



From Joanna Cherry KC MP

[By Email]

15 May 2024

Rt Hon Lord Cameron
Secretary of State for Foreign, Commonwealth and Development Affairs

Dear David,

Re: The Special Envoy for Freedom of Religion or Belief Bill and Government Special Envoys for Human rights

The Joint Committee on Human Rights read with interest the private members bill introduced by Fiona Bruce MP, the current special envoy for freedom of religion or belief.

Whilst the Joint Committee on Human Rights is not responsible for considering human rights violations in third countries, given the nature of the work undertaken by human rights special envoys and the impact that it will have on the United Kingdom's human rights obligations as well as human rights trends more generally, the Joint Committee will nonetheless have an interest in the work of the special envoys for human rights.

The key effect of the Special Envoy for Freedom of Religion or Belief Bill would be to place the Prime Minister's special envoy for freedom of religion or belief, a role established only relatively recently, on a statutory footing – and to require the Government to provide the office holder with staff, accommodation, allowances, equipment, funding and other facilities.

The purpose of the role is to act to promote freedom of religion or belief abroad, and to raise awareness of cases in which people abroad are persecuted or discriminated against on the grounds of religion or belief and to advocate for the rights of such people.¹ It is important to note that this right includes the right of people to have religious beliefs, the right not to have religious beliefs, and also covers non-religious beliefs.

Clause 1(4) of the Bill would provide that the special envoy must, from time to time, give a report about their work to the Prime Minister and may receive directions from a Minister. However, as currently drafted, the Bill does not provide for such reports to be laid before Parliament or for any information to be provided to Parliament.

Whilst the Special Envoy for Freedom of Religion or Belief Bill does not pose any specific concerns in relation to its compatibility with human rights, the function of the office necessarily will engage with

¹ See the Government's [webpage](#).



From Joanna Cherry KC MP

human rights – and is therefore of interest to the Joint Committee on Human Rights in light of the impact that this role can have on human rights standards and respect for human rights.

Whilst a special envoy for freedom of religion or belief can be welcomed, it is not entirely clear what the Government’s coherent policy is as to the establishment of special envoys for certain rights - and not for others. Further explanations on this reasoning would therefore be appropriate and welcome.

The Committee would be grateful for a response to the following questions:

1. What evaluation has been made as to which rights should have a special envoy and which should not? Please share the analysis and reasoning supporting this decision-making with the Committee.
2. What level of input does the Government exercise over the special envoy in the undertaking of their functions?
3. Given that the special envoy’s role is principally in relation to international human rights, and that the term used in UN human rights treaties is “freedom of thought, conscience and religion”, why has the Government chosen to use the ECHR language of “freedom of religion and belief” for this role?
4. Does the Government understand the special envoy’s remit to cover the freedom of thought, conscience and belief as set out in Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant for Civil and Political rights – or is the remit slightly different?
5. Does the Government understand the special envoy’s duty as being to protect all those – of any religion or none – in line with the internationally recognised standards in relation to the protection of this right? What is the Government doing to ensure a fair and balance approach is taken by the special envoy in deciding which matters and cases to champion internationally?²
6. How would the Government envisage the envoy dealing with any potential clashes between freedom of thought, conscience and belief, and, for example, women’s rights, reproductive rights or the rights of the LGBTI community?
7. Would the Government accept that the special envoy’s reports to the Prime Minister should be laid before Parliament? Would the Government consider making an undertaking that those reports would be laid before Parliament?

² The Committee notes the current special envoy’s undertaking in relation to supporting all those discriminated against whatever their faith or belief which she mentioned during House of Commons Committee Stage debate on this Bill: “I have always, in fulfilling this role, sought to advocate for and support all those persecuted or discriminated against, of whatever faith or belief”. International Freedom of Religion of Belief Bill Committee, 24 April 2024, col 5.



Joint Committee on Human Rights
Committee Office · House of Commons · London · SW1A 0AA
Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From Joanna Cherry KC MP

Finally, the Committee would like to note that it considers that it, ideally in conjunction with the Foreign Affairs Committee, should have a pre-appointment hearing with any newly appointed Special Envoy, to ascertain their qualities and priorities for the role as well as to obtain a better understanding as to how they will undertake the role.³ The Committee would then also consider undertaking any further such hearings as may be appropriate, in order to scrutinise the pursuit of this important work.

I am coping this letter to the Prime Minister and the Chair of the Foreign Affairs Committee.

Yours sincerely,

Joanna Cherry KC MP

Chair, Joint Committee on Human Rights

³ It could, for example, be added to the list: [Cabinet-Office-Guidance-pre-appointment-scrutiny-of-public-appointments.pdf](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/600000/Cabinet-Office-Guidance-pre-appointment-scrutiny-of-public-appointments.pdf) ([publishing.service.gov.uk](https://www.publishing.service.gov.uk))