



European Parliament  
Human Rights Sub-Committee  
Freedom of religion or belief hearing  
26 May 2011

---

## Why Freedom of Religion or Belief Matters

EPRID – the European Platform on Religious Intolerance and Discrimination – is a network of organisations and individuals which endeavours to ensure that religious intolerance and discrimination are addressed in a consistent and comprehensive manner with both policy and activities of the European Union. We therefore welcome the opportunity given by the human rights' sub-committee of the European Parliament to discuss this important issue and see what can be done to ensure greater respect of this fundamental freedom.

International and European legal instruments speak of this right in very clear terms:

- Article 18 - Universal Declaration of Human Rights  
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.
- Article 18 – International Covenant on Civil and Political Rights
  1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
  2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
  3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
  4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.
- Article 9 – European Convention on Human Rights  
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.  
Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or the protection of the rights and freedoms of others
- Article 10 - Charter of Fundamental Rights of the European Union  
Freedom of thought, conscience and religion
  1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in

community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.

2. The right to conscientious objection is recognised, in accordance with the national laws governing the exercise of this right.

Seeing the prominence of this right in international treaties, it comes as no surprise that institutions of the European Union would time and again affirm their commitment to the promotion and protection of freedom of religion or belief (FoRB). This support was stated as recently as January and February of this year in a resolution of the European Parliament and Council conclusions:

The Conclusions of 21 February on intolerance, discrimination and violence on the basis of religion or belief, where the Council not only reaffirms the commitment to the protection of freedom of religion or belief, expresses concern about the increasing number of acts of religious intolerance and discrimination, but clearly states that “Freedom of religion or belief is a universal human right which needs to be protected everywhere and for everyone”. The conclusions call on the State to protect all their citizens, including people belonging to religious community and minorities, and all should be able to practice their religion and worship freely, individually or in community with others, without fear of intolerance and attacks.

In its 17 January Resolution on the situation of Christians in relation to freedom of religion, the European Parliament provides further details, and suggests a number of actions which the Council and the Commission should consider when discussing relations with other countries.

It is clear from these legal instruments, statements and documents that freedom of religion or belief matters – but what more can be done to bring the respect of this key fundamental right forward?

For EPRID, it is a necessity for the EU to step up its strategic thinking on freedom of religion or belief and improve its analysis and understanding about the role of religion in contemporary societies with the purpose of informing the policies it will adopt, and relations it will build and strengthen with other partners.

The following guiding principles could inform the work of the European Union in this endeavour:

- When the EU identifies ways to address religious persecution, there is a need to **analyse the dynamic of various stakeholders involved**. Not only religious minorities fall victim for religious persecution or discrimination – the picture is broader, threatening pluralistic, democratic and moderate voices in society.
- In this regard, **freedom of religion or belief may not be compartmentalised or detached from the broader context** of democracy and human rights promotion, but the causes and consequences of the vicious circle which will be described later by Penelope Faulkner need to be rightfully addressed.
- The capacity to **monitor and analyse developments** in third countries and identify mechanisms to promote early warning needs to be built. Along this line, programmes for enhancing the rule of law in third countries, including training for police and judiciary, is necessary.
- The EU needs to pay attention to **inclusiveness and fair participation**, enabling more vulnerable groups, such as women, youth, ethnic minorities, and disabled, to be present.
- In relation to the EU’s future policy on freedom of religion or belief, it is necessary that **the process is open, transparent and inclusive**, involving interested civil

society organisations, NGOs, academic experts, and representatives of religious groups, representing both European and third countries. Dialogue with non-governmental stakeholders has to take place at all levels – the headquarters, capitals and delegations. We call for regular, meaningful exchange of views in the form of brainstorming meetings, invitations to COHOM or European External Action Service (EEAS) training sessions, and annual conferences on the matter.

