

Freedom of thought, conscience, religion or belief

See also:

- ▶ *National minorities*
- ▶ *Equality and non-discrimination clauses*
- ▶ *Prevention of aggressive nationalism, racism, chauvinism, xenophobia, anti-semitism and ethnic cleansing*

HELSINKI 1975 (“Declaration on Principles Guiding Relations between Participating States”, principle VII, par. 1 and 3)

The participating States will respect (...) the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

(...)

Within this framework the participating States will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

MADRID 1983 (“Questions relating to Security in Europe”, par. 12, 13 and 14)

The participating States reaffirm that they will recognize, respect and furthermore agree to take the action necessary to ensure the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

In this context, they will consult, whenever necessary, the religious faiths, institutions and organizations, which act within the constitutional framework of their respective countries.

They will favorably consider applications by religious communities of believers practicing or prepared to practice their faith within the constitutional framework of their States, to be granted the status provided for in their respective countries for religious faiths, institutions and organizations.

VIENNA 1989 (“Questions Relating to Security in Europe”, par. 11, 16.1 to 16.11 and 17)

(11) [The participating States] (...) confirm that they will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion (...)

(...)

(16) In order to ensure the freedom of the individual to profess and practise religion or belief, the participating States will, *inter alia*,

(16.1) – take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life, and to ensure the effective equality between believers and non-believers;

(16.2) – foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers;

(16.3) – grant upon their request to communities of believers, practising or prepared to practise their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries;

(16.4) – respect the right of these religious communities to

- establish and maintain freely accessible places of worship or assembly,
- organize themselves according to their own hierarchical and institutional structure,
- select, appoint and replace their personnel in accordance with their respective requirements and standards as well as with any freely accepted arrangement between them and their State,
- solicit and receive voluntary financial and other contributions;

(16.5) – engage in consultations with religious faiths, institutions and organizations in order to achieve a better understanding of the requirements of religious freedom;

(16.6) – respect the right of everyone to give and receive religious education in the language of his choice, whether individually or in association with others;

(16.7) – in this context respect, *inter alia*, the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions;

(16.8) – allow the training of religious personnel in appropriate institutions;

(16.9) – respect the right of individual believers and communities of believers to acquire, possess, and use sacred books, religious publications in the language of their choice and other articles and materials related to the practice of religion or belief,

(16.10) – allow religious faiths, institutions and organizations to produce, import and disseminate religious publications and materials;

(16.11) – favourably consider the interest of religious communities to participate in public dialogue, including through the mass media.

(17) The participating States recognize that the exercise of the above-mentioned rights relating to the freedom of religion or belief may be subject only to such limitations as are provided by law and consistent with their obligations under international law and with their international commitments. They will ensure in their laws and regulations and in their application the full and effective exercise of the freedom of thought, conscience, religion or belief.

COPENHAGEN 1990 (Par. 9.4 and 18.1 to 18.6)

The participating States reaffirm that

(9.4) – everyone will have the right to freedom of thought, conscience and religion. This right includes freedom to change one's religion or belief and freedom to manifest one's religion or belief, either alone or in community with others, in public or in private, through worship, teaching, practice and observance. The exercise of these rights may be subject only to such restrictions as are prescribed by law and are consistent with international standards;

[The participating States]

(18.1) – note that the United Nations Commission on Human Rights has recognized the right of everyone to have conscientious objections to military service;

(18.2) – note recent measures taken by a number of participating States to permit exemption from compulsory military service on the basis of conscientious objections;

(18.3) – note the activities of several non-governmental organizations on the question of conscientious objections to compulsory military service;

(18.4) – agree to consider introducing, where this has not yet been done, various forms of alternative service, which are compatible with the reasons for conscientious objection, such forms of alternative service being in principle of a non-combatant or civilian nature, in the public interest and of a non-punitive nature;

(18.5) – will make available to the public information on this issue;

(18.6) – will keep under consideration, within the framework of the Conference on the Human Dimension, the relevant questions related to the exemption from compulsory military service, where it exists, of individuals on the basis of conscientious objections to armed service, and will exchange information on these questions.

BUDAPEST 1994 (Chapter VIII, par. 27)

Reaffirming their commitment to ensure freedom of conscience and religion and to foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers, [the participating States] expressed their concern about the exploitation of religion for aggressive ends.

ISTANBUL 1999 (Charter for European Security, par. 19)

19. (...) We commit ourselves to counter such threats to security as violations of (...) the freedom of thought, conscience, religion or belief (...)