



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU
CONSEIL DE L'EUROPE

Human Rights and Religion :

Recommendations, Invitation and Appeal

Presentation

Human rights and religions: this has been a topical question ever since religion came to the forefront of current events. Religious diversity is, in fact, integrally connected with cultural diversity, which, as a result of globalisation, has become an unavoidable issue in society, in Europe and elsewhere.

The basis of the message conveyed by the religions goes beyond respect, that is love of one's neighbour (who can often be the « distant one »). as we see from activities, particularly in the fields of charitable and social work. But then, how is it that religions do not play a more active role in defending and promoting Human Rights, or indeed that they sometimes suspect them as a matter of principle ? Above all, how is it that, among certain groups of religious adherents, there arise new and murderous fanatical ideas that poison so many current conflicts ?

This is the contradiction that gave rise to the report on human rights and religion (http://www.coe.int/t/ngo/Source/Conf_HR_GT_DH_religions_fr.pdf) and the production of the three texts set out in the pages that follow.

While some of these religions have played a determining role in valuing the recognition of rights, as an expression of inalienable human dignity either together or at least through some of their members, and indeed in the name of their teaching, it remains is for us to ask how we can ensure that, in accordance with this principle, they continue to collaborate, in their own way, in the promotion and defense of human rights? In what ways can states, and religions themselves, through their members, their leaders and civil society contribute together to this objective ?

This question is particularly important for the Council of Europe with its responsibility for the European Convention on Human Rights in its 47 member states.

*That is why the **Council of Europe's INGO Conference** undertook an examination of this question : because of the responsibilities and commitments that are within its ambit in the Council, because INGO members of the Conference share the values of the Council of Europe and bring their specific contribution to its work.*

In this document we present the three texts on this matter adopted by the Conference.

1. The Recommendation « Human Rights and religions » addresser to Council of Europe member states, adopted on 27th June 2013 (CONF/PLE(2013)REC4)
2. The Decision « Religion and human rights » : suggested fields of reflection and activity for members and leaders of religion », adopted by the INGO Conference on 30th January 2014 (CONF/PLE(2014)DEC2)
3. The Appeal « Human rights and religion : An appeal to the citizens of Europe, go International non governmental organisations (INGOs), » adopted by the INGO Conference on 30th January 2014 (CONF/PLE(2014)APP1)

These texts are the result of long-term work which has involved

- ❖ *first taking note, insofar as it is possible, of a lot of study and research undertaken in different areas that include this theme, in such a way as to grasp the complexity of the questions and to understand their order of importance.*
- ❖ *to bring our own experience to bear in this field, in particular because several of our INGOs have religious or convictional terms of reference.*
- ❖ *to organise discussion and debate on these difficulties among ourselves.*
- ❖ *finally to draw conclusions for ourselves and for the partners involved in the whole of society, and that in such a way as to offer solutions for ourselves, (INGOs), and recommendations directed as much to political authorities as to religious organisations.*

In doing so we take our place in the process initiated by Alvaro Gil-Roblès, when he was Commissioner for Human Rights in the Council of Europe. He also wanted to encourage the involvement of religions in this work, so as to further human rights through regular meetings between the Council of Europe and religious leaders. These meetings, for which the Committee of Ministers is responsible, take place annually. The texts in this document aim to contribute to ins that field as well.

This report is also a way for, the Conference of INGOs, once again to make a contribution to the application of the Council's White Paper on intercultural dialogue and in particular to the religious dimension. One of the chief objectives of this White Paper is to use the Human rights platform as the foundation of living together in pluralist society, which is what our society will be henceforth, while also respecting cultural and religious differences. That is also our aim in these three texts.

Everywhere in Europe and in the world we see the rise of populism and xenophobia, as well as hostile acts towards « other » people, and the proliferation of hate speech on the internet. Living together becomes more and more difficult, and conflicts that take place in one place have immediate repercussions in the whole world, with sometimes very violent « fundamentalist » reactions. It is not just that the field of religious difference is not spared, but it is a very important aspect of this kind of behaviour, especially because many political authorities call on the religions to « defend » their national and/or cultural identity. Many people have a feeling as irrational as it is insurmountable that there is a direct threat from the growing presence of immigrants of a different religion. That is particularly true of the presence of Muslims in Europe as it is in respect of the presence of Christians in certain countries in the Middle East.

From that point on it becomes very urgent for members of religious communities and convictional groups, from the bottom and at the top of society, to take action so as to favour respect of fundamental rights, without any discrimination at all, and founded on the recognition of a common dignity. This is not a matter of giving priority to the protection of those who are close to us, but rather of taking action for each person who is in difficulty. For « if we are (concerned) for ourselves alone, what are we? » according to the contribution of Professor Daniel Boyarin¹.