Furthermore, EPRID would like to suggest that beyond these principles, if freedom of religion or belief is to truly matter, then actions also need to be adjusted to show this commitment. It would like to make the following recommendation:

**Develop a ‘toolkit’ on the promotion of the defence of FoRB, similar to that developed by the UK’s Foreign and Commonwealth Office; this toolkit:**

1. Should look at FoRB as a fundamental freedom and its various sorts of infringements, as well as the ways it intersects with other fundamental rights and freedoms.
2. Should include a checklist on the necessary freedoms pertaining to FoRB in order to assess whether they are being respected, and mechanisms to identify infringements to FoRB.
3. Include suggestions and material for civil servants (EEAS); see also *Guidelines for the Review of Legislation pertaining to Freedom of Religion or Belief* by the ‘Vienna Commission’ of the OSCE’s Office on Democratic Institutions and Human Rights.
4. The preparation of such a toolkit should include Civil Society consultation and take into account recommendations given by civil society organisations.

**Recommendations for the European Parliament**

1. Institutionalise an Intergroup, in charge of relations with communities of conviction in the EU and beyond. Such a group should endeavour to address issues pertaining to FoRB in a relevant manner, allow an open and active discussion of these issues, and especially help feature freedom of religion or belief for all higher up the agenda of the European Union.
2. Call the EU Fundamental Rights Agency to provide the Parliament with accurate and reliable data on infringements of FoRB in the European Union, and advise how these could be tackled.
3. Actively debate the issue of FoRB in relevant *fora* (e.g. DROI, AFET, LIBE, EMPL etc., and country/regional Parliamentary Delegations), monitor the activities of the EEAS, the Commission and Council in this field and come with recommendations, where appropriate.

**Concerning the European External Action Service (EEAS):**

1. Human Rights should remain high on the EU’s external policy agenda and the EEAS should be sufficiently resourced in order to have the capacity to fulfil this role.
2. Establish a **Religion Unit** within the Thematic and Multilateral Directorate General. This Religion Unit would have responsibility for mainstreaming the issue of freedom of religion or belief across the geographical directorates and units as well as linking the issue into general human rights promotion within the same DG and advancing the issue in international and multilateral organisations and *fora*.
3. Appointment by the High Representative of an **EU Special Envoy for Religious Freedom**. The Special Envoy would report directly to the High Representative and receive analytical support from the Religion Unit.
4. Preparation of an **Annual Report** on Progress on Freedom of Religion or Belief in the World. The Annual Report would be produced by the Religion Unit in close collaboration with the EU Special Envoy and submitted by the High Representative. This report should include a list of countries of particular concern revised on an annual basis.

5. Incorporate basic understanding of religious dynamics into **diplomatic training**, to ensure that diplomats coming from the different EU institutions, as well as Member State diplomacies, develop a common diplomatic and administrative culture and a commitment to promoting EU interests and values worldwide. Consideration should be given to appointing a **religious freedom officer** in key EU Embassies.
6. Consider introducing a civil society consultation mechanism in the workings of the EEAS, preferably in conjunction with Human Rights Dialogues.

**Concerning the Human Rights Dialogues (European Commission, Council, High Representative)**

1. Streamline FoRB as an issue to be discussed during each Human Rights Dialogue, considering it as a litmus test for other Human Rights and fundamental freedoms.
2. Maintain regular dialogues with Civil Society.

EPRID welcomes the emphasis the EU has put on freedom of religion or belief, and the opportunity given to engage in a discussion on making this fundamental right matter even more. It is clear from the examples that will be highlighted by Penelope Faulkner that a lot of work still needs to be done, but we have a strong foundation to work on.

## **The Realities of Infringements to Freedom of Religion or Belief: A Global Snapshot, 2010–2011**

Penelope Faulkner, Quê Me: Action for Democracy in Vietnam

Sarah Vader has outlined EPRID's aims on mainstreaming religious freedom issues into EU policy. I would like to give a snapshot view of show the human dimension of this problem, and its devastating consequences all over the world. According to the American think-tank the Pew Forum, 70% of the world's population lives in countries where religious freedom is restricted or abused. Every continent, every community is affected. One brief look at the staggering toll of human suffering caused by religious intolerance shows that EU policies in this domain are not only much-needed, but long overdue.

