

## **OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2006**

### **EU statement for the working session 13: Fundamental freedoms II**

**10 October, Warsaw**

Last year, the EU statement focused on two specific aspects of the freedom of religion and belief, i.e. the negative effects of certain registration practices and the promotion of tolerance. Unfortunately, both aspects remain important.

Certain registration practices continue to discriminate against certain religions and beliefs. In this regard, the EU is appalled by the rejection by the government of Belarus to implement the findings of the United Nations Human Rights Committee, after the Committee had come to the conclusion that the refusal by the Belarus government to register a nation-wide Hare Krishna association violated the freedom of religion and belief. But in many other countries as well registration practices continue to pose severe problems for religious communities.

The view taken by the European Union in this respect is well-known: we acknowledge that for practical purposes it may be useful to register religious communities as such. However, such registration practices should never form a precondition to exercise the freedom to manifest ones religion or belief in community with others.

The promotion of tolerance also remains of primordial importance. It cannot be denied that in many of our countries Islam is nowadays often associated with violence and extremism. We have witnessed growing tensions among religious communities and between those communities and non-religious segments in our societies. Our view will continue to be that it is not the religion itself which gives rise to these phenomena but the way it is abused by extremists. Our efforts to defend that view are made easier the more Muslim communities and their leaders distance themselves from the violence committed in the name of Islam.

The right to freedom of religion and belief is a balanced right: it firstly protects the rights of religious and non-religious believers and secondly through its limitation grounds it does not provide shelter to those who abuse religions for violent or extremist purposes. Too often, freedom of religion and belief is interpreted as freedom of religion only; however, the addition and belief is no coincidence. From the very beginning, it has been recognised that for one person religious beliefs determine his or her outlook on life, whereas for the other non-religious beliefs fulfil this role. Both need to find protection through the freedom of religion and belief.

The promotion of tolerance in matters relating to religion and belief is part and parcel of the freedom of religion and belief: states have a positive obligation to be actively engaged in activities aimed at reducing tensions and promoting tolerance. They cannot allow the rights of certain religious communities to be undermined by extremists; only in a tolerant environment will it be possible for everyone to freely manifest his or her religion or belief.

Finally, the European Union wants to emphasise one particular aspect of the freedom of religion and belief, i.e. the right to conscientious objection to military service. On several occasions, the UN Commission on Human Rights recognised this right as part of the general freedom of conscience, which in its turn is comprised by the freedom of religion and belief. Certain religions prohibit their adherents to take part in military activities. In accordance with the UN-resolutions with regard to conscientious objectors, there ought to be arrangements for them to fulfil alternative, non-military service, which should not be of a punitive nature. This implies, for example, that alternative service should not cover a longer period of time than military service. It is disappointing to note that the number of cases where conscientious objectors were punished for their attitude, has increased. Such cases have been reported in, for example, Azerbaijan and Turkmenistan. The European Union urges all countries concerned to recognise the rights of conscientious objectors.

Even this short overview of recent developments shows that the OSCE should continue to be active in this field. The EU welcomes the work of the Personal Representatives of the Chairman-in-office. It is also grateful for the work undertaken by ODIHRs Advisory Panel of Experts on Freedom of Religion and Belief. Under the present circumstances this type of work needs to be continued and, if possible, intensified.

The Acceding Countries Bulgaria and Romania, the Candidate Countries Croatia<sup>1</sup> and the former Yugoslav Republic of Macedonia, the Countries of the Stabilisation and Association Process and potential candidates Montenegro and Serbia, as well as Ukraine and the Republic of Moldova align themselves with this statement.

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<sup>1</sup> Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process