

Freedom of conscience around the world

SUMMARY

Many international conventions, such as those adopted by the United Nations, and regional conventions emphasise the need to protect freedom of religion and freedom of conscience, to which they attach equal importance. In Europe, these conventions are supplemented by the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union.

Freedom of conscience or opinion covers a wide range of beliefs and practices which reflect attitudes stemming from personal choices; the beliefs and practices involved are not easily categorisable. For that reason, international statistics are sometimes patchy and it is difficult to determine exactly how many people around the world do in fact enjoy freedom of conscience, particularly as in some parts of the world a climate of intolerance makes the exercise of that freedom problematic. Freedom of conscience is not upheld in every country: either the state itself is guilty of discrimination or persecution, or it is incapable of curbing violent social responses motivated by intolerance.

It is hard to put a figure on the number of cases involving denial of freedom of conscience, because the victims of persecution go largely unnoticed by the media. In many countries the situation is worrying, and the European Union is committed to defending freedom of conscience in its relations with its partners.



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Defending freedoms

International conventions attach equal importance to freedom of thought, of conscience and of religion. These freedoms are inextricably bound up with freedom of expression, assembly and association, since without the latter the former cannot be properly exercised.

The main international ([Universal Declaration of Human Rights](#) – Article 18; [International Covenant on Civil and Political Rights](#) of 1966 – Article 18) and regional ([American Convention on Human Rights](#) – Article 12 [African Charter on Human and Peoples' Rights](#) – Article 8) conventions devote a chapter to the protection of these freedoms, as does the [European Convention on Human Rights](#) (Article 9). In its judgments, the European Court of Human Rights has ruled that freedom of conscience also covers pacifism, atheism and vegetarianism. Article 10 of the [Charter of Fundamental Rights of the European Union](#) stipulates that 'everyone has the right to freedom of thought, conscience and religion'. That right is inextricably bound up with freedom of expression and assembly, which are guaranteed by the two subsequent articles of the Charter (Articles 11 and 12).

These freedoms are not always recognised under national constitutions, or if they are the existence of a [favoured religion](#) or of an official state religion makes their exercise more difficult. Moreover, even if these rights are guaranteed under the constitution, it may be that the courts do not enforce them, or that groups in society actively impede their exercise or even persecute those who seek to have their right to exercise freedom of conscience recognised, or who wish to leave a religion or voice their religious beliefs.

The problems inherent in defining all these attitudes and the fact that those who espouse them do not always come together to form organisations of their own mean that there is a widespread lack of awareness of the existence of obstacles to the exercise of freedom of conscience. For example, an independent-minded defender of the freedom to leave a religion, who expresses that view on the internet and is persecuted as a result, is more likely to be depicted in the media as a 'blogger' or as an advocate of freedom of expression, which he or she certainly is, than as a victim of his or her determination to uphold freedom of conscience.

A complex definition

Freedom of conscience covers a wide range of beliefs, held individually or collectively, making it more difficult to define than freedom of religion. Individuals may regard themselves as deists, theists, atheists or agnostics, as 'none of the above', as humanists, free thinkers or followers of one of any number of philosophies – the list goes on. As a result, the statistics available in this area are sometimes patchy. One obvious reason for this is that in some walks of life or in some countries it can be dangerous to exercise freedom of conscience.

Nevertheless, a number of international studies have tried to put a figure on the membership of the main world religions and on the numbers of people who have less easily categorisable beliefs and who are more often than not described pejoratively as 'unaffiliated' or 'non-denominational'. According to the [Pew Research Centre](#), the latter group – if it can be described as such – is the third-largest in the world, accounting for some 16 % of those polled. Pew also forecasts that the size of this group will remain stable in absolute terms over the period to 2060, but that it will decrease proportionately as numbers of, for example, Christians, Muslims and Hindus increase. This relative decrease can be explained by the rise in religiosity in Asia, whose inhabitants today make up 75 % of those surveyed who say that they have no faith. An opinion poll conducted by [Gallup](#) in 2015 produced rather different results, with 22 % of those questioned around the world saying that they

Article 18 of the Universal Declaration of Human Rights

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

regarded themselves as 'non-religious', and 11 % describing themselves as 'convinced atheists'. According to the [European Values Survey](#), three Europeans in four regard themselves as religious. The number of atheists remains low in most countries in Europe; the exceptions include France and the [Czech Republic](#). The differences in the findings of these global or regional studies show how difficult it is to put a precise figure on the number of persons in any given category.

Instances of violation of and persecution linked to freedom of conscience

More than 40 countries in the world have an official state religion, and 40 others have a religion which is favoured without having official status. In some cases, the state religion manifests itself above all in ceremonial contexts, for example if the monarch is the head of the national church, as in England. Often, however, these 'established religions' also receive special treatment as regards tax, assets or access to certain key posts, as in [Lebanon](#), where the main government posts are divided among members of the main religions recognised in the country, although a Shiite Muslim or a declared agnostic could never become president, for example. What is more, in 30 countries in the world the head of state must publicly profess a given faith. This requirement may also apply at other levels of government: in [Afghanistan](#), for example, not only must the president be a Muslim, but so also must the ministers and many senior civil servants who have to be sworn in.

