



REPRESENTATION PERMANENTE DE LA FRANCE

AUPRES DE L'OSCE

Working Session 14 – Freedom and Religion
Statement by the French Delegation
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In France, freedom of conscience is a major constitutional principle.

Guaranteed by the 1905 Law on the Separation of Church and State, Article 1 of which sets out that: *"The Republic ensures freedom of conscience. It guarantees the free exercise of religion subject to the sole restrictions enacted hereafter in the interest of public order,"* its scope remains essential. Affirming the freedom of conscience means recognizing each person's right to believe or disbelieve, to engage or disengage, and to belong to or withdraw from a community. The French Republic, which was created as a result of the 1789 Revolution, was founded on the premise of autonomy for each citizen: if equality before the law can be affirmed and political order can be based on a community of law, it is because it recognizes each citizen's right to be a fully-fledged subject of law, and thus a unique individual that differs from their family and community.

It is for this reason that any situation involving control and subjection is in itself a serious violation of this founding principle and is in sharp contrast with the Republican political order. The principle of freedom of conscience imposes a positive obligation on the State, because if the Republic is to ensure freedom of conscience, State neutrality towards the convictions of each person cannot be interpreted in terms of passive indifference: on the contrary, the State must work to ensure that each person can have effective freedom of conscience, and must combat those who exploit the freedoms of expression, religion and assembly by damaging the very foundation of these freedoms.

In the face of these sectarian abuses, the political issue is that it is the State's responsibility to comply with and enforce freedom of conscience. The State refrains from interfering in each person's individual beliefs, while guaranteeing the necessary conditions for their autonomy and protecting them from all forms of outside control.

Resolving this tension between expressing individual diversity on the one hand and living together on the other is the key to a peaceful and forward-looking society.