



**Australian
Human Rights
Commission**

Religious Freedom Roundtable

Statement of purpose and Guiding principles

Statement of purpose

The Religious Freedom Roundtable provides a forum, within the structure of the Australian Human Rights Commission, for representatives of religious and spiritual communities to have ongoing engagement and dialogue about freedom of religion, conscience and belief (“religious freedom”) and its interaction with public policy in 21st century Australia.

As outlined in Article 18 of the International Covenant on Civil and Political Rights (ICCPR), religious freedom includes that:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

Religious freedom also includes the freedom to not have a religious faith.

Mutual respect

Religious freedom is central to human rights. As a human right, religious freedom does not sit in isolation. It interacts with other fundamental freedoms including freedoms of thought, conscience, speech and association, equality before the law, and property rights, amongst others.

However, religious freedom is not unlimited. Like other human rights it must be exercised with a mindfulness of the rights of others, and has the potential to intersect and at times compete with other human rights such as equality before the law and government, and the freedoms of those without faith. The role of law should be to seek accommodation of competing rights and enlarge the freedom for all. Care must be taken to balance rights so that neither religious freedom nor any right with which it may intersect is granted an imbalanced privileging so as to unduly impair the enjoyment of the other.

To ensure that the religious freedom roundtable is a dialogue anchored in an understanding and respect for the rights of all Australians, the following guiding principles are proposed:

Guiding principles

As participants we

1. Respect every person's common humanity and freedom to choose or adopt a religion or belief system, or not to do so.
2. Respect religious freedom is fundamental to the Australian way of life, and should be treated equally to all other human rights and freedoms.
3. Recognise religious freedom is a fundamental human right that should be respected and not limited unless it infringes on the rights of others, such as those listed in Article 18(3) of the ICCPR including those 'necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others'.
4. Respect religious freedom is as legitimate a basis for participation in public life and civic affairs as any other.
5. Acknowledge Australia is a pluralist, multi-faith society with a secular State.
6. Recognise pluralism necessitates respect for each person's common humanity and tolerance for a diversity of beliefs, both within and between religious faiths, those with no faith, as well as other attributes associated with an individual's identity.
7. Respect no Australians should be excluded from participation in public life or civic affairs because of their faith, age, disability, gender, race, sexual orientation, gender identity, intersex status or other irrelevant personal attribute.
8. Recognise mutual respect is necessary for a functioning pluralist society to advance the rights of all Australians.
9. Recognise that when considering issues that affect the rights of others, it is necessary to provide equal opportunities to engage and consider their perspectives with the objective of accommodating and enlarging the human rights of all.
10. Acknowledge all Australians should be treated equally before the law and government.
11. Recognise that individuals and communities of faith should be free to constructively work with government and other public agencies to protect religious freedom within a society governed by the rule of law.
12. Recognise that individuals and communities should be free to exercise religious freedom within the framework of Australian law and civic life.