

**Submission to the High Representative of the Union for Foreign Affairs and Security Policy**

**Baroness Catherine Ashton**

**On the implementation of Freedom of Religion or Belief in the world**

**by the**

**Church and Society Commission (CSC) of the Conference of European Churches (CEC)**

The European Union is founded on human dignity, freedom, democracy, the rule of law and human rights.<sup>1</sup> According to Article 3 (3) of the Lisbon Treaty “in its relations with the wider world, the Union shall uphold and promote its values and interests”. It is, therefore, of utmost importance that the values on which the European Union is based also guide its external relations and that coherence and transparency is maintained and strengthened in dealing with human rights’ violations inside and outside the territory of the European Union.

It is in this context, that the Church and Society Commission (CSC) of the Conference of European Churches (CEC)<sup>2</sup> takes the liberty with this submission to address the High Representative of the Union for Foreign Affairs and Security Policy on the implementation of human rights in the world and, in particular, on the implementation of the right to freedom of religion or belief.

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<sup>1</sup> Article 2 of the Lisbon Treaty on The European Union (TEU)

<sup>2</sup> The Conference of European Churches (CEC) is a fellowship of some 120 Orthodox, Protestant, Anglican and Old Catholic Churches from all countries of Europe, plus 40 associated organisations. CEC was founded in 1959. It has offices in Geneva, Brussels and Strasbourg. The Church and Society Commission of CEC links member churches and associated organisations of CEC with the European Union’s institutions, the Council of Europe, the OSCE, NATO and the UN (on European matters). Its task is to help the churches study church and society questions from a theological and social-ethical perspective, especially those with a European dimension, and to represent common positions of the member churches in their relations with political institutions working in Europe (cf. <http://csc.ceceurope.org/index.php?id=15>).

The Conference of European Churches and its 125 member churches from all over Europe have repeatedly stated that they are committed to the universality and the indivisibility of human rights.<sup>3</sup> Churches are advocating the inalienable human dignity of every person and they are engaged in promoting and implementing human rights as stipulated, for instance, in the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the EU Charter of Fundamental Rights.

In view, however, of the “increasing number of acts of religious intolerance and discrimination, as epitomised by recent violence and acts of terrorism, in various countries, against Christians and their places of worship, Muslim pilgrims and other religious communities”,<sup>4</sup> and in view of the Conclusions of the 3069<sup>th</sup> Foreign Affairs Council (21 February 2011), which invites “the High Representative to report on the measures taken and on concrete proposals to further strengthen the EU action in this regard”, we want to limit ourselves in this submission to addressing the issue of freedom of religion or belief in the world.

In many countries around the world, the implementation of the freedom of religion or belief is a sensitive and complex issue, involving individuals as well as majority and minority communities alike. Freedom of religion or belief is often inseparably linked to the implementation of other fundamental rights, which are under question at the same time, such as freedom of speech, the right to non-discrimination, children, parental rights, property rights, security issues etc. The sensitivity and the complexity of the situation should not lead to under-estimating the religious dimension or infringe upon the right itself. This is why we believe that also the EEAS in its diplomatic relations should be a strong advocate in implementing the right to freedom of religion or belief.

The Conference of European Churches and its member churches have a long-standing tradition of addressing issues related to freedom of religion or belief in a spirit of dialogue and mutual respect. Having also strong ties with their sister churches in other parts of the world and being in dialogue with other communities of faith and conviction, the churches are ready to put their experience at your disposal and to support the European External Action Service in its efforts to promote the implementation of freedom of religion or belief.

