

*SHDM on Freedom of Religion of Belief, Fostering Mutual Respect and Understanding  
Vienna, 2-3 July 2015*

*WS III on Advancing Freedom of Religion or Belief and fostering mutual respect and understanding through dialogue and cooperation among and between authorities, religious and belief communities and civil society*

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Your Excellencies, Delegations, Ladies and Gentlemen,

The human dimension commitments offer a rich agenda and aim for dialogue and cooperation among and between authorities, religious and belief communities and civil society, within participating States and across the OSCE region. Helsinki 2008, for example, reaffirmed “that human rights are best respected in democratic societies, where decisions are taken with maximum transparency and broad participation. We support a pluralistic civil society and encourage partnerships between different stakeholders in the promotion and protection of human rights”.<sup>1</sup> Some participating States have built on this, the *European Union Guidelines on the promotion and protection of freedom of religion or belief*<sup>2</sup> noting that: “Religious tolerance as well as inter-cultural and interreligious dialogue must be promoted in a human rights perspective, ensuring respect of freedom of religion or belief, freedom of expression and other human rights and fundamental freedoms”. Tools like the *OSCE ODIHR/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities*<sup>3</sup> have been developed to assist this.

For genuine dialogue and cooperation to happen, participating States must implement their OSCE commitments on fundamental freedoms. If commitments are seriously violated, the trust essential for fruitful dialogue and cooperation is destroyed. Despite this, certain participating States both flagrantly violate their commitments and hold meetings at which extravagant claims are made for their alleged religious tolerance and commitment to dialogue.

For example, Kazakhstan's so-called “Congress of Leaders of World and Traditional Religions” was described as “an excellent occasion to rally around our shared goal of peace, development and security for all”. Yet it did not address the many violations by the host, including<sup>4</sup>: closure of all non-Sunni Hanafi and other mosques outside state control, and all belief communities with less than 50 members; Baptists and Muslims jailed for “offences” such as meeting for worship without state permission; the current trial of a Muslim prisoner of conscience, Saken Tulbayev, with apparently planted evidence and violations of the rule of law including torture; and the ongoing case against atheist writer Aleksandr Kharlamov, who was detained in a psychiatric hospital because he is - as a doctor told him - “an inconvenient person for the authorities”. The meeting's silence on these systemic violations of commitments illustrates the saying that 'a text without a context is a pretext'.

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<sup>1</sup> [http://www.forum18.org/archive.php?article\\_id=1351](http://www.forum18.org/archive.php?article_id=1351)

<sup>2</sup> [http://consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/137585.pdf](http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/137585.pdf)

<sup>3</sup> <http://www.osce.org/odihr/139046>

<sup>4</sup> <http://www.forum18.org/archive.php?query=&religion=all&country=29>

The regime's commitment to dialogue and cooperation with the people it rules is shown by this and other human rights violations including its ludicrous claim to have won almost 98 per cent<sup>5</sup> of the vote in April's "election"<sup>6</sup>, and state intimidation against people wanting dialogue with the UN Special Rapporteurs on both Freedom of Religion or Belief and the rights to Freedom of Peaceful Assembly and of Association<sup>7</sup>. Azerbaijan's regime, with its growing numbers of prisoners of conscience jailed for exercising freedom of religion or belief and other human rights, which claims to be "a model of tolerance", provides similar examples.<sup>8</sup>

Vaclav Havel, a human rights defender who campaigned under oppression for implementation of OSCE commitments, commented<sup>9</sup> on such regimes: "Because the regime is captive to its own lies it must falsify everything", observing that "it is a world of appearances trying to pass for reality". To echo unreal claims signals that the implementation of OSCE commitments and reality is unimportant. This is dangerous, as implementation is essential for the OSCE's comprehensive security concept. For as commitments from the Helsinki Final Act onwards recognise, national and international security and human rights depend on each other.<sup>10</sup>

Some participating States - like Kazakhstan and Uzbekistan - claim security as the reason for repression. Yet repression fuels radicalisation and systemic violation of commitments indicates that the repression's real reason is to control all of society. Implementing freedom of religion or belief and related rights including democracy is the best counter to radicalisation, as an Azeri Islamic scholar has noted.<sup>11</sup> As Helsinki 2008 put it, participating States "reaffirm the inseparable connection between ensuring respect for human rights and maintaining peace, justice, well-being for peoples and stability".<sup>12</sup> This underlines the need for genuine dialogue and cooperation to advance freedom of religion or belief and related human rights for all.