If these texts can bring a contribution, however small, our Conference and, in particular M. Francois Becker, of the European network, « Churches on the Move, » who has been an assiduous president in this work, will have attained the goal that they were given.

Gabriel Nissim President of the Human Rights commission 2004 – 2011 and main supporter of those texts

Michel Aguilar President of the Human Rights Commission 2014 - 2017

¹ D. Boyarin, *La partition du judaïsme et du christianisme*, Paris, Cerf, 2011, p.18

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 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

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

Decision adopted by the Conference of INGOs on 30 January 2014
CONF/PLE(2014)DEC2

Religions and Human Rights

Proposed avenues of approach and action for members and leaders of religions

(1) The message of religions comprises, in its very essence, the requirement to show respect for every human being on account of the dignity acknowledged to every individual. Furthermore, this message teaches and calls for justice, compassion and love for one another. This respect and love are embodied in countless acts of kindness and services provided to those in need or suffering.

(2) For this reason, several religions, in line with the very message they convey, have throughout their history contributed significantly, and still do so today, to the recognition and expression of human rights, and certain of their members have played a decisive role in the formulation of those rights.

(3) In the current world situation, their role and responsibility in the recognition of human rights is even more important:

On the one hand, by promoting human rights education, since each new generation must reclaim these rights. Despite considerable progress in this field since 1948, there continue to be many serious violations of these rights in the world.

On the other, with regard to the universality of the very concept of human rights, today called into question in the name of the diversity of cultures. Human rights, as enshrined in international texts having a universal scope, come up against many cultural practices and conceptions, themselves frequently rooted in religions as experienced today. Here too, religions, precisely because of their universal vocation, have a vital role to play.

(4) However, all too often, instead of playing a role promoting human rights, it can happen that religions call them into question, in both principle and practice, especially where fanaticism develops. This is why, given the growing role and influence of religions in all social relations, the problem of the **relationship between religions and human rights** has today become a key issue in Europe and in the world.

(5) The **Council of Europe** has addressed this issue on various occasions: it is the international institution which is responsible for the **European Convention on Human Rights**, the major instrument for the promotion and defence of human rights, democracy and the rule of law in Europe.

The international NGOs which together form the **Council of Europe's Conference of INGOs**, (several of which are faith-based or directly linked to religions), therefore also wished to make their contribution to the relationship between religions and human rights by addressing here the **members and leaders of religions** present today in Europe, in all their diverse components, and suggesting **a number of avenues of approach and action in this field of human rights**.

Without any claims to being exhaustive, we shall look at a number of areas of human rights in relation to which religions are more directly concerned:

I. Areas in which they are involved as religions: freedom of conscience, discrimination, separation of the state and religious institutions, violence for which a religious justification is claimed.

II. Two more specific controversial areas: gender equality/parity, and sexuality and sexual orientation.

III. Economic and social rights, given the importance of the contribution of religions in the social and charitable field.

Above all, however, we should not forget the key contribution that religions can make in promoting and defending all human rights without exception:

(6) The members, institutions and leaders of the various religions, as such, cannot, because of the very essence of their message, remain silent and inactive in the face of the serious and repeated human rights violations suffered continuously and in multiple ways by so many of our contemporaries. For while sharing with all human beings the recognition of these rights, followers of religions find in their own tradition a concern for the dignity of all individuals, who most of them recognise as creatures of God.

It is therefore their duty to think long and hard about the religious foundations of human dignity, the fundamental rights that derive therefrom and the extent of those rights so as to make their own specific contribution to respect for and application of those rights. Individuals and communities should, as a priority objective, develop their own motivations in this area.

Such a contribution could then constitute a basis for inter-faith dialogue on human rights, and a basis for dialogue with humanist and secular organisations. A dialogue of this nature would doubtless be a major step forward for human rights in Europe and in the world.

(7) Human rights will not become a reality unless they are recognised and applied on the ground by everyone. This is why, in addition to the necessary legislation, it is essential to educate people so that human rights become a personal conviction. For convictions cannot be taught or imposed, but need to be cultivated. Everyone has the innate capacity to appreciate the dignity of every human being and the human rights that derive from that dignity for each man and woman; but this capacity must very often be awakened and developed: the members, institutions (particularly educational) and leaders of religions could, in line with the very message of religions, make a significant contribution to human rights education among both young people and adults.

