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EUROPEAN UNION

**OSCE Review Conference
Warsaw, 1 October 2010**

EU Statement – Session 2: Fundamental Freedoms I (1)

Dear Mrs. / Mr. Moderator

I am honoured to speak on behalf of the European Union.

Since the Vienna Review Conference in 1999, many OSCE participating States have made great strides in implementing their commitment to protect the Freedom of Religion or Belief. As this right is at the core of the foundation of the EU, all EU member States are unequivocally devoted to continue promoting and protecting the Freedom of Religion or Belief. Implementation of OSCE commitments in this field, as well as eliminating all forms of intolerance and discrimination based on religion or belief remain a key priority for the EU.

The EU commends the advances made in protecting the Freedom of Religion or Belief since the 1999 Review Conference. Even though OSCE participating States have made important steps since 1999, violations of the Freedom of Religion or Belief and the associated right of individuals to

freely practice their faith continue to be violated in countries in the OSCE area.

One of the most persistent problems in some OSCE participating states is the curtailment of the freedoms of religion or belief in light of security concerns. Though these concerns in themselves are often legitimate and countering extremism continues to be a challenge for all countries within the OSCE area, the EU recalls that restrictions on the Freedom of Religion or Belief – as on any fundamental human right – must be narrowly defined and extremely limited, in accordance with article 9 of the ECHR and articles 4 and 18 of the ICCPR, which all clearly outline the very specific cases of restriction of the freedom of religion or belief. Article 4 of the ICCPR excludes specifically the Freedom of Religion or Belief from the exceptional decisions that can be adopted in case of public emergency. The EU recalls the commitment of OSCE participating states in the Charter for European security “that respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE’s comprehensive concept of security”

A further challenge regarding the Freedom of Religion or Belief in the OSCE area remains the protection of the basic human right to manifest one’s religion or belief. That is why the EU reiterates that the freedom to express one’s religion or belief is an integral part of this freedom, and that the Freedom of Religion or Belief and the Freedom of Expression are indeed complementary and not competing rights. Respecting the Freedom of Religion or Belief means allowing for individuals to express their views

on religion or belief, while at the same time leaving ample opportunity for criticism and questioning of one another's values.

The EU strongly rejects any hierarchy among religions and beliefs. We regret that despite many OSCE participating States having asked attention for this ongoing problem, since the Vienna Review Conference, there has unfortunately been limited progress made by certain States to guarantee the Freedom of Religion or Belief for specific communities of faith or belief, especially with regard to minority, non-traditional religions. The EU is concerned that authorities in some participating States continue to control and exert pressure on such communities, particularly by registration procedures that often seem to be introduced and implemented with the goal of controlling religious groups. Some States even go so far as to work against religious groups seeking to achieve a status of registration, and repress any religious activity that has not been registered. Civil society organizations seeking equal rights for all religious groups are not always heard and sometimes even obstructed in some participating States.

By doing so, these States do not act in line with the Guidelines for Review of Legislation Pertaining to Freedom of Religion or Belief. No limits can be put on the number of adherents of a religion or whether a religion has traditionally been observed in a certain country or region or not. The EU further deplores that some participating States do not take enough responsibility to protect those who are particularly vulnerable as regards their religion or belief, and calls on those States to provide them adequate protection. States must also prosecute and try those responsible for attacks

on places of worship, and abstain from arbitrary detention for reasons of religion or belief.

The EU would like to recall the excellent results achieved by the successful Supplementary Human Dimension Meeting on the Freedom of Religion or Belief in 2009. The EU is looking forward to the upcoming SHDM due in December 2010. Though this meeting is scheduled after this Review Conference, the EU encourages the recommendations of both States and civil society gathered at this SHDM to be taken into account in the work of the OSCE on further implementation of the Freedom of Religion or Belief.

Notwithstanding the remaining challenges in this field, the EU commends the advances made in protecting the Freedom of Religion or Belief since the 1999 Review Conference. The close cooperation of the OSCE with other international organisations has been essential in the advances made in protecting the Freedom of Religion and Belief. The joint work on legislative review of the OSCE's Advisory Council of Experts on Freedom of Religion or Belief and the Venice Commission of the Council of Europe has been particularly fruitful. The EU would also once again like to express its warm appreciation of the cooperation with ODIHR and its Panel of Experts on Freedom of Religion or Belief, as well as with the UN Special Rapporteur on Freedom of Religion or Belief.

In conclusion, the EU reiterates the continued need to fully implement the Vienna Concluding Document's commitment that all participating States "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". The EU will continue to take action in support of implementing this commitment in the OSCE area.

Thank you for your attention.

The candidate countries TURKEY, CROATIA*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA* and ICELAND**, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, the European Free Trade Association countries and members of the European Economic Area LIECHTENSTEIN and NORWAY, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA and SAN MARINO align themselves with this statement.

*Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

** Iceland continues to be a member of the EFTA and the European Economic Area.