## Recommendations

In order for the EU and its Member States to implement their commitment to “the realisation of the freedom of religion or belief in all parts of the world”<sup>5</sup>, the CSC of CEC wants to make the following recommendations to the European External Action Service:

1. The EU Delegations in various countries of the world have an important role to play. In the tradition of previous guidelines which were developed in the framework of the EU Common Foreign and Security Policy offering practical tools for EU representations, we recommend to develop **Guidelines on the Rights to Freedom of Religion or Belief**. Such guidelines would help in strengthening the awareness of the EU Delegations of the religious landscape of their respective countries and the international instruments and mechanisms with regard to freedom of religion or belief. The guidelines should provide some very practical tools and best practices in order to facilitate and strengthen the work of EU Delegations in:

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<sup>3</sup> Cf. <http://csc.ceceurope.org/issues/human-rights-library/>

<sup>4</sup> 3069<sup>th</sup> FOREIGN AFFAIRS Council Meeting Brussels, 21 February 2011

<sup>5</sup> 3069<sup>th</sup> FOREIGN AFFAIRS Council Meeting Brussels, 21 February 2011

- Monitoring the implementation of freedom of religion or belief (also in relation to other fundamental rights and freedoms as well as social, cultural and economic rights) in the respective country and to serve, in case of emerging conflicts, in an “early-warning function”;
  - Establishing good contacts with the communities of faith and conviction, with organisations which promote mutual respect and dialogue (e.g. Interreligious or Ecumenical Councils) as well as with human rights and civil society organisations in the respective countries;
  - Reporting back on a regular basis on the implementation of human rights in the respective countries, including the implementation of freedom of religion or belief.
2. In order to increase the capacity in monitoring the implementation of freedom of religion or belief in other parts of the world, special **Training**, for staff of the EEAS and in particular for the staff of the EU Delegations would be important. Other organisations have already had good experiences in training their diplomatic staff and thereby increasing their awareness and capacity to act on specific aspects of the human rights agenda. The ecumenical, interreligious and human rights organisations would be an important asset in this training.
3. With regard to the High Representative and the Secretariat of the EEAS we wish to recommend:
- Collection of **data** on the implementation of freedom of religion or belief and a section on this in the EEAS annual Human Rights Report;
  - Establishment of appropriate mechanisms in the Union to **quickly react** to violations of human rights outside its territory, including the right to freedom of religion or belief;
  - Use of **human rights dialogues** with countries outside the Union to also address issues of freedom of religion or belief, where appropriate, with reference to the human rights’ clause in trade agreements;
  - Use of the Union’s or its member state’s membership **in international fora**, such as the UN and its Human Rights Council, to raise violations of the freedom of religion or belief and to dialogue with the countries concerned;
  - Cooperation with institutions and organisations, which cover a territory broader than the European Union, such as the **UN Special Rapporteur on Freedom of Religion or Belief or the OSCE/ODIHR Advisory Panel on Freedom of Religion or Belief**,<sup>6</sup> as well as with communities of faith and conviction and human rights organisations in Europe;
  - Use of a few case studies for situations where freedom of religion or belief is threatened or likely to be threatened in order to test the effectiveness and inter-relatedness of the above mentioned recommendations;
  - Strengthening of the staff capacity and resourcing for monitoring the implementation of human rights worldwide and establishment of sufficient **advisory capacity** from Member States, but also from human rights organisations and communities of faith and conviction and their ecumenical and inter-religious organisations in Europe.

Despite all of these measures, it remains of utmost importance that the European Union and its Member States provide **protection** and grant **asylum** to persons who are persecuted in third countries on the grounds of their religion or belief, as well to human rights defenders, as enshrined in the International Refugee Convention 1951(1968).

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<sup>6</sup> Also the Council of Europe with its legal expertise and its White Paper on Inter-Cultural Dialogue might be a good framework for EU Member States to address issues related to freedom of religion or belief.

Being committed to international human rights' standards, the churches in Europe will continue to engage in the protection of human rights, in creating awareness on human rights' standards and mechanisms and by providing human rights' training for their membership.<sup>7</sup> They will also continue to engage with their sister churches in other parts of the world and to bring their voice to the European Institutions.

The Conference of European Churches and its Church and Society Commission remain at the disposal of the European External Action Service for further discussion and to support the implementation of the above recommendations.

Brussels 19 September 2011

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<sup>7</sup> CSC is in the process of finalising the Human Rights Training Manual for European Churches. The aim of the project is to give resource material to the CEC member churches to organise human rights training for its membership, but also at the same time to contribute to the process of strengthening the human rights culture inside and outside Europe.