There is no single formula for religious intolerance. It may emanate from States who create State-controlled religious bodies, such as China or Vietnam. It may be State suppression of religious minorities, such as the Bahá'í in Iran, or Christians in Eritrea. It may result from lack of State protection for religious minorities, as the case of Ahmadiyya Muslims in Indonesia or Pakistan, or from societal hostilities and sectarian violence, as in Nigeria, where Muslims and Christians alike are the targets of deadly attacks. It may be the consequence of repressive and controversial legislation, such as the notorious "blasphemy laws" in Pakistan.

Victims of religious intolerance are not just people deprived of the right to practice their faith. They suffer violations of fundamental freedoms in all aspects of their lives, simply because of the religious, spiritual or atheistic convictions they hold deep in their hearts. In countries where the state circulates disinformation or incites hatred in the official media, a culture of prevailing prejudices develops against which religious minorities are defenceless. Deprived of the protection of the rule of law, victims lose their rights to free expression, association, education, employment, and ultimately, the right to life.

This is the case of the **Bahá'í** in **Iran**, where the authorities implement a systematic plan to deal with what they call "the Bahá'í question" with explicit directives to block access to education, confiscate property, deny employment, pensions and other citizenship rights to anyone known to be a Bahá'í. The case of Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli and Vahid Tizfahm, seven detained Bahá'í leaders, who have spent three years in prison as this hearing takes place, illustrates the wide range of violations faced by the Iranian Bahá'í. Arrested in 2008, they received a 20-year sentence on spurious charges of "espionage" and "propaganda against the Islamic Republic". Reduced to 10 years on appeal, the 20-year sentence was suddenly "reinstated" without any justification or process of law. According to EPRID member **Bahá'í International Community**, the seven leaders, as well as members of their family, were subjected to all manner of violations including arbitrary arrest, destruction of property, denial of the right to life, liberty and security under the state's policy to marginalize the Bahá'í International Community and other religious groups in Iran.

**Buddhism** is a philosophy of tolerance and peace, yet Buddhists in many parts of Asia suffer repression and discrimination for their non-violent beliefs. In **Vietnam**, the government has banned the Unified Buddhist Church of Vietnam (UBCV), Vietnam's largest and oldest religious community and supplanted it with a State-sponsored body under Communist Party control. UBCV monks and nuns are systematically detained, intimidated and harassed, and

Buddhists who frequent UBCV pagodas risk grave reprisals. EPRID member **Que Me: Action for Democracy in Vietnam** reports that just a few days ago, during the celebrations of the Vesak (Anniversary of Buddha's Birth), the government launched a widespread crackdown on UBCV pagodas, impeding celebrations and harassing UBCV followers. Police prohibited Buddhists at the Giac Minh Pagoda in Danang from reading out the Vesak message by UBCV leader Thich Quang Do. A Nobel Peace prize nominee, Thich Quang Do is currently under house arrest at the Thanh Minh Zen Monastery in Saigon. He has spent almost three decades in detention for his peaceful advocacy of religious freedom and human rights. In May 2011, Vietnam sent armed forces to brutally suppress peaceful demonstrations of H'mong Christians calling for religious freedom and land reforms in the northern province of Dien Bien, killing at least 18 people and wounding hundreds, including many children. At least 300 Christian Montagnards from the Central highlands are serving harsh prison sentences for staging demonstrations to protest religious persecution and state seizure of lands.

