



**CHURCH OF SCIENTOLOGY INTERNATIONAL**  
**EUROPEAN OFFICE FOR PUBLIC AFFAIRS & HUMAN RIGHTS**

**Submission to OSCE High-Level Conference on  
Combating Discrimination and Promoting Mutual Respect and Understanding**

**Plenary Session 3**  
**Combating racism, xenophobia and discrimination, also focusing on intolerance and  
discrimination against Christians and members of other religions**

**June 2007**

The OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding is indeed welcomed and timely. There has been a rise in incidents of racism, xenophobia, discrimination, and intolerance toward members of religious and ethnic minorities in the OSCE region that merit attention.

Religious believers continue to be targets of intolerance and discrimination in the form of violations of their fundamental right to religious freedom, despite binding OSCE commitments to the contrary, in many countries throughout the OSCE. In some OSCE member states, minority religious communities continue to be targeted by the government in order to disrupt their peaceful right to practice their faith, to disrupt their religious services, to criminalize the practice of the religion, to discriminate against members due to their association with a particular religious community, to deny legal personality to religious communities by refusing to register them so that they have no legal right to exist, and to create second class citizens by stigmatizing targeted religions by classifying them as “sects”.

Recognizing anti-Semitism as a serious human rights violation, we note that it is the responsibility of all religious and human rights organizations –and not simply the responsibility of Jewish groups – to combat anti-Semitism in the OSCE region. It is a vital part of the fight for tolerance for all. We are firmly committed to cooperating in NGO, government, societal and interfaith efforts to eradicate anti-Semitism through concrete measures passed by the OSCE for participating states to follow.

Religious freedom issues around Europe continue to be a matter of concern. This has been highlighted during the year with regards to different Western European approaches to Islam. The issues concern responsible reporting of Islam (and indeed any religion), freedom of expression and balanced response to whatever sensitivities are offended in the process. The threat of terrorism from a very small minority of extremists is certainly something to be dealt with – but it should not be used to justify discrimination against Islam nor should other fundamental rights be sacrificed.

It has never been more important to foster dialogue and understanding between religions and OSCE governments and societies more broadly. Religions, even in secular societies, are an integral part of life. Responsible parties make their efforts to do so. These efforts must be extended to cover all religions especially whenever there is cause for misunderstanding or misrepresentation of the religion concerned.

In our experience, the most important tool to ending practices and policies of government discrimination against religious minorities is constructive dialogue. In situations where we have had the opportunity to engage in such dialogue, many misunderstandings have been resolved by providing governments with a more complete and accurate understanding of the religion and its activities and by providing a forum to address and resolve any government concerns through frank and full exchanges of information. It benefits everyone.

Governments that refuse to engage in such dialogue do a disservice to human rights by perpetuating prejudice and discriminatory policies based on misconceptions and misinformation regarding minority faiths. Surely, the best policy is to engage in dialogue in an effort to resolve any concerns and ensure fairness and objectivity to all.

Moslems who faced discrimination and misrepresentation in Western Europe have made their voice known, and rightly so, in order to counter this discrimination. As we have seen it is important to have a balanced response taking into account freedom of expression, on the one hand, and responsible reporting, on the other, as key factors to be taken into consideration when dealing with the issue.

Since 1990, the OSCE has enhanced its commitments to combat racism, xenophobia, anti-Semitism and related intolerance, including against minority religions. For example, OSCE Permanent Council Decision No. 621, Tolerance and the Fight Against Racism, Xenophobia and Discrimination (July 1994), commits OSCE States to promoting religious freedom and tolerance through “transparent and non-discriminatory laws, regulations, practices and policies”. There is perhaps only one thing that is advantageous about being a major religion and also being the subject of discrimination – and this is the broader influence and pressure one can bear in order to correct the wrong.

But how is it for the many minority religions? They too suffer from discrimination yet do not have the clout, political and otherwise, to make the offending party cease from engaging in discriminatory actions which impede religious freedom and disrupt other basic individual human rights, including employment and family life.

