



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

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Despite many commitments adopted by the participating States, in the OSCE Area – both East and West of Vienna – violations of freedom of religion or belief still subsist against Churches and Christian communities, as well as their own members, not only where they are minority but also where they are majority.

It is therefore necessary to avoid an improper “ranking”, implying that violations against majority religions are less serious than those against minority ones. In fact OSCE commitments protect minority religions as well as majority ones and every violation of the religious freedom is grave *per se* because breaches the human dignity in the same way.

Especially East of Vienna there are recurring episodes of violence against properties or people: in particular the situation of the Christian community in Kosovo is a real threat for the security and stability of the Region. Profanations of Christian cemeteries and churches recently occurred in several OSCE Countries. Too often these crimes happen without an adequate response from the participating States: it is not satisfactory that violence does not derive from the States, since public authorities have the duty to actively support and protect the freedom of religion or belief of its citizens.

In some cases even the police or other governmental agencies harass Churches and Christian communities. Undue restrictions also persist against import and distribution of religious material as well as there are visa restrictions for missionaries or volunteers.

In the OSCE Area several undue restrictions remain also against the registration of Churches and Christian communities. Sometimes it happens that, in the presence of a majority religion, civil authorities do not recognize the legal personality of Churches and these are therefore subjected to limitations in other several issues often linked to acquiring legal personality (as such acquiring property for a place of worship and other religious use; eligibility to establish educational institutions for training clergy; arranging visits and ministries in hospitals, prisons, and the military; and so forth). In other case the right of the religious



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communities to organize themselves according to their own hierarchical and institutional structure or the right to select, appoint and replace their personnel in accordance with their respective requirements and standards is not fully respected and there are undue interference of the civil authorities, as happened for example in the election of the Ecumenical Patriarch.

I would also point out that the rights of property and to religious freedom imply the return to the original owner of the places of worship which were confiscated by public authorities and these properties should not be allocated to other religious communities.

The existing OSCE commitments openly recognize the conscientious objection only to military service but nowadays participating States should guarantee the right of conscientious objection also to other ethical sensitive questions (as abortion, same sex marriage, children adoption by homosexuals, research on human embryo *et cetera*) in regard to the fact that religious freedom includes, *inter alia*, the right to live and act in accordance with the dictates of the conscience.

The OSCE participating States not always respect also the right of parents to ensure the religious and moral education of their children in conformity with their own convictions. For example, children should not be forced to a compulsory sexual, religious or ethical teaching which can be not consistent with the convictions of the children’s parents: in this case participating States should provide non-discriminatory opt-out possibilities. On the other side, we should bear in mind that the raising multiculturalism is in no way contrary to a facultative confessional religious teaching in public schools.

I finally find appropriate to remember that there is no contrast between religious freedom and freedom of expression in so far as is not promoted a supposed right “not to feel offended” and – conversely – the freedom of expression is not abused to offend and vilify the religions. All religions – also the majority ones – should be protected from incorrect or disrespectful portrayal of their members or backgrounds and the participating States should adopt practical measures to assure that the media and the public discourse are respectful for religions, their representatives, teaching and symbols.

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