

OBSERVATORY ON INTOLERANCE AND DISCRIMINATION AGAINST CHRISTIANS IN EUROPE

Intervention on behalf of the Observatory on Intolerance and Discrimination against Christians by Barbara Vittucci

HDIM 2013, September 26, 10am

Session 6: Freedom of Religion

In the commemoration of 1700 years of Freedom of Religion first granted to the Roman Empire by the Edict of Milan in 313, we would first like to thank the OSCE for taking the issue of intolerance and discrimination against Christians in Europe so seriously. Multiple OSCE and European meetings and resolutions have been raising raise awareness to this growing problem in the past few years.

To name a few:

- „The Role of Civil Society in Combating Hate Crimes against Christians“ in Rome in June 2012.
- OSCE High-Level Meeting on Preventing and Responding to Hate Incidents and Crimes against Christians, in September 2011
- OSCE Parliamentary Assembly Resolution on Combating Intolerance and Discrimination against Christians in the OSCE area, adopted in Belgrade in July 2011
- Expert Round Table on Intolerance and Discrimination against Christians in Vienna in 2009.
- ODIHR's annual hate crime report

But the OSCE is not alone in drawing attention to the issue: **In the European Parliament**, events took place on this issue in 2011 and 2012. Also **the Parliamentary Assembly of the Council of Europe** deplores psychological violence and negative stereotyping of people of faith in its recent resolution.

The **Astana Commemorative Declaration** says: „Greater efforts must be made to promote freedom of religion or belief and to combat intolerance and discrimination.”

For emperor Constantine, this meant that religious observance had to be „free and open“ and „without molestation“ and „without conditions“. Can we wholeheartedly confirm that in the OSCE area we have achieved the goals set in 313 and numerous OSCE commitments?

West of Vienna, my organisation researched and documented 1000 cases of intolerance and discrimination against Christians in the past six years. You can view them all on our website

IntoleranceAgainstChristians.eu. We documented the spectrum ranging from hate crimes and hate incidents to negative stereotyping and exclusion.

Also, in a **survey** we did with legal experts in all European countries, we documented 41 laws that affect Christians West of Vienna adversely (also available on our website, for download or hard copies:). The restrictions we found categorize largely in the following five areas:

Freedom of Conscience: affects medical staff, pharmacists, and registrars of birth, marriages and death. No one should be forced to act against his or her conscience!

Freedom of Expression: We have to make sure that the utterance of an opinion, even if unwanted, stupid, impolite or politically incorrect is not criminalized when there is no immediate danger of incitement to violence. In a number of countries Christians experience legal difficulties for speaking about Islam or sexual ethics, in the cases where the area of homosexuality is included in the topic.

Freedom of Assembly and Association: There are an increasing number of banning miles around abortion clinics, preventing Christians from peaceful manifestations. Also, left wing radicals, who sometimes receive funding from the governments in their countries, often disturb peaceful Christian protests.

Parental Rights: There needs to be a possibility to opt out of sexual education classes when they are contrary to the ethical convictions of Christian parents. Home schooling is forbidden in four Western OSCE countries, which clearly violates parental rights.

Discriminatory Equality Policies: For Christians, conflicts may arise with regard to the prohibition of discrimination on the grounds of religion and sexual orientation, esp. when the law is extended to cover the provision of goods and services.

Further details on these 41 laws are available in our report of the year 2012 which I am happy to provide you with and which you find on our website IntoleranceAgainstChristians.eu.

Therefore, the Observatory recommends to ODIHR and participating States:

- **To assess „legislation in the participating States**, including labour law, equality law, laws on freedom of expression and assembly, and laws related to religious communities and rights of conscientious objection“ „in view of discrimination and intolerance against Christians," (13), as called for by OSCE's Parliamentary Assembly recommended in its Resolution on Combating Intolerance and Discrimination against Christians in the OSCE area, adopted in Belgrade in July 2011.
- **To strengthen our understanding of „reasonable accommodation“** when it comes to the clash. Space for everyone instead of social and educational goals trumping freedom of religion.
- **To be weary when it comes to horizontal equal treatment legislation:** Such policies can inflict serious dilemmas on Christians.
- Combating persecution of Christians outside the OSCE area must become a priority of the foreign secretaries of participating States in their foreign policy.

This intervention is available on the OSCE website.

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Additional information:

OSCE hosted numerous meetings on this topic. To name a few:

- „The Role of Civil Society in Combating Hate Crimes against Christians“ in Rome in June 2012.

- OSCE High-Level Meeting on Preventing and Responding to Hate Incidents and Crimes against Christians, in September 2011

- OSCE Parliamentary Assembly Resolution on Combating Intolerance and Discrimination against Christians in the OSCE area, adopted in Belgrade in July 2011

- Expert Round Table on Intolerance and Discrimination against Christians in Vienna in 2009.

- ODIHR's annual hate crime report

OSCE's Parliamentary Assembly recommended in its Resolution on Combating Intolerance and Discrimination against Christians in the OSCE area, adopted in Belgrade in July 2011:

- that a "**public debate** on intolerance and discrimination against Christians be initiated and that the right of Christians to participate fully in public life be ensured" (12);

- that „**legislation** in the participating States, including labour law, **equality law, laws on freedom of expression and assembly, and laws related to religious communities and right of conscientious objection be assessed**“ „in view of discrimination and intolerance against Christians," (13);

- and it "encourages the media not to spread prejudices against Christians and to combat negative stereotyping" (15).

The PACE of the Council of Europe demanded just a few days ago almost unanimously to (in Resolution 1928):

- „**Accommodate religious beliefs** in the public sphere“

- „**Ensure the right to well-defined conscientious objection** in relation to morally sensitive matters“

- „**Respect the right of parents** to ensure education and teaching in conformity with their own religious and philosophical convictions;“

- „**Change their legal regulations whenever these go against the freedom of association** for groups (including churches)“