As we will hear from Mine Yildirim of the Norwegian Helsinki Committee Freedom of Belief Initiative in Turkey<sup>13</sup>, there are excellent examples of independent civil society initiatives to facilitate the implementation by participating States of their commitments. Unfortunately, some participating States are not open to such initiatives.

But let's look at an example of genuine cooperation and dialogue, facilitated by a participating State having genuinely attempted to implement its OSCE commitments on fundamental freedoms. The so-called "English Defence League" is known for the violence associated with its protests, facing police in the United Kingdom with the task of facilitating the freedoms of assembly and expression while protecting the public.

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<sup>5</sup> [http://www.nhc.no/no/nyheter/Unlevel+playing+field%2C+result+as+expected.b7C\\_wlrKZ7.ips](http://www.nhc.no/no/nyheter/Unlevel+playing+field%2C+result+as+expected.b7C_wlrKZ7.ips)

<sup>6</sup> <http://www.osce.org/odihr/elections/kazakhstan/153566?download=true>

<sup>7</sup> [http://www.forum18.org/archive.php?article\\_id=2043](http://www.forum18.org/archive.php?article_id=2043)

<sup>8</sup> <http://www.forum18.org/archive.php?query=&religion=all&country=23>

<sup>9</sup> in his 1979 essay "The Power of the Powerless"

<sup>10</sup> [http://www.forum18.org/archive.php?article\\_id=1351](http://www.forum18.org/archive.php?article_id=1351)

<sup>11</sup> [http://www.forum18.org/archive.php?article\\_id=338](http://www.forum18.org/archive.php?article_id=338)

<sup>12</sup> [http://www.forum18.org/archive.php?article\\_id=1351](http://www.forum18.org/archive.php?article_id=1351)

<sup>13</sup> [http://www.nhc.no/no/vart\\_arbeid/prosjekter/Freedom+of+Religion+or+Belief+Project+in+Turkey.b7C\\_wlfW05.ips](http://www.nhc.no/no/vart_arbeid/prosjekter/Freedom+of+Religion+or+Belief+Project+in+Turkey.b7C_wlfW05.ips)

So what did York Mosque do, when faced in 2013 with an EDL demonstration? They offered - as Mosque elder electronics professor Mohamed El-Gomati explained<sup>14</sup> - “a cup of good old-fashioned Yorkshire tea and hospitality .. Tea was something unexpected and welcoming.” He noted that: “when we listened, we realised the EDL may have thought that we supported extremist behaviour and the Taliban. We pointed out that we condemned both in the strongest terms. The day ended in a game of football.”

Islamic, Christian, atheist and agnostic groups and individuals supported the tea party. State involvement was limited to a low key police presence. Implementation is an ongoing process in the UK and other participating States. But when a participating State genuinely attempts to implement its human dimension commitments, effective independent civil society action is facilitated with all actors engaging with those they wish to.

Implementing human dimension commitments facilitates genuine dialogue and cooperation free of state control and coercion among and between governments, religious and belief communities and civil society to advance freedom of religion or belief and related freedoms. Activities can include roundtables on issues such as legislation, state policy and actions, and practical steps to assist state implementation of commitments. Fruitful interreligious dialogue on implementation can only succeed if human rights considerations are fully addressed. The involvement of independent human rights defenders and disfavoured communities in this is essential, both to help address all relevant issues and because freedom of religion or belief is a freedom for all people - including young people, women, LGBTI people, atheists and agnostics - not just leaders of some religion or belief communities. In the wide-ranging discussions of concrete issues that characterise genuine dialogue and cooperation, the freedom of religion or belief issues facing any one actor should concern all, as this fundamental freedom is a universal human right.

So dialogues and cooperation in the OSCE context must creatively explore opportunities, as the *Joint Guidelines on the Legal Personality of Religion or Belief Communities* puts it, to “ensure that everyone can enjoy their freedom of religion or belief fully and with the dignity they deserve as members of the human family”<sup>15</sup>. Let us in our discussions explore how this inspiring implementation goal can be concretely achieved.

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<sup>14</sup> <http://www.theguardian.com/commentisfree/2013/may/31/edl-english-defence-league-york-mosque>

<sup>15</sup> <http://www.osce.org/odihr/139046>