

OBSERVATORY ON INTOLERANCE AND DISCRIMINATION AGAINST CHRISTIANS IN EUROPE

Intervention of OIDAC Europe for Plenary Session IV: Fundamental freedoms II

Freedom of thought, conscience, religion or belief; Freedom of assembly and association; National human rights institutions

Distinguished representatives,

The civil society organization Observatory on Intolerance and Discrimination against Christians in Europe is documenting cases of religious freedom abuses against Christians, which we also submit to the OSCE. We highly appreciate the important work of OSCE through its annual Hate Crimes Report in this regard.

Sadly, anti-Christian **hate crimes have drastically increased** in the past decades. Currently, in France alone, there is an act of vandalism or desecration of churches every third day – with many **arson attacks** among these.¹ This is why we particularly call upon State representatives to provide **adequate protection of places of worship** in their countries as has been called for by the OSCE *Ministerial Council Decision No. 3/13* in 2013.

Apart from violent attacks, OIDAC Europe sees worrying developments in increasing discrimination of religious believers, particularly in the following two areas of concern:

The first area of concern is the protection of **Freedom of Conscience**, which can rightly be called the core of religious freedom. We unfortunately see a negative trend affecting particularly medical personal, who for reasons of conscience cannot participate in certain procedures, such as abortion or euthanasia, and consequently lose their jobs or are even prevented to exercise their profession altogether. What is even more worrisome is that some states across the region are **eliminating conscience clauses** from existing legal provisions.

We therefore recall the obligations of participating states to **respect “conscientious objections”**, as enshrined in international human rights law and OSCE commitments, such as the *OSCE Guidelines for Review of Legislation Pertaining to Religion or Belief*.

Secondly, the UN, ECHR and OSCE have repeatedly stressed that **freedom of expression** is an inherent part of religious freedom² and it is clearly a cornerstone of pluralistic democracies. We therefore ask participating states to **make sure not to criminalize non-violent expressions on religious teachings** through **overly broad anti-hate-speech laws**, some of which define hate speech vaguely as anything perceived “*offensive*”, which leads to legal insecurity for anyone voicing dissenting views. This has been recently shown in the prosecution of the former Finish Minister Räsänen, who is currently facing legal charges up to prison sentence for tweeting a bible verse and expressing her religious views on marriage.

As the *OSCE Guidelines for Review of Legislation Pertaining to Religion or Belief* warn against “vagueness of terms” in legal provisions, we call upon states to continue to combat hate crimes without criminalizing the expression of religious views in public.

¹ See our data at www.intoleranceagainstchristians.eu

² See e.g. OSCE *Freedom of Religion or Belief and Security Policy Guidance*