



United States Mission to the OSCE

Session 2: Freedom of Thought, Conscience, Religion or Belief

As prepared for delivery by Ambassador Suzan Johnson Cook
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Mr./Madam Moderator,

As President Obama has affirmed, “The United States stands with those who advocate for free religious expression and works to protect the rights of all people to follow their conscience, free from persecution and discrimination. We bear witness to those who are persecuted or attacked because of their faith.” Like other fundamental rights, the right to freedom of thought, conscience, religion, or belief belongs to people by virtue of their humanity, and this right is inalienable. This right also includes the right not to believe.

Moreover, this right is inherently connected with other human rights, such as the freedoms of association, assembly, and expression. Accordingly, violations of this right should give rise to concern. Participating States are obligated to respect it, and to ensure the conditions for its free expression. Such protections will benefit the people of every nation, and will make the countries where these rights are guaranteed more, not less, secure.

Opportunities for interaction among people of diverse religions or beliefs have reached unprecedented levels, and are contributing to an increasing awareness and mutual understanding.

This helps all of us better protect the right to freedom of thought, conscience, religion, and belief. States that create an inclusive environment for people with different views will be able to harness the talents and resources of all their citizens to help meet compelling challenges within communities, at the national level, and within the world community.

Today, we see the various means by which States curtail the free exercise of this right despite the considerable body of related OSCE commitments. As a result, the space for religious observance and expression in many OSCE countries is shrinking.

Onerous registration requirements often lie at the core of restrictive laws on religion, and we encourage the governments of Tajikistan, Kyrgyzstan, Uzbekistan, and Turkmenistan to repeal or amend these laws.

We are also troubled by a trend toward new restrictive laws on religion in a number of countries. In Azerbaijan, unregistered religious worship remains illegal. Many groups have been denied registration or are still pending registration for more than 18 months after the

deadline for applying for registration. Hungary's new religion law, adopted on July 12 after a midnight debate, will de-register more than 300 previously registered faiths when it goes into effect next January; new requests for registration are subject to a two-thirds vote of the parliament. We urge that Hungary's framework for religious freedom be brought into conformity with OSCE commitments.

Kazakhstan's government is considering a similar law that would make all religious organizations re-register, impose compulsory censorship, and require government approval to open a new place of worship. We encourage Kazakhstan to reject or modify the proposed legislation, and to amend its religion law to remove existing penalties for engaging in peaceful, non-violent but unregistered religious activity.

Individuals in Uzbekistan engaged in religious activities outside of those approved by the authorities are subject to harassment, raids, fines and confiscation of religious materials—as well as imprisonment. Missionary activity is illegal. The law criminalizes unregistered religious activity and bans the production and distribution of unofficial religious publications. Minors are restricted from participating in religious organizations. In addition, criminal charges of belonging to specific banned religious groups considered “extremist” may be brought even when such groups have not engaged in violence. As a result, the U.S. government has again designated Uzbekistan a “country of particular concern.”

In Azerbaijan, there are burdensome registration requirements for religious groups; we urge the government to reform its registration system for religious groups to ensure that the system is fair, transparent, and timely. In addition, those who engage in innocuous religious activity without the permission of the government may be subjected to massive fines. Authorities reportedly monitored and raided some religious services, confiscated religious materials, and harassed and detained members of Muslim and Christian groups. The government has also banned the wearing of the hijab in schools and universities. We also encourage Azerbaijan to allow mosques to be finished or re-opened.

In Russia, use of extremism laws against non-violent religious minorities remains an ongoing concern. Russian prosecutors have filed numerous cases under Russia's Law on Counteracting Extremism, which has resulted in the banning of religious literature produced by the Jehovah's Witnesses, Scientologists, and followers of Said Nursi and Falun Gong. Even when these groups have court decisions in their favor, authorities are slow to act. The failure of Moscow authorities to allow the reopening of a Jehovah's Witnesses branch is just one such example. We encourage Russia to avoid applying anti-extremism laws to nonviolent minority religious groups.

