions, non-religious or atheism, and other rights for sexual minorities in the Horn and East Africa remains a challenging issue. Despite the fact that there are cultural and religious discourses that stigmatize sexual minorities, few religious actors display a great deal of resistance and empowerment to work with these marginalized communities. There are local actors, such as KECOSCE in the Coast Region, who have had some success of working in the area of rights associated with Intersex individuals. These experiences could be drawn on to develop strategies for promoting and protecting the rights of other sexual minorities and their religious freedoms.

***International and local activism are significant for the promotion of the right to FoRB***

International and local activism are significant for the promotion of the right to FoRB. Increasingly, there is a heightened awareness of the right to FoRB at the global level, particularly at the donor level. Transnational advocacy efforts have supported the global-local nexus in FoRB promotion.

However, donor differences, priorities, & agenda-setting all complicate how the right to FoRB is promoted through transnational lobbying and advocacy.

The donor ecosystem on freedom of religion or belief differs, and different frames are used to influence FoRB policies.

A workshop participant explained this:

*Not all actors in the global north have the same interests. There is, for example, lobbying from conservative religious organizations to use repression of sexual minorities. Sometimes, groups are fundamentally against each other. FoRB is used differently by donors (Workshop Participant, November 2024).*

However, the common theme in understanding the right to FoRB is to view the right as a human right, interdependent and interrelated to the entire body of human rights.

For example, looking at freedom of religion or belief from the perspective of gender equality would be very important to any donor. Engaging in issues like gender equality fosters harmonization of how freedom of religion or belief is understood across different human rights contexts. Localisation is important; however, fragmentation of specific rights should not completely diverge from understandings, for example, FoRB in the ICCPR from the African Court on Human and People’s Rights, or the Inter-American Court of Human Rights, or the European Court of Human Rights.

# RECOMMENDATIONS

1. Acknowledge that the right to FoRB needs to be localized to reflect local concerns and accommodate the needs of human rights users.
2. Strengthen religious engagement to promote the right to FoRB. Discussions revealed the importance of religious engagements, enabling effective transmission of FoRB values and ideals.
3. Limitations on the right to FoRB by states should only be applied when absolutely necessary, as a last resort. Strengthen safeguards to protect the independence of religious or belief communities, including the right to organize themselves within their religious or belief institutions.
4. Encourage creative, innovative, and needs-focused FoRB initiatives to facilitate novel solutions to challenges such as religious discrimination, intolerance, and conflicts in the Horn and East African region.
5. Facilitate inclusive dialogue about uncomfortable issues like sexual minorities with multi-sectoral groups, including representatives from sexual minorities themselves. Expected change should be incremental and gradual, based on local consensus building in implementing the promotion of the right to FoRB.
6. Donors need to promote a global and local agenda of the right to FoRB by responding to community needs and priorities in protecting the right to FoRB. Hence, engage in transformative FoRB practices and align these with the principles and commitments of the localization agenda.
7. International partners should invest in long-term partnerships with civil society organizations and religious actors for institutional and individual capacity in FoRB and religious fluency, contributing to the improved quality of their engagement and delivery of FoRB initiatives.
8. Strengthen the development of a sustainable strategy for national and local funding mechanisms for FoRB initiatives. Those frameworks should include exploring the possibilities of state funding for interfaith programmes.
9. Mainstreaming or integrating FoRB into relevant existing programs with other relevant regional perspectives in mind. The right to FoRB should not be a standalone issue. There are different programs, such as the forced migration program in the Horn and East African region - people on the move—where FoRB initiatives can be incorporated.



East Africa Policy Briefs are a collaborative product of the University of Groningen, Mensen met een Missie (MM), Joint Initiative for Strategic Religious Action (JISRA), The Centre for Human Rights and Policy Studies (CHRIPS), Inter-Religious Council of Kenya (IRCK), and the Technical University of Mombasa, with funding from the Dutch Ministry of Foreign Affairs. The information in these policy briefs does not necessarily reflect the views of these organisations.

The East Africa Policy Brief series comprises four thematic areas: Localisation of the Right to FoRB and International Activism; The right to FoRB and Preventing and Countering Violent Extremism (PCVE); Youth Engagement in FoRB Initiatives; Women and Girls' Inclusivity and Engagement in Protecting the Right to FoRB.

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Citations: Badurdeen, F. A., Carpenedo, M., Baum, A. & Wilson, E. (2025). Localisation of the Right to FoRB and International Activism. Policy Brief No. 1, Groningen: Netherlands: Faculty of Religion, Culture and Society, University of Groningen and Mensen Met een Missie (MM).

ISSN 3051-1232, e-ISSN 3051-1240

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