

OBSERVATORY ON  
**INTOLERANCE AND DISCRIMINATION**  
AGAINST CHRISTIANS IN EUROPE

ENGLISH only

OSCE Review Conference  
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Working Session 2, October 1st

**"Fundamental Freedoms, including Freedom of Thought, Conscience, Religion or Belief"**

This is an intervention on behalf of the **Observatory on Intolerance and Discrimination against Christians**, an organization that monitors and documents such cases in Europe ([www.IntoleranceAgainstChristians.eu](http://www.IntoleranceAgainstChristians.eu)).

In the context of working with individuals and the related social issues regarding growing occurrences of discrimination against Christians, we also observe legislative developments. What seems to be advancement in one area of Human Rights sometimes can backfire in another. We have identified four problematic areas with regard to freedom of religion, when looking at the rights of Christians:

- 1) An attempt to **diminish freedom of conscience** as is currently being debated in the Council of Europe under the name McCafferty Report. It plans to limit freedom of conscience to individuals, which constitutes a major problem for Christian hospitals, and violates the institutional dimension of freedom of religion. It also seeks to limit freedom of conscience of the individual by forcing objecting medical staff to refer the client to another provider and to also accompany the procedure there. This could force Christians out of medical professions. The McCafferty Report will be voted on in the Council of Europe on Oct 7.
- 2) Rights of Christians are also being limited in the **area of education**, for example there is the recent case in Germany where Christian parents did not want their children to go to a theatre play which conveyed values in direct opposition to the parents' moral convictions. These parents had to do prison time!
- 3) Another problem arises with **anti-discrimination legislation** – especially in the case of the directive, which the European Union is currently finalizing. It limits freedom of contract, religion and conscience to an extent that Christians will be hindered to take the professional decisions they wish.
- 4) Legal problems are caused by so-called **hate speech legislation**: **Many are well aware that there are several examples of** street preachers being arrested, for example in the UK, for saying that the bible says that homosexuality is a sin. Please, let us take note that the arrests were not for instigating violence or hatred, but for mere statements of disapproval.

**Therefore we recommend to OSCE, ODIHR and the OSCE missions to assess legislation** in the participating States in view of discrimination and intolerance against Christians.

**We recommend to the participating States to ensure** freedom of religion and belief, freedom of expression, freedom of assembly, right to conscientious objection; and to **refrain** from interferences and to modify legislation that discriminates or provokes intolerances against Christians.

We recommend participating states to **scrutinize "tolerance and non-discrimination" laws and measures**, not to lead to abuses and misapplications which can actually create greater intolerance and discrimination through, for example, the repression of Freedom of Speech, Freedom of Conscience, and Freedom of Religion, especially in its institutional dimension.

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