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United States Mission to the OSCE

Statement at the Supplemental Human Dimension Meeting on Freedom of Religion or Belief

As prepared for delivery by Leonard Leo, Chairman,
United States Commission on International Religious Freedom
Vienna, July 10, 2009

Session II: Status of Religious or Belief Communities

Thank you Mr. Chairman,

In the 1989 Vienna document, participating States agreed to respect the rights of religious or belief communities to organize themselves according to their own hierarchical and institutional structure. This importantly included the right to select, appoint, and replace their personnel. We urge all participating States to respect this right.

Unfortunately, we continue to see State structures that openly seek to control and choose the religious leaders for unwilling congregations of believers, which results in the community being denied its choice of religious leaders. A society's fear of terrorism should not be used to deprive Muslim or other congregations, for example, of the ability to participate in the choosing of their religious leaders, as happens in Azerbaijan, and some other Participating States where a government-appointed board approves imams.

In Central Asia, while under their constitutions Tajikistan and Kyrgyzstan are secular states and provide for freedom of religion or belief, their laws and government policies place major restrictions on this right. For instance, the Tajik government's efforts to control religious practice disproportionately affect Muslims, but Tajik state officials also single out religious organizations that are viewed as having "foreign influences," and have banned three non-Muslim religious groups. In the past year, restrictive laws on religion have been passed by both countries, and the United States urges Bishkek and Dushanbe to amend the laws to ensure they uphold OSCE commitments.

In Uzbekistan, a restrictive law on religion continues to limit the ability of religious communities to function and facilitates the Uzbek government's control over religious communities. The government has continued to arrest and repress Muslim groups that it claims are associated with extremist political programs. Repression of non-registered minority groups includes police raids, massive fines, confiscation and destruction of religious literature, disruption of religious services, and detentions, including three- to four-year prison sentences.

In Europe, the United States is also concerned about longstanding limitations in Turkey on the ability of minority religious communities, broadly understood, to freely select and appoint their religious leadership. Also, registration systems for religious communities in counties

such as Slovakia, the Czech Republic, Romania, and even here in Austria, unfairly discriminate against small and peaceful groups.

Limitations can also be more bureaucratic, and the United States regrets the use of government committees for the work with religious associations, which sometimes control the registration of religious groups and the dissemination and content of their literature, such as in Belarus and Turkmenistan. Rather than facilitate relations with the State, such committees often prevent religious groups from practicing freely, obtaining religious literature from their Mother Church sources if outside the country, and sometimes even from having an approved place of worship. The United States is concerned over the establishment, composition, and expansive mandate of the Russia's Ministry of Justice's new Expert Council on Religious Studies. The Expert Council was given wide powers to recommend investigations of religious organizations, including their activities and literature, for numerous reasons, including extremism. While governments have a duty to combat direct incitement to imminent violence and acts of violent extremism as part of their obligation to protect citizens, they should respect the freedom of assembly and avoid harassment of believers.

We understand that there is a wide range of practice within the OSCE region concerning the relationship between the state and religious bodies. We nevertheless call on participating States to ensure their practices in this area are consistent with their OSCE commitments.

Thank you, Mr. Chairman.