



Associazione culturale “**Giuseppe Dossetti: i Valori**”
TUTELA E SVILUPPO DEI DIRITTI

Osservatorio per la Tolleranza e la Libertà Religiosa
Observatory for Religious Tolerance and Freedom

HDIM.NGO/0228/12
1 October 2012

2012 OSCE Human Dimension Implementation Meeting – Working Session 10

Statement by Dr. Mattia F. Ferrero
Coordinator of the
Observatory for Religious Tolerance and Freedom
Associazione “Dossetti: i Valori”
(Italy)

Despite many commitments adopted by the participating States, in the OSCE Area Christians suffer violations of religious freedom both East and West of Vienna, not only where they are a minority but also where they are a majority. In both cases the human dignity is equally violated. Therefore a hierarchy implying that violations against majority religions are less serious than those against minority ones would be improper.

Especially East of Vienna undue restrictions remain against the registration of Churches: civil authorities arbitrarily do not recognize the legal personality of Christian communities and these are therefore subjected to a number of limitations stemming from the lack of legal personality (such as acquiring property for a place of worship or establishing educational institutions for training clergy and so forth). In the same way undue restrictions persist against the importation and distribution of religious material as well as against visas for missionaries or volunteers, so that legitimate proselytism is strongly constrained.

The right of parents to ensure the religious and moral education of their children in conformity with their own convictions, even if this is doubtless encompassed in the right to religious freedom, it is called into question. Many participating States provide, or intend to provide, in public school compulsory teachings on ethical, religious or sexual subjects. Such teachings are appreciable but States should always bear in mind that children cannot be forced to a teaching that is not consistent with the convictions of their parents. In this case non-punitive and non-discriminatory opt-out possibilities should be granted.

Also the right of everybody to identify him/herself through religious symbols and attire is not fully guaranteed. There is a number of participating States that adopted, or intend to adopt, legal measures seeking to restrict the wearing of religious symbols in public areas.

Such measures seem to be in contrast with the very concept of religious freedom provided by the OSCE commitments and are part of a wider tendency to deny the public role of religion.



Associazione “Dossetti: i Valori”
Observatory for Religious Freedom and Tolerance

According to such trend religiously inspired behaviours should have no room in our societies with the consequence that individuals are prevented to live and act in accordance with the dictates of their conscience.

For example existing OSCE commitments recognize the conscientious objection only to military service but nowadays participating States should also guarantee the right of conscientious objection to other ethically sensitive questions (such as abortion, euthanasia *et cetera*). In our pluralistic societies conscientious objection is crucial to permit a coexistence of values: in fact in this manner people who do not subscribe to certain majority views are fully entitled to coexist with those who do. In the same way participating States should respect the autonomy of religious communities, granting to all religious entities to organize themselves and act in accordance with their beliefs and interests.

Finally let me mention the possible clash between religious freedom and freedom of expression. Freedom of religion or belief as such does not include the right for one's religion or belief to be free from criticism or all adverse comment. But there is a big difference if a religion or belief is the target of critical analysis from a merely theological point of view or if there is an incitement to discrimination, hostility or violence against a religion or its members. Between these two extremes, one can find all sorts of expressions and there is no consensus about how and exactly where the frontiers of freedom of expression should be drawn. If it is difficult to draw a legal limitation, anyway every person should be encouraged to exercise responsibly his/her freedom of expression, with due consideration for the believers' feelings. In particular the media have the responsibility to give a fair and accurate account of religious beliefs and to ensure that members of religious communities are given the chance to express their own views.

Freedom of religion or belief derives from the inherent dignity of human persons and protects their transcendent dimension. Only the full respect of this freedom could guarantee the free and full development of our democratic societies.

Dr. Mattia F. Ferrero

Coordinator

Associazione “Dossetti: i Valori” - Observatory for Religious Freedom and Tolerance

Corso Monforte, 2
I-20122 MILANO
ITALIA - ITALY

e-mail: mattia.ferrero@unicatt.it
Phone: +39-02-89452122
Fax: +39-02-89452125