



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

2012 OSCE Human Dimension Implementation Meeting – Working Session 14

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OSCE commitments on preventing and combating acts of religious intolerance and discrimination are quite recent but they cannot be considered apart from the longstanding commitments on freedom of religion or belief: religious tolerance and non-discrimination go hand by hand with religious freedom. If one of them lacks, the other one cannot be fully achieved and vice versa.

Despite many appreciable efforts of the ODIHR and of the three Personal Representatives of the Chairman-in-Office to combat such phenomena, much work is still to be done. From Vancouver to Vladivostok no part of the OSCE area is immune from manifestations of racism, intolerance and discrimination. As it was recognized by the Ministerial Council Decision No. 9/09, these episodes affect both minority and majority communities. In this respect it should be noted that a hierarchy between the victims – implying that acts against majority groups are less serious than those against minorities – would be improper: in both cases the inherent dignity of the human person is equally violated.

Especially East of Vienna there are recurring hate-motivated incidents and hate crimes against Christian properties or individuals that can even result in the murder of individuals. Profanations of Christian cemeteries and churches recently took place in several OSCE Countries both East and West of Vienna.

These events not only threaten the social cohesion in each participating State, seriously affecting the group that is the victim, but also can trigger instability and conflict on a wider-scale. In this respect the situation of Christian communities in Bosnia, Kosovo and Turkey is a real threat to security of the Euro-Atlantic and Euro-Asian region.

Primary responsibility rests with the participating States: it is not satisfactory that they do not commit violence themselves. Unfortunately this does not happen in several Countries where the religious communities are harassed by the police or by other governmental agencies, their members



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are in jail, their places of worship are arbitrarily searched and so on. But the States have also a duty to protect their citizens against acts committed by third parties and punish the perpetrators. Moreover they should assume all the initiatives necessary to prevent such crimes (for example educative programmes, awareness campaign and so on). Every time an hate crime occurs, we should ask whether the State has done its best to prevent *ex ante* the crime from being committed and not only to punish it *ex post*.

The above mentioned episodes of violence do not suddenly arise. They are the tragic final act of a slippery road which starts with mockery and social intolerance, then passes through discrimination, also established by law, and from there it ends up with the overt violence. Therefore if the early warning is a fundamental aspect, attention should be paid to intolerant public discourse in order to combat incitement to immediate violence. Participating States are also urged to develop concrete measures to foster a climate of tolerance and mutual understanding in order to prevent prejudice, negative stereotype, misrepresentation in the public discourse and media, including the Internet.

West of Vienna anti-Christianism appears as the last acceptable prejudice and seems to receive less attention than other forms of intolerance because of Christianity's position as the historically major religion. It is also more and more widespread the false idea that religions are a negative fact instead a positive factor for building and well-being of our democracies. If the freedom of religion or belief rightly protects also the non-believers, an anti-religious atheism which preaches the need to remove the religion from public life should not be welcomed. A similar approach would be at odds with the very concept of religious freedom provided by the OSCE commitments, which protect the religious phenomenon as such.

In many participating States there is a growing opposition to the public role of religion, which in some cases has resulted in the exclusion of religious symbols and attire from public areas. As was noted by the UN Rapporteur on freedom of religion or belief, “it's regrettable that societies with high level of income and education have openly expressed their aversion to see religious symbols in public”. Legal measures that forbid *tout court* to wear religious wearing in public space or on the workplace are seriously discriminatory. The fact that they affect in the same manner the believers of all religious communities is not sufficient to exclude their discriminatory nature. In this case, in fact, discrimination does not take place between believers of different religious communities, but between those who wish manifest publicly their religious beliefs and those who manifest through their wearing or symbols other kinds of beliefs (such as political ideas or trade unionist affiliation



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and so on).

Attention should be drawn also to denial of Christian Churches’ public role and to the attempt to exclude Christian believers from public discourse. Not only does it deny a rightful participation in politics but it can also easily slide into more overt discrimination or intolerance. According to Principle 16 of Vienna 1989 Concluding Document the OSCE and its participating States should engage in consultations with religious communities and promote the participation of these communities in public dialogue, even through the mass media. Consequently participating States should welcome the interventions of the representatives of religious communities that give their view – based on moral convictions deriving from faith – about everyday’s life and, in particular, on legislative and administrative provisions of their Countries. Unless instead of proposing the religious leaders become coercive or incite to violence, this should not be considered as a manifestation of intolerance because they exercise their right to religious freedom, in particular the right of religious teaching.

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