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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*

### *Addressing violations of freedom of thought, conscience, or belief*

"Our country has so many urgent problems - poverty, the lack of medicine, AIDS, crime, corruption. Why don't officials work on these instead of making life harder for religious believers?" Those words of a Kyrgyz Baha'i underline that the OSCE region's main violators of freedom of religion or belief and other fundamental rights are participating States. Freedom of religion or belief is inseparably linked with freedoms such as the right to life, freedom from torture, freedoms of expression and of association, as well as rights such as those concerning unjust detention, the right to a fair trial, and the rule of law. Uzbekistan, for example, imposes total control on the majority Muslim religious community, and engages in torture, arbitrary arrests, intimidatory secret police surveillance, bans on meeting for worship, arbitrary jailing, police raids, the overt incitement of religious hatred of minorities on state-run mass media and other violations against Muslims, Baha'is, Christians, Jews, Jehovah's Witnesses and Hare Krishna devotees. This, along with widespread poverty, fuels the appeal of extremist and terrorist groups and increases the prospect of violent instability.

However, freedom of religion or belief in the OSCE context is sometimes split into separate categories: 'Anti-Semitism', 'Muslims', and 'Christians and Members of Other Religions'. It is a profound mistake to isolate freedom of religion or belief violations against followers of a particular belief from other victims. Indeed, it runs the risk of caricaturing reality - as former UN Special Rapporteur on Freedom of Religion or Belief Asma Jahangir commented: "When I am asked which community is persecuted most, I always reply 'human beings'". OSCE commitments from the Helsinki Final Act onwards state that fundamental freedoms "derive from the inherent dignity of the human person" - all human persons. So a first suggestion for policy makers and diplomats is to **directly address freedom of religion or belief for all as a mainstream human right, along with other fundamental freedoms.**

One reality to be addressed is states' solemn international obligations. So another suggestion is **providing accessible information on a state's human rights obligations - and how they can be held to account.** This can empower people in the sometimes lonely struggle against oppression, including barriers such as censorship, denials of contact with people elsewhere, and state media disinformation. One example is arguably the OSCE's greatest success: mass media publication in all participating States of the 1975 Helsinki Final Act, so empowering people to demand from participating States commitments they had promised to implement.

A related suggestion is **capacity building for officials in diplomatic missions of states and international organisations.** One mission of a well-known international organisation, challenged by the victims of violations to speak out - as it had helpfully done on a repressive law on NGOs - replied: "We don't deal with religious freedom as the US Embassy handles that". Officials in missions often have many different responsibilities, and so they must be equipped to deal with them. It is not enough to have - as that international organisation has - expertise available in the home capital. Officials in missions must also have the tools, information and training to competently address freedom of religion or belief issues.

*(Please turn over.)*

Some participating States appear to have one overriding imperative - control. This leads to pressure on individual believers and independent communities to join state-approved centralised organisations. When dictatorships see people carrying out normal religious activity without state permission, they see a threat. For these people have overcome the fear that enables unelected rulers to control society. Police in Azerbaijan, who Forum 18 questioned about a raid on Protestants meeting without state permission, put it like this: "You don't need a licence to talk about chess or football, but you do about religion". Deeply held beliefs can be a source of courage to challenge oppression, and seemingly stable dictatorships can collapse. So another suggestion would be to consider whether policies and actions empower people who exercise fundamental freedoms, or empower their oppressors.

To impose control, laws and regulations aim to halt the free, independent, exercise of freedom of religion or belief. Examples include the draft laws Kazakhstan is passing as we speak. As a Belarusian Protestant said: "We would need to close half our churches to operate technically in accordance with the law." Laws that should protect people - such as Turkmenistan's Criminal Code Article 154 banning "obstructing the exercise of freedom of conscience and religion" - are unused. Challenged by victims, officials often do not care about relevant parts of their country's published laws or international human rights standards. As an official in Azerbaijan replied when challenged about an illegal house search without a warrant: "I'm the permission and the warrant". By reducing people's aspirations, dictatorships hope to contain them within an invisible ghetto. Some participating States, like Turkmenistan, claim they will "reform" laws restricting fundamental rights. But human rights violations continue and even worsen. So a further suggestion would be to **highlight in public and private the experience of victims and the systemic nature of violations, and let that inform policy**. Even in the most closed states, this can bring practical benefits for victims.

Words about tolerance and inter-religious dialogue can disguise violations of commitments, for example in Azerbaijan and Kazakhstan. An example was Azerbaijan's President Ilham Aliyev in April, at the state-initiated 'World Forum on Intercultural Dialogue': "it is already a fact that there is a high level of ethnic and religious tolerance in Azerbaijan, and it is the source of our strength". "Freedom of religion, freedom of conscience have been fully established in Azerbaijan," he claimed. The event was supported by among others the Council of Europe, UNESCO, and the UN Alliance of Civilizations. As the President spoke, Sunni Muslims and Protestant Christians in Gyanja were banned from meeting, riot police being deployed against one congregation. So another suggestion is to **publicly challenge the alleged promotion of tolerance and dialogue when the rule of law and fundamental human rights such as freedom of religion or belief are attacked**. In other words, insist that reality be addressed.

*The Price of Freedom Denied* by Brian Grim and Roger Finke, based on a worldwide survey, shows that religious freedom restrictions fuel social tensions and violence often claimed as the reason for restrictions. "National security" is one excuse for restrictions, despite international law not permitting this as a reason for restricting freedom of religion or belief. They also note that where religious freedom flourishes, democracy and development goals such as wider availability of health care and educational opportunities for women tend to benefit. So another suggestion is to **make action - not just words - to promote religious freedom a mainstream part of the full range of bilateral and multilateral relationships, including security links and development co-operation**.

In Turkmenistan a human rights defender, Natalya Shabunts, wrote this after a Protestant pastor was jailed for four years after a rigged trial: "One thing shines through from this sordid tale: no church member betrayed their pastor and almost all came to the court. In a country where fundamental human rights are violated on a daily basis and an atmosphere of fear prevails before the unpunished actions of the 'law-enforcement agencies', this is a very bold move." Effectively defending freedom of religion or belief for all means standing in solidarity with all who - as Aung San Suu Kyi in Burma put it - struggle to "live like human beings".

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