Recommendations of the European Platform on Religious Intolerance and Discrimination to the Institutions of the European Union concerning the implementation of Freedom of Religion or Belief

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Why implement commitments to Freedom of Religion or Belief?

Freedom of thought, conscience and religion, which guarantees the right to hold and manifest religious and non-religious beliefs alike, is one of the pinnacle principles of all modern democracies. Following the atrocities of World War II, Article 18 in the Universal Declaration of Human Rights states that “Everyone has the right to freedom of thought, conscience and religion.” European Convention on Human Rights’ (1950) Article 9 provides a right to freedom of thought, conscience and religion. This includes the freedom to change a religion or belief, and to manifest a religion or belief in worship, teaching, practice and observance, subject to certain restrictions that are “in accordance with law” and “necessary in a democratic society.” The Charter of Fundamental Rights of the EU likewise affirms citizens’ “freedom of thought, conscience and religion” (Article 10).

Over the past decades, more citizens and leaders seem to understand the role and importance of religion and belief issues in national and international affairs. As recent research has shown, respect for freedom of religion or belief not only contributes to citizens’ social wellbeing, but also has a positive impact on stability, democracy and religious tolerance in a given society. Thus, promoting freedom of religion or belief is not only a moral or legal obligation, but also a strategic choice to be considered by policymakers. Freedom of Religion or Belief (FoRB) is often crucial to peace in society, and the lack thereof often leads to other human rights violations, including denials of freedom of expression, detention without trial, impunity for attacks on property and people, banning of religious assemblies and unlawful killing.1 This has often led specialists to claim that FoRB is indeed a litmus test for other fundamental rights. As with other fundamental freedoms, FoRB benefits all as it contributes to creating the conditions required for peace, democratisation and development and for the promotion of other human rights. Despite this, over half of the world’s population live in countries where the state seriously limits citizens’ freedom to believe, learn about belief or manifest belief. This negatively affects all communities of belief, including those whose beliefs are not theistic, such as atheists.2

Recommendations

(1) Develop a ‘toolkit’ on the promotion of the defence of FoRB, similar to that developed by the UK’s Foreign and Commonwealth Office; this toolkit:

1. Should look at FoRB as a fundamental freedom and its various sorts of infringements, as well as the ways it intersects with other fundamental rights and freedoms.

2. Should include a checklist on the necessary freedoms pertaining to FoRB in order to assess whether they are being respected, and mechanisms to identify infringements to FoRB.

3. Include suggestions and material for civil servants (EEAS); see also Guidelines for the Review of Legislation pertaining to Freedom of Religion or Belief by the ‘Vienna Commission’ of the OSCE’s Office on Democratic Institutions and Human Rights.

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1 As per British Foreign and Commonwealth Office’s ‘Toolkit’ on FoRB: “Freedom of Religion or Belief – how the FCO can help promote respect for this human right”.

2 As per Swedish Mission Council submission to the OSCE, 29 September 2009: “Guidelines for the Review of Legislation pertaining to Freedom of Religion or Belief”.
4. The preparation of such a toolkit should include Civil Society consultation and take into account recommendations given by civil society organisations.

(2) Concerning the European External Action Service (EEAS):

1. Human Rights should remain high on the EU’s external policy agenda and the EEAS should be sufficiently resourced in order to have the capacity to fulfil this role.

2. Establish a Religion Unit within the Thematic and Multilateral Directorate General. This Religion Unit would have responsibility for mainstreaming the issue of freedom of religion or belief across the geographical directorates and units as well as linking the issue into general human rights promotion within the same DG and advancing the issue in international and multilateral organisations and fora.

3. Appointment by the High Representative of an EU Special Envoy for Religious Freedom. The Special Envoy would report directly to the High Representative and receive analytical support from the Religion Unit.

4. Preparation of an Annual Report on Progress on Freedom of Religion or Belief in the World. The Annual Report would be produced by the Religion Unit in close collaboration with the EU Special Envoy and submitted by the High Representative. This report should include a list of countries of particular concern revised on an annual basis.

5. Incorporate basic understanding of religious dynamics into diplomatic training, to ensure that diplomats coming from the different EU institutions, as well as Member State diplomatics, develop a common diplomatic and administrative culture and a commitment to promoting EU interests and values worldwide. Consideration should be given to appointing a religious freedom officer in key EU Embassies.

6. Consider introducing a civil society consultation mechanism in the workings of the EEAS, preferably in conjunction with Human Rights Dialogues.

(3) Concerning the Human Rights Dialogues (European Commission, Council, High Representative)

1. Streamline FoRB as an issue to be discussed during each Human Rights Dialogue, considering it as a litmus test for other Human Rights and fundamental freedoms.

2. Maintain regular dialogues with Civil Society.

(4) Recommendations for the European Parliament

1. Institutionalise an Intergroup, in charge of relations with communities of conviction in the EU and beyond. Such a group should endeavour to address issues pertaining to FoRB in a relevant manner, allow an open and active discussion of these issues, and especially help feature freedom of religion or belief for all higher up the agenda of the European Union.

2. Call the EU Fundamental Rights Agency to provide the Parliament with accurate and reliable data on infringements of FoRB in the European Union, and advise how these could be tackled.

3. Actively debate the issue of FoRB in relevant fora (e.g. DROI, AFET, LIBE, EMPL etc., and country/regional Parliamentary Delegations), monitor the activities of the EEAS, the Commission and Council in this field and come with recommendations, where appropriate.

EPRID is a platform consisting of NGOs and religious groups of different faiths that endeavours to ensure that religious intolerance and discrimination are addressed in a consistent and comprehensive manner within both EU policy and activities.

EPRID involves organisations and individuals from various backgrounds, including Bahá’í, Buddhist, Christian (across denominations) and secular.