A subject that has fuelled intolerance towards minority religions in a few countries has been that of official and unofficial lists (as in France and Belgium) of “sects”. The whole “sect” issue and categorization is focused to separate targeted religious movements apart from ‘religions’, isolating them and denigrating their practices. Whilst most Western European governments do not adopt this stance there are still strong movements within the Belgian and French parliaments where inquiries into “sect issues” continue to be carried out in order to maintain a climate of intolerance towards targeted religious groups. These inquiries have been characterized by refusal to let the targeted groups take part in the enquiries and to interview only the more biased and intolerant proponents who are fighting against “sects”.

It is also worthy of note in this context that dialogue and mediation are never seen as tools to resolve conflicts or problems the inquiries say exist. The Belgian Parliament has had one recent enquiry entitled “Follow-up of the Recommendations of the Parliamentary Board of Inquiry regarding Sects” and the French National Assembly held one on the subject of “Parliamentary Commission on Sects and Minors”. These inquiries are used as a precursor for legislation to target religious minorities through laws that create criminal offence using broad generalized wording which inherently leads to discrimination.

In Eastern European countries the problems may often be worse but more hidden. Legislation that should grant a right of registration to religious organizations has been used in some countries to deny legal entity status and thereby restrict the religious activities of groups and deny them the same rights as other religions. Romania, Bulgaria, Serbia and Belarus for example all have registration laws that discriminate by having “tiers”, onerous population requirements or other unnecessary restrictions.

Extremist rhetoric left uncontested or condoned by officials has fueled an environment of intolerance toward members of various ethnic and religious minorities. Officials and state-run media have inflamed public opinion against minority groups in some parts of the OSCE region.

While many things can be done to improve the situation, we consider that dialogue is the central solution on which to focus and think that this can be facilitated far better within the OSCE structure. Through real and constructive dialogue false information about groups can be dealt with. When there is dialogue it is possible for groups to bring concerns to government and have a way in to resolve the issue and address actual concerns on either side.

The OSCE is already working in this direction and has two main institutional tools with which it can deal with religious questions.

First, there is the ODIHR Advisory Panel of Experts on Freedom of Religion or Belief which can take up matters of concern – though its hands are somewhat tied in that it has to be formally asked by a government to give an opinion before it can properly take up an issues. This of course restricts the work of the panel as it cannot act on its own determinism and if a government does not wish

It would be far more effective if the Panel of Experts were able to determine their own priorities in so far as what religious issues they should suggest and not be subject to the whim or veto of a government before they can take action.

**Our first recommendation** is to widen the mandate of the Panel of Experts so that it can determine its own priorities and make public (or private) pronouncements on activities of religious intolerance or discrimination that is brought to its attention.

Second, the OSCE has instituted a system of Chairman-in-Office Personal Representatives on tolerance issues. This is an excellent initiative but the personnel assigned are part-time and have a very heavy work load.

**Our second recommendation** is to integrate into the ODIHR structure or provide additional support to the Special Assistants in order that they can be better facilitated to carry out their activities better. They would also be responsible for providing a report of their activities and issues that have been taken up. Efforts should be made to ensure permanent appointment of the Personal Representatives. The country-specific reports of the Personal Representatives should be made available to the public. Funding for the Personal Representatives should be provided to ensure travel and staff support. The mandate for the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions is extremely broad, making it difficult for one person, no matter how capable, to be responsible for this mandate. The OSCE would be best served by creating a separate mandate for a Personal Representative focusing on Discrimination against Christians and Members of Other Religions. Activities and issues of the Representatives should be oriented towards creating, developing and improving conditions where parties are able to dialogue or, when dialogue is refused, then this is pointed out.

The issue of religious discrimination in the OSCE region merits exceptional action.

**Our third recommendation**, and we have made this before realizing it would require the political will and resources to be allocated towards doing so, is that a High Commissioner for Religious Freedom be established in a similar way that there is a High Commissioner for Minorities. As religious minorities do not fall under the mandate of this Commissioner either a new one position can be created or else the mandate of the High Commissioner for Minorities could be extended.

Some OCE countries still refuse to dialogue with minorities or take action to remedy systematic human rights abuses.

**Our fourth recommendation** is that mechanisms be established through the OCE and ODIHR to receive complaints regarding non-compliance with the Helsinki Accords and OSCE human rights standards, to determine the merits of such complaints, and to engage in mediation between the complainants and countries that are deemed to have seriously violated OSCE standards in order to remedy such situations.

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