**MEDIA STATEMENT**

**COGTA COMMITTEE PLANS TO HOLD INDABA AND COLLOQUIUM ON THE PROPOSED REGULATION OF RELIGION AND ALTERNATIVE SOLUTIONS**

**Parliament, Wednesday, 19 February 2020** – The Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) received a briefing yesterday at Parliament from the Freedom of Religion South Africa (FORSA), a non-profit, legal advocacy organisation which protects the constitutional rights to religious freedom.

Immediately after the committee was established after the 2019 general elections and set its programme for the year, it held a meeting with the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities in December 2019.

Based on what arose from that meeting, the committee resolved to hold a two-day Indaba together with the South African Religious Forum, and a Colloquium with the religious sector on the regulation of harmful religious practices. Both, Indaba and the Colloquium are scheduled to take place in March this year.
In January this year, Ms Muthambi, as the Chairperson of the committee, delivered a keynote address at the Special Conference of the African Consortium for Law and Religion Studies in Durban, on the South African experience of balancing religious freedom, human dignity and the law.

In the address she said: “As public representatives and Members of the committee, we are familiar with the complex challenges around the relationship between the law, religion and religious practices. In our context, freedom of religion, thought, belief and opinion is enshrined in the Constitution of the Republic of South Africa, 1996. Our Constitutional Court has also held that people must be free to believe and practice their religion even if it seems bizarre, illogical and irrational.”

“The State also has a duty to create a safe and positive environment for the exercise of religious freedom. However, we are increasingly witnessing religious practices that infringe on the constitutionally enshrined rights, including the right to have one’s human dignity respected and protected.”
She said: “The research report of the CRL Rights Commission on the Commercialisation of Religion and Abuse of People’s Belief Systems details some harmful practices. The report also provided details where religious institutions did not comply with accepted legal requirements and norms, including tax and registration obligations. This suggested that we are not enforcing our laws effectively. Religious organisations, like all organs of civil society, must function within the parameters of the law.”

“In the wake of the report, many churches have stood in solidarity with the CRL Rights Commission to condemn the abuses in the name of religion. The committee on COGTA also condemns such incidents of abuse and supports the limitation of the right to questionable religious practices, but only to the extent that the limitation is reasonable and justifiable in an open and democratic society,” added Ms Muthambi.

The committee heard the views of FORSA on CRL Rights Commission research report that has laid the groundwork and the proposals that are advanced. However, like FORSA, many religious organisations around the country are concerned that the proposals contained in the CRL Commission report would amount to a system of state regulation and state control of religion, which would be a violation of the constitutional right to religious freedom.

“As the committee, we need to consider and review the proposals contained in the report. In seeking the appropriate ways to eliminate abuses in the practice of religion in South Africa, we must ensure that we do not sacrifice the right to religious freedom for the sake of a few isolated religious practitioners,” said Ms Muthambi.

“We must also be mindful not to use the abuses of religion as a motivation to introduce regulations that would infringe on the rights and freedom of religious individuals and organisations” emphasised Ms Muthambi.

The committee will be inviting all the stakeholders to attend the Indaba which is planned to take place on 10-11 March 2020, and the Colloquium which is planned to take place on 17-18 March 2020. The committee hopes that the deliberations on both platforms will determine the way forward.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON COGTA, MS FAITH MUTHAMBI.**