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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

Fundamental freedoms II, including freedom of thought, conscience, religion or belief - WS6

The OSCE is a security organisation, human dimension commitments from the Helsinki Final Act onwards[1] stressing that national and international security and human rights depend on each other. In the 1990 Charter of Paris for a New Europe heads of state and government stated: "Human rights and fundamental freedoms are the birthright of all human beings … Their protection and promotion is the first responsibility of government … Their observance and full exercise are the foundation of freedom, justice and peace". Commitments such as Kyiv 2013 reinforce this, "emphasizing the link between security and full respect for the freedom of thought, conscience, religion or belief".

Security threats in the form of serious freedom of religion and belief violations invariably take place in highly patriarchal societies without gender equality. In such participating States there are strong pressures against women speaking about human rights violations, including male violence. UN Special Rapporteur on Freedom of Religion and Belief Ahmed Shaheed in January stressed that "the right to freedom of religion or belief and the right to equality are intimately linked"[2]. Yet in June the SR with other UN experts stated that "women's rights are facing an alarming backlash in many parts of the world, and it is critically important to press on with further setting of standards on gender equality".

There are sadly many examples of participating States targetting women's fundamental freedoms. For example in Uzbekistan women in particular face sexual violence by male officials. In one recent incident, in July 2017 ordinary police and "Anti-Terrorism Police" raided a meeting where 27 Protestants were meeting for worship. During the arrests, interrogations, and literature confiscations which followed, only the women were forcibly undressed down to their underwear. This kind of violence and rape threats by officials is often also faced by Muslim and Jehovah's Witness women.

The Austrian Chairmanship reminded June's SHDM that "the level of respect for religious freedom is also a clear indicator for the respect for many other, closely interlinked, human rights: such as freedom of association and assembly, or freedom of expression." On 4 April three UN Special Rapporteurs underlined this in relation to Russia's nationwide Jehovah's Witnesses ban. The Special Rapporteur on Freedom of Opinion and Expression David Kaye, then-SR on the Freedoms of Peaceful Assembly and Association Maina Kiai, and SR on Freedom of Religion and Belief Shaheed stated that "the use of counter-extremism legislation in this way to confine freedom of opinion, including religious belief, expression and association to that which is state-approved is unlawful and dangerous, and signals a dark future for all religious freedom in Russia". They called on Russia to "drop the lawsuit in compliance with their obligations under international human rights law".

But Russia did not do this even though, as former ODIHR Director Michael-Georg Link remarked at the 6 April Permanent Council, no state has been destabilised by implementing too many OSCE commitments. Russia's nationwide ban is allegedly in the name of "anti-extremism". Yet as then-UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association Kiai pointed out to Forum 18 on 20 March: "The Russian government is claiming that the Jehovah's Witnesses are an extremist group, but in fact it's their move to ban them outright that appears to be extreme." He noted that "the right to freedom of association includes the right to association for religious purposes, and under international law this right can only be restricted in very narrowly-defined circumstances."

The serious consequences of long-term failure to implement human dimension commitments can be seen from the late 2007 start of separate "anti-extremism" campaigns against Jehovah's Witnesses and Muslim readers of works by theologian Said Nursi. These campaigns have led to, among other things: prosecutions of people meeting together to pray and study religious texts, in June 2017 resulting in the jailing for three years of Muslim Yevgeny Kim; ongoing raids by heavily armed and

[1] http://www.forum18.org/archive.php?article_id=1351
[2] http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/34/50

camouflaged officials on peaceful meetings for worship, prayer and study; nationwide literature bans on no credible evidence, with the possessors of such texts being liable to criminal prosecution; and unfair trials with credible claims of officials planting evidence; and an allegedly "extremist" pacifist Jehovah's Witness conscientious objector being ordered to work with nuclear weapons.

The need for implementation of commitments was also shown by Russia's July 2016 restrictions on (among other things) sharing beliefs and increased "extremism" punishments. There were many civil society protests against the "anti-terrorism" changes, which restrict those who can share beliefs to people with permission from state-registered belief organisations. The changes also: ban informal sharing of beliefs by individuals on their own behalf; restrict beliefs that can be shared; restrict the places where beliefs may be shared; and ban beliefs from being shared in residential buildings. They also bar the conversion of residential property to religious use – something which very many belief groups do across Russia. Within eight days they began being used nationwide, in the first case to prosecute a Hare Krishna devotee, and in the year since then 181 cases against mainly Protestant and Jehovah's Witness individuals and religious communities were brought to court.

As then-UN Special Rapporteur on Freedom of Religion and Belief Heiner Bielefeldt said in August 2016: "Freedom of religion or belief rightly has been termed a 'gateway' to other freedoms, including freedom of expression and freedom of peaceful assembly and association. There can be no free religious community life without respect for those other freedoms, which are closely intertwined with the right to freedom of religion or belief itself. This is exactly what worries authoritarian Governments and often causes them to curb freedom of religion or belief"[3]. This highlights the connection between this freedom and ensuring equal enjoyment of rights and equal participation in political & public life.

State control of society is the goal of many participating States, using alleged "extremism" to justify violating commitments. One such participating State is Tajikistan, which in July 2017 jailed Protestant Pastor Bakhrom Kholmatov for three years for allegedly "singing extremist songs in church and so inciting 'religious hatred'". The regime has threatened family members, friends, and church members with reprisals if they reveal any details of the case, trial, or jailing. On 29 August a law came into force which among other restrictions reinforced the regime's campaign against women wearing the hijab (Islamic headscarf). Victims and human rights defenders complain that women have been questioned, threatened and fined, as have some husbands. Some have lost their jobs or been forced to leave school. And Jehovah's Witness conscientious objector Daniil Islamov faces up to two years' jail.

Many excuses are used to justify human rights violations, a particularly absurd excuse being that security and human rights are in opposition. Bitter experience teaches us that the previous almost daily terrorism-related killings in the north of Ireland could not have been halted without the introduction of strong institutional protection of everyone's human rights. So to address the causes of insecurity, participating States, OSCE institutions and field operations, and civil society could:

- understand in concrete terms the serious violations of the freedom of religion or belief and interlinked freedoms of expression, assembly and association taking place in the OSCE region – including the targetting by some participating States of women exercising these freedoms;
- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments[4] that the non-negotiable most effective step to ensure security is to fully implement fundamental freedoms commitments;
- challenge the misuse of concepts such as "anti-terrorism", "extremism", "religious tolerance", and "dialogue" to disguise human dimension commitment violations;
- use tools such as the *EU Guidelines on the promotion and protection of freedom of religion or belief*[5], the *OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities* and *on Freedom of Association*, the *OSCE Guidelines on Freedom of Peaceful Assembly*, and *on the Protection of Human Rights Defenders*.[6]

[3] http://www.ohchr.org/Documents/Issues/Religion/A-71-269_en.pdf
[4] http://www.forum18.org/archive.php?article_id=1351
[5] http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/137585.pdf
[6] http://www.osce.org/gsearch?qr=Guidelines