



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

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## **2011 OSCE Human Dimension Implementation Meeting – Working Session 2**

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Despite many commitments Christians suffer violations of religious freedom both East and West of Vienna, not only where they are minority but also where they are majority. A hierarchy implying that violations against majority religions are less serious than those against minority ones would be improper: the breach of the human dignity is identical.

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 limitations in other several issues linked to such personality (as acquiring property for a place of worship or establish 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 legitimate proselytism is strongly constrained.

Also the right of the religious communities to organize themselves autonomously and the right to freely select, appoint and replace their personnel are not fully respected. Sometimes there are undue interference of civil authorities, as happened for example in the election of the Ecumenical Patriarch. In certain cases anti-discrimination laws (as the UK’s Equality Act) can violate the autonomy of Churches. Religious organizations should be exempted from these laws in order to hire and retain people whose sympathies correspond to the interests of the organizations.

In some OSCE participating States the right of parents to ensure the religious and moral education of their children in conformity with their own convictions is not fully guaranteed, as happens for example in Spain. Children should not be forced to a compulsory sexual, religious or ethical teaching which can be not consistent with the convictions of the children’s parents: in this case non-discriminatory opt-out possibilities should be provided.

Moreover, the right of everybody to identify him/herself through religious symbols and attire –



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which is encompassed in the freedom of religion – is not always protected in the OSCE Area. Legal measures (such as the French or the Belgian one) seeking to restrict the wearing of religious symbols and attire in public area seem to be in contrast with the very concept of religious freedom provided by the OSCE commitments. As the UN Rapporteur on freedom of religion or belief said: “it’s regrettable that societies with high level of income and education have openly expressed their aversion to see religious symbols in public”.

The denial of the religion’s role for the private and social life has also led to a more and more widespread prohibition for the individual to live and act in accordance with the dictates of the conscience. The existing OSCE commitments expressly recognize the conscientious objection only to military service but nowadays participating States should guarantee the right of conscientious objection also to other ethical sensitive questions (as abortion, euthanasia *et cetera*).

Freedom of religion or belief derives from the inherent dignity of the 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.

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