



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

**Recommendation adopted on 27 June 2013
CONF/PLE(2013)REC4**

Human Rights and Religions

The Conference of International Non-Governmental Organisations (INGOs) of the Council of Europe

(1) Taking note of the great expansion in cultural and religious pluralism in Europe, aware that this diversity can cause isolationism, tension, differences or even conflicts between people from different cultures and religions;

(2) Believing nevertheless that this religious and cultural pluralism can be a great human and spiritual asset if human rights are universally respected in full and if, as recommended in the Council of Europe's White Paper on Intercultural Dialogue, "Living Together as Equals in Dignity", intercultural dialogue is used to achieve understanding, respect and mutual recognition between people of different beliefs;

(3) Stressing that, against the background of this cultural and religious diversity, peaceful "living together" will be possible only if the social and economic injustices causing suffering and great poverty that are still the most serious violations of human rights are eradicated for good, and acknowledging the work done by religious, humanist and secular organisations to support the victims of these violations of human rights;

(4) Also recognising the contribution made by religions and other systems of beliefs both to thinking about human rights, as an expression of the dignity and respect owed to every individual, and to the defence of those rights;

(5) Noting with concern that some public authorities, some religious authorities and organisations and some groups of conviction are manifesting their disagreement with certain human rights as recognised in the international legal instruments ratified by the Council of Europe's member states;

(6) Affirming the universal, indivisible and inalienable nature of human rights and underlining their primacy over any social or religious rules which might conflict with them, and believing it to be contrary to these principles that some religious leaders should consider themselves to have sole authority for saying what human rights should be, sometimes going so far as to claim that theocracy is the best system;

(7) Concerned, in particular, about the calling into question of gender equality in human rights by public authorities, religious institutions and groups of convictions;

(8) Concerned also about discrimination based, on behalf of religions and convictions, on sexual orientation or gender identity and the failure to respect the human rights of Lesbian, Gay, Transgender, Bisexual (LGBT) persons;

(9) Taking account the work of the different bodies of the Council of Europe and their positions¹, and referring to the work presented in the “Human Rights and Religions”² report drawn up over the last three years by the Human Rights and Religions working group which it set up for this purpose;

I) Emphasises that Council of Europe member states committed themselves to:

(10) Take, in accordance with Articles 9, 10, 11 and 14 and Protocol 12 of the European Convention on Human Rights and Article 14 of the Convention on the Rights of the Child, the necessary steps to ensure that public and private players duly respect:

- freedom of thought, conscience and religion, including the freedom to have or not to have a religion and to change religion, these freedoms attaching progressively to children as they grow towards and attain maturity
- freedom of expression,
- equality of rights and non-discrimination between persons, whatever their sex or sexual orientation, whether or not they belong to a religion and whatever their philosophical beliefs;

(11) Implement the texts adopted within the Council of Europe to achieve equality and parity between women and men in all public policies, and accept no opposition to them on cultural or religious grounds;

(12) Refuse the application on their territory of family codes and juridical rules which fail to respect the principle of equality between women and men; equally make sure that their family codes respect the principle of equality between women and men and guarantee the possibility of freely choosing one’s spouse or partner;

(13) Combat all forms of violence against women, including genital mutilation, regardless of who commits them or where they are committed, and whatever the reasons invoked, including the victim’s alleged consent;

(14) Combat all forms of discrimination and violence against LGBT persons and punish all violations of their rights, whatever the reason invoked, in particular any alleged cultural or

¹ - analyses by the Commissioner for Human Rights and the Venice Commission, in particular those set out in the latter’s report CDL-AD(2008)026 on the relationship between freedom of expression and freedom of religion: the issue of regulation and prosecution of blasphemy, religious insult and incitement to religious hatred;

- Recommendations de la Conférence des OING CONF/PLE(2012)REC5 on “Gender Equality: a universal value, principle and human right to be respected and promoted in all fields” and CONF/PLE(2012)REC3 on “Combating discrimination on grounds of sexual orientation and gender identity” and its Resolution CONF/PLE(2011)RES1 on “Sectarian excesses and violations of human rights”,

- recommendations and resolutions of the PACE, in particular the recommendations on “State, religion, secularity and human rights” [Rec. 1804 (2007)], “Blasphemy, religious insults and hate speech against persons on grounds of their religion” [Rec. 1805 (2007)], and the resolutions on “Women and religion in Europe” [Res. 1464 (2005)], “Discrimination on the basis of sexual orientation and gender identity” [Res. 1728 (2010)], “Access to safe and legal abortion in Europe” [Res. 1607 (2008)], “Combating all forms of discrimination based on religion” [Res. 1846 (2011)] and “Safeguarding human rights in relation to religion and belief, and protecting religious communities from violence” [Res. 1928 (2013)];

² http://www.coe.int/t/ngo/Source/Conf_HR_GT_DH_religions_fr.pdf

religious pretext, by implementing the recommendations adopted by the Committee of Ministers in this field.

II) Recommends that Council of Europe member states:

(15) Guarantee the application of the texts of the Council of Europe in implementing human rights, in particular those mentioned in § 10 above and hence:

i) take steps to ensure due respect for:

- the mutual independence and separation of the state and religious institutions,
 - state neutrality towards religions and philosophies,
- in keeping with the case-law of the European Convention on Human Rights,

ii) take steps to ensure that no one is subjected to policies and laws contrary to human rights, in particular in the areas of employment law, the family, marriage, divorce, chosen motherhood and reproductive health, which presupposes a refusal to instrumentalise religion;

(16) Ensure the right to freedom of expression and information, including criticism of and by religions, remove the offence of blasphemy from the statute book and take into account differing perceptions of sacredness, while remaining equally vigilant regarding acts of violence or “hate speech” against and from the followers and leaders of these religions;

(17) Guard against factors which contribute to a rise in any forms of fundamentalism and ensure that religious authorities do not impose rules contrary to human rights on the members of their religions;

(18) Combat any discriminatory attitudes or persecution which members of a religion or followers of any other system of belief may suffer on account of their adherence to that religion or philosophy;

(19) Continue organising annual meetings between the Council of Europe, leaders and members of religions and philosophies, and representatives of NGOs:

- with a view to inter-faith and inter-belief dialogue,
- and with the primary aim of enhancing the contribution of religions and philosophies to respect for human rights;

(20) Engage in permanent co-operation at both European level and international level with religious organisations, philosophies and the NGOs concerned on the recognition and implementation of human rights;

(21) Respect, implement and protect economic, social and cultural rights, which are integral components of human rights, of people forced to live in serious poverty so that support by religious, humanist or secular INGO for such people becomes less and less necessary;

(22) Ratify and implement the “European Convention on Preventing and Combating Violence against Women and Domestic Violence”, alert international bodies to, and ensure they act against, the systematic violations of which women and girls are victims, including those defended on religious, philosophical or cultural grounds or grounds purported to be such;

(23) Lift the reservations in respect of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and ensure that religions are not the cause of violence and discrimination against women;

(24) Take steps, in the framework of a dialogue with the parents concerned to ensure that in particular girls in their minority enjoy their rights, in particular in access to education, including emotional and sexual education, health, informed contraception and respect for their bodily integrity, not least by the prohibition of forced and early marriages;

(25) Encourage exchanges and work between LGBT associations and religious leaders so that the latter adopt a policy on attitudes and the use of language respecting LGBT persons, their dignity and their rights;

(26) Include in school curricula education about religions and philosophies encouraging, in conformity with Human Rights, openness to and respect for others, a critical spirit and dialogue. Promote to this end teacher training in this area