In **China**, house church Christians, Falun Gong practitioners, Tibetan Buddhists and Uyghur Muslims suffer discrimination. Recently, a number of both Roman Catholic and Protestant churches in China's 80 million-strong Christian community were targeted in a nationwide crackdown on unrest inspired by the spring revolutions in the Middle East. In April, Chinese authorities forced the closure of Shauwang church in Beijing, and arrested more than 200 members and leaders of the church who tried to worship in public. Many also lost their jobs. Christian human rights lawyer and dissident Gao Zhisheng was severely tortured in prison on several occasions since 2007 for representing cases of persecution involving Christians and Falun Gong members. He reappeared in March 2010, but disappeared two weeks later, and has not been heard of since. The Falun Dafa Information Centre reports that more than 3,000 Falun Gong practitioners have died in custody since the practice was banned in 1999. Uyghur Muslims in Xinjiang Province, far West China, suffer restrictions on religious freedom, including arrests and imprisonment, as Islam can only be practiced in state-controlled Mosques. In March this year, Security forces brutally assaulted monks and followers at Kirti Monastery in Tibet and took 300 monks away for "reeducation" after Buddhist monk Phuntsog immolated himself to mark the killing of over 10 monks at the monastery in 2008.

In **Cuba**, the authorities arbitrarily control religious activity as well. Pastors are monitored, authorities spy on churches and pastors who do not cooperate with the authorities come under heavy pressure from the regime. If a church wants to apply for a building or renovation permit, they have to apply for a permit from the Office of Religious Affairs of the Cuban Communist Party. If the Office declines the request - which is often the case - there are no means to complain. As evoked earlier, similar control takes place in countries such as **Vietnam**, and **China** but also in Europe, in **Belarus**.

Since the Spring Revolutions in the Middle East, many countries have tightened restrictions on religious freedom. In South Caucasus and Central Asia, and particularly in **Azerbaijan, Uzbekistan and Turkmenistan**, severe state-endorsed tightening of religious freedom is targeting believing individuals, imams and pastors as well as mosques, churches or Christian associations. EPRID member **European Evangelical Alliance** reports that the officially registered Baptist church in Tashkent was subjected to two raids in April 2011 conducted by Uzbekistan's national security service. Besides all literature, all electronic

equipment was confiscated. Protestant Christians are perceived as a destabilising influence in society. As a result, they face arrests, fines, imprisonment, as well as job loss, pressure from Islamic clergy, and the continuous pressure from relatives manifested in beatings, rejection, humiliation and often expulsion from the family home. Indeed religious intolerance and discrimination is not only carried out by the State; it is often also a societal phenomenon.

In **West Africa**, in early April 2011, brigades in **Côte d'Ivoire** targeted ethnic groups as well as churches and killed pastors and church staff in the city of Duékoué and the surrounding region. At the same time, **Nigeria** saw a drastic upsurge of violence following the presidential elections by rampaging supporters of the Congress for Progressive Change, a largely Muslim party, in which over 500 people died. The rioters targeted electoral offices, traditional monarchs and known Muslim members of the ruling Peoples' Democratic Party (PDP), who were deemed traitors for "supporting" a non-Muslim candidate. Personal homes and offices of PDP officials were destroyed, and since the president-elect is a Christian, this violence was immediately characterized by the torching of Christian shops, churches, and residences, and the murder of Christian men, women and children. Almajeris, Islamic students dependent on the patronage of the rich, were at the vanguard of the violence. In this process, more than 60 churches and hundreds of houses have been burnt to the ground, and thousands displaced in fear of massacres. Similarly, journalists and TV crews were attacked. At the same time, as the violence intensified with no intervention from CPC leaders, some youths in Southern Kaduna, where Christians and Muslims are more or less equal in number, retaliated against Muslim homes and mosques.

During the Christmas period and the beginning of 2011, mass arrests of Christians took place in **Iran**. According to EPRID member **Open Doors International**, there have been over 100 arrests of Christians in the first quarter of this year in what appears to be well-organized repressive measures by the Iranian government. Christians in the Iranian house church network, Iranian converts from Islam and Christians who share their faith - acts which could be punishable by death in Iran if judges choose to invoke Shari'a law - are particularly targeted. For the first time, these arrests were preceded by anti-Christian rhetoric by Iran's leaders who, amongst other things, have denounced evangelical Christianity as a "*cultural invasion of the enemy*" and likened it to the Taliban and Wahhabis in Islam.

