

## **Fact Sheet:**

*Legal Forms of the Religious Life*  
Graduate Student Grant, Helge Årsheim  
2012-2013

## **Project Description and Goals:**

Following the award of the *Religion and Diversity Project* graduate grant, I travelled to Geneva in June 2012 in order to participate at the 60th session of the Committee on the Rights of the Child. My dissertation revolves around the issue of how states and treaty bodies handle the category of religion. Although the empirical material investigated in my dissertation is entirely composed of reports prior to, and summary records and concluding observations issued after, treaty body sessions, the real-life participation at least one such session has been of great value for my work.

## **Methodology:**

The session at which I participated featured the review of six states: Vietnam, Cyprus, Turkey, Greece, Australia and Algeria. Additionally, the committee reviewed the implementation of the optional protocols on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography for those countries that had ratified these instruments. As my dissertation addresses states that have ratified the five core human rights treaties that deal with religion. I focused primarily on the three states that have done so: Australia, Greece and Algeria. Due to scheduling, only the two former were practically possible.

Attendance at the state report reviews largely confirmed earlier impressions of the procedure from my extensive readings of summary records, state reports and concluding observations.

Although the meetings I attended only briefly addressed religion and related issues, participating as an observer helped confirm a number of impressions that have emerged over the course of my document analysis. First, and perhaps most obvious, religion was not viewed as an important issue among participants, except for a small handful of committee members. That laws on religion emerged as a substantial issue at all is something of an anomaly in the CRC context, where religion and religiosity more often enters the exchanges as a surrounding factor relevant to the implementation of the convention. Second, the meetings were relatively uncoordinated, typically starting with a fairly clear agenda before devolving into bickering over particularly contentious issues that may or may not have been part of the original agenda. State delegations seemed somewhat uncertain as to how to respond to sometimes very pointed, sometimes fairly incoherent questions that were posed both inside and outside the topic under discussion. The chairperson intermittently intervened in order to force the conversation back to the nominal agenda, but repeatedly failed to do so.

## **Results:**

Finally, and building on the latter issue, attending the meetings served to confirm an impression that has been evolving as I go through reports, summaries of records and concluding observations: meetings between treaty bodies and state representatives are largely dress

rehearsals for the drafting of concluding observations, and have very little independent value as a source to the correct interpretation of the conventions under scrutiny. Only a very modest range of the broad number of issues typically brought up in concluding observations were mentioned in the review, and more often than not in a fairly short and summarized fashion. Although I have been aware of this basic point since I started this project, the magnitude of this difference first dawned upon me as I witnessed the procedure first hand. This recognition does not have a major impact on my work –however, it does demand a more thorough review of the relation between summary records and concluding observations than previously expected. Furthermore, it increases the salience of a perspective I have so far only sketched briefly, namely the relation between bureaucratic and political discourses in the field of human rights.