Some violations of freedom of conscience also take the form of restrictions on freedom of expression imposed by the law: in many countries, anti-blasphemy laws are enforced very rigidly and lead to the persecution of people who express ideas which depart from the accepted norm. According to the annual report of the [International Humanist and Ethical Union](#) (IHEU), more than 30 countries around the world perpetrate serious violations of freedom of conscience, in particular by banning apostasy or conversion from a given religion. In 55 countries severe violations have occurred in the form of laws banning blasphemy or the criticism of religion; people who break these laws may face imprisonment or even death.

In many countries around the world, freedom of conscience, and the freedoms of expression and assembly which are closely bound up with it, are under threat.

Here are some examples. In February 2015 [Avijit Roy](#), a Bangladeshi activist based in the United States who is one of the leading figures in the movement campaigning for freedom of conscience and thought in Asia, was assassinated during a visit to Pakistan. One month later, in March 2015, [Washiqur Rahman](#), another activist known for his criticisms of Islamic attitudes towards freedom of thought, was also assassinated in the street. Local police forces are sometimes accused of failing to investigate murders of this kind properly.

In 2016, [Lubna Yaseen](#) was forced to flee Iraq in response to threats to her life, after repeatedly expressing her firmly held atheist views. She was saved by a US organisation, [Center for Inquiry](#), which has set up a special support programme for individuals persecuted for exercising freedom of conscience.

Malaysia was long viewed as a country characterised by tolerance between religious communities. In recent years, however, government [statements](#) concerning, and instances of persecution linked to, religion or freedom of conscience have become more frequent. In 2017, a minister called for the

Raïf Badawi – Winner of the European Parliament's Sakharov Prize (2015)

Raif Badawi, a Saudi human rights activist, bravely continued to voice his – moderate – liberal opinions in the face of pressure from the authorities. He defended in writing the right to freedom of thought and freedom of expression, including for atheists, and he called for society to be opened up to alternative ideas. Found guilty of setting up a forum on which 'blasphemous' comments were exchanged, he was initially sentenced in 2013 to seven years in prison and 600 lashes, and then in 2014 to 1000 lashes and 10 years in prison, plus a fine of 1 million rials (EUR 226 000). After a first public flogging, the sentence of lashing was suspended and that of imprisonment confirmed. In 2015 Raïf Badawi was awarded the European Parliament's [Sakharov Prize](#).

're-education' of non-believers, who he said should be prosecuted for failing to honour the constitution.

In India, Mallesappa Madivalappa Kalburgi, a rationalist thinker critical of Hinduism, was killed in [2015](#) after suffering repeated intimidation.

In [2017](#) in Sudan, a man was accused of apostasy after trying to change his religious status on his identity documents; he wanted to replace 'Muslim' by 'non-religious'. The court dropped the prosecution brought against him after declaring that he was mentally incompetent, a ruling which the defence challenged. In 2014, [Meriam Yahia Ibrahim](#), a young Sudanese married to a Christian, was accused of apostasy and sentenced to 100 lashes and hanging. She gave birth to a child in prison, before being released, then arrested again and ultimately taking refuge in the United States Embassy and being granted asylum.

EU action

In [2013](#), the Council of the European Union adopted guidelines on the promotion and protection of freedom of religion or belief. The European Union undertook to protect that freedom, impartially and without favouring any belief in particular, both within its borders and in its external policy. The Council emphasises that states have a primary role in guaranteeing freedom of religion around the world, by safeguarding the freedom to believe or not to believe, whether individually or collectively, to change religion and to give expression to religious beliefs. The Union encourages Member States to recognise conscientious objection to military service and has pledged to support those who are persecuted as a result of exercising their freedom to believe or not to believe. The European External Action Service (EEAS) raises the issue of freedom of thought, belief and religion whenever necessary. Moreover, Article 17 of the Lisbon Treaty provides for [dialogue](#) on European matters between the EU institutions and churches and non-confessional organisations. The latter regularly draw the EU institutions' attention to issues relating to the protection of freedom of conscience around the world.

In a [resolution](#) adopted in 2014, the European Parliament emphasised that 'the right to freedom of thought, conscience and religion is a fundamental human right' and called on Pakistan to repeal its blasphemy laws. In a resolution adopted in [2016](#), Parliament called for inter-faith dialogue to be taken into account as a precondition for peace and an essential tool of conflict management, with particular reference to freedom of thought, conscience and religion. The European Union has also lent its backing to declarations to that effect issued by the UN Human Rights Council, for example that of [March 2017](#) on freedom of religion and belief.

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