In like manner, vague anti-terrorism and extremism laws in a number of countries like Russia and Uzbekistan are being used as a means to frustrate, if not eliminate, the religious activities of certain groups by mislabeling them as “dangerous sectarian,” “extremist,” or “terrorist” organizations.

Tajikistan has passed legislation over the past couple of years strictly controlling religious practice in the country. Prayer is allowed only in designated places, and women are not allowed

to pray in a mosque. Most recently, Tajikistan has imposed restrictions on religious activity by young people. In particular, the Parental Responsibility Law, which prohibits minors from participating in the activities of religious associations, is fundamentally incompatible with OSCE commitments, as are restrictions on the importation and distribution of religious publications.

The United States is alarmed at the increase of anti-Semitism and anti-Muslim sentiment in the OSCE region and elsewhere, and we urge OSCE participating States to speak out and address it.

We must learn the lessons of the past to prevent the growth of hatred and discrimination. We commend Lithuania for its Holocaust education program, and urge other countries to reinvigorate such efforts. The increase in anti-Semitic acts in the OSCE region such as defacing property and desecrating cemeteries with anti-Semitic graffiti, along with Holocaust denial and Holocaust glorification is most disturbing.

Even among countries who generally respect religious freedom, and with whom we rarely have disagreements in this area, we occasionally identify issues worthy of note. The banning of head and face coverings in countries such as Belgium and France, and other participating States that may be moving to ban religious attire, such as Italy, violates the right of individuals to determine the practice of their faith. As President Obama has stated, "it is important for ... countries to avoid impeding Muslim citizens from practicing religion as they see fit—for instance, by dictating what clothes a Muslim woman should wear."

Ethnic and religious groups working together is the best way to move a culture from fear and negative stereotyping to acceptance and understanding; from narrow mindedness to an embrace of diversity; from hate to tolerance. We must not only confront intolerance, we must actively promote tolerance.

Finally, the efforts to ban ritual slaughter of animals in line with Kosher and Halal guidelines have the effect, intended or unintended, of curbing Jewish and Muslim religious practices and therefore infringe on religious freedom. We encourage all countries which may be contemplating such a ban to reconsider and to recognize that it is a barrier to religious expression and practice.

Conscientious objectors in several participating States have languished in prison for years as the price for following the dictates of their consciences. I would note the ruling of the the European Court of Human Rights, in the case of Bayatyan v. Armenia. The right to conscientious objection to compulsory military service flows directly from the right to freedom of thought, conscience, religion or belief, and we hope Armenia will amend its 2009 law to address the concerns that have been raised. We urge Armenia to release the 68 conscientious objectors currently in prison and to amend its laws in line with its OSCE commitments to prevent further imprisonment of conscientious objectors. We also urge Turkmenistan, Turkey, and Azerbaijan to bring their laws and policies into conformity with OSCE standards.

We are heartened by the Turkish government's decree of August 27 to return or compensate for properties confiscated from religious communities over the last 75 years. We also commend the

Turkish government for returning the Buyukada Orphanage to the Ecumenical Patriarchate earlier this year. I would note that at the Belgrade meeting of the OSCE Parliamentary Assembly in July, the issue of the Halki seminary was raised. The United States reiterates its call for the Government of Turkey to allow the reopening of the Theological School at Halki four decades after its forced closure by the authorities. We also urge Turkey to amend the 1982 military-drafted constitution to provide full legal status and rights for Turkey's religious minorities.

As Secretary Clinton said earlier this month as she released the International Religious Freedom Report, "When governments respect religious freedom, when they work with civil society to promote mutual respect, or when they prosecute acts of violence against members of religious minorities, they can help turn down the temperature. They can foster a public aversion to hateful speech without compromising the right to free expression. And in doing so, they create a climate of tolerance that helps make a country more stable, more secure, and more prosperous."

We call on all members of the OSCE to uphold their international commitments to freedom of thought, conscience, religion or belief. Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief, remains essential to the security of the OSCE region and the world community. Let us all take greater steps to protect this right—a right at the core of human dignity.