In **Egypt**, Coptic Christians have been targeted for vicious attacks by the Salafist movement, a hard-line, Wahhabi-inspired sect that seeks an entirely Islamic state. Earlier this month, on May 7, at least 12 people were killed and more than 200 wounded when Salafists set fire to two churches and surrounded the homes and businesses of Coptic Christians in a poor section of Cairo. The incident was part of a string of attacks made by Salafists against Coptic Christians since the fall of the Hosni Mubarak regime earlier this year. At least twenty attacks have been documented since the fall of the Mubarak regime. According to EPRID member **Christian Solidarity Worldwide**, these attacks are part of an established pattern, and there is reported lack of action from the Egyptian Supreme Council of Armed Forces to prevent and investigate such violence. Instead, informal and ineffective "reconciliation" meetings are convened that take place out of the rule of civil law and effectively deprive the victims of true justice.

In **Indonesia**, generally known as a moderate Muslim nation with a tradition of religious pluralism and tolerance (the State doctrine of Pancasila acknowledges Islam, Catholicism,

Protestantism, Hinduism, Buddhism and Confucianism), religious fanaticism is rising alarmingly. Invoking the 1965 Blasphemy Law and associated legislation, hard-line groups such as the *Front Pembela Islam* (FPI, or Islamic Defenders Front) have attacked Christians and other minorities, burned down Churches and directly pressured the judges and courts, creating a climate of impunity and fear. A primary target is the **Ahmadiyya Muslim** group, which the FPI does not recognise as mainstream Islam. On 6 February this year, a crowd of up to 1,000 people attacked an Ahmadiyya congregation in Cikeusik, Banten province with machetes, spears, knives and other weapons. Besides violent attacks against individuals and property, a government joint ministerial decree was issued in 2008, banning Ahmadiyyas from promoting their beliefs. In September 2010, Suryadharma Ali, Indonesia's Minister of Religious Affairs, called for the Ahmadiyya to be banned. The government's lack of action to curb radical groups such as the FPI in order to placate the broader Muslim electorate is widely blamed as the cause of escalation of religious violence in Indonesia.

In **Pakistan**, any person who "defiles" the name of Prophet Mohammed is punishable by life imprisonment or death under draconian blasphemy laws. These laws are misused not only to threaten non-Muslim minorities, but also in personal vendettas against Pakistanis of all faiths, and to further the agendas of extremist groups against perceived opponents, including moderate Muslim individuals and intellectuals. On 4 January 2011, moderate Muslim Governor Salmaan Taseer was brutally murdered by one of his bodyguards, and Shabaz Bhatti, the only Christian cabinet member, was assassinated in Islamabad on 2 March 2011. A third Member of Parliament, Sherry Rehman, a woman, has gone into hiding after receiving death threats for her efforts to reform the laws.

In **Egypt** and **Sudan**, laws against defaming Islam stand "*like granite in a sandstorm*", with no signs of changes despite the winds of reform that have swept the Middle East. In Egypt, "insulting Islam" incurs 5 years in prison under Article 98 of the defamation law. In Sudan's Sunni Muslim majority north, the maximum sentence is milder than in Egypt, but potentially more painful, punishable by one year in prison, a fine and 40 lashes under Section 125 of the Sudanese Criminal Act.

From this overview of different geographical and religious contexts, one striking similarity emerges: the great majority of people who face discrimination or religiously motivated violence are ordinary citizens, women and men who want to play an active role in building their communities and societies, which not only recognize but also empower the contributions of all. By way of a conclusion, let's remember that promoting and protecting freedom of religion or belief is not only an issue of importance for minorities: it is a fundamental freedom to each and every one of us; it is the right to have an identity. As our examples have shown, any attempts to curb this freedom totally undermine cultural and religious diversity and the human dignity of the other. In fact such attempts are threatening pluralistic, democratic and moderate voices in society. That is why it is so important the EU pays attention to this matter, now and in its future policy-making, within and beyond its borders.

Thank you.