I. Areas in which religions, as such, are particularly involved

Freedom of thought, conscience and religion

(8) Freedom of thought, conscience and religion for everyone is a fundamental right, and the members and leaders of religions quite rightly emphasise this. However, one must not forget that this right means everyone has the right to change religion or have no religion. Furthermore, in the current situation of religious and humanist pluralism, those religions which are or have been the majority religion in a country or which are more particularly linked to its culture will have to give some thought to the way in which the members of other religions and beliefs can enjoy that freedom in practice. This presupposes in particular that no religion may impose its doctrine or practices on those who do not share them.

(9) There is no contradiction between this fundamental freedom and the criticism that may be levelled at religions, whether from outside or within. Such criticism derives from the

legitimate exercise of freedom of expression. In contrast, this criticism is unacceptable when members of a religion are stigmatised, become victims of discrimination or indeed of incitement to hatred, simply for being members of that religion.

Discrimination

(10) Any form of discrimination based on individuals belonging or not belonging to a religion, in particular a minority religion, must be firmly fought against, and first and foremost by the members and leaders of religions. More and more frequently, these forms of discrimination can become persecution: members and leaders of religions must therefore ensure that they do not take action only to support persecuted members of their own religion, but should protest just as much whenever anyone is a victim of persecution on account of his or her religious or humanist beliefs.

Separation of the state and religious institutions

(11) Independence from each other and separation between the state and religious institutions are an advantage for everyone and a requirement of democracy. Such separation can clearly take on a variety of forms depending on national traditions and cultures, but members and leaders of religions must always take care to avoid any attempts to exploit one another or form allegiances, especially in the case of the majority religion in a country and even more so in the case of a state religion.

However, this should not prevent members and leaders of religions from playing an active part in democratic debate in order to shed light on the challenges facing society on the basis of their principles, putting forward their positions but without seeking to impose them on the whole of society.

Violence for which a religious justification is claimed

(12) No use of violence can ever be justified in the name of any religion whatsoever. Members and leaders of religions must therefore firmly distance themselves from any form of fanaticism, explicitly condemn the violence, hate speech or calls for murder from extremists and resolutely combat all forms of violence for which a religious justification is claimed.

II. Controversial areas

II-1. Gender equality/parity

(13) The question of gender equality/parity still raises heated debate within religions themselves, with each having both supporters of keeping women in a secondary position and supporters of gender equality in access to positions of responsibility, including holding offices in religious organisations.

In this area, possible avenues of approach and action are:

(14) To give women a say in religions so that they themselves can voice their expectations in terms of their role and respect for their dignity within religions and society.

(15) To build on the commitment of women both in religions and in society, by underlining how decisive their role is for the well-being of all. To seek ways of not forgoing the skills and assets which women could contribute to the discussions, action and life of religious groups and of society if they were granted the full role to which they are entitled.

(16) To reconsider their traditions regarding the position of women in religious institutions and society and reinterpret them on the basis of the issues arising in this area today; to foster dialogue within religions between the various tendencies and positions on issues of gender equality and parity both in the religious and in the social and political fields.

II-2. Sexuality and sexual orientation

(17) It is to be welcomed that the official stance of some religions has moved in recent years from outright homophobia combined with moral and religious condemnation to the expression of respect and concern with regard to lesbian, gay, bisexual and transgender (LGBT) persons. However, this undeniable progress is still too limited. More broadly, it is the overall attitude of certain religions in the area of human sexuality that is called into question here. However, many members, institutions and leaders of religions continue to refuse to address this issue from the human rights angle

In this area, possible avenues of approach and action are:

(18) To pursue the progress achieved regarding respect for and attention given to LGBT persons and to make more widespread effort to combat the discrimination, violence and disregard which are still prevalent in religions and in society with regard to these individuals.

(19) To speak with moderation and tact on issues of sexuality, without judging or condemning individuals, while recognising the misunderstandings, injustices, exclusions or indeed violence to which the statements of religious leaders can give rise, particularly with regard to LGBT persons. To refrain totally, therefore, from making any statements or adopting any stances which would endanger their lives, safety or health.

(20) To continue and step up dialogue within religions themselves on sexuality as a fundamental human reality, taking care to involve all members of religions who wish to take part and feeding the debate with dialogue with other people who reflect on these issues in contemporary society.

(21) To initiate or continue the same dialogue with more specific regard to the situation of LGBT persons, giving LGBT persons themselves the first say and remembering that they also number among the ranks of the members of these religions.

III. Economic and social rights

(22) For centuries and right up to the present, followers of religions and religious organisations have done a tremendous amount to assist the victims of injustice or those in a situation of suffering, poverty or destitution. The practical aid they provide, and more importantly the awakening of people's conscience in the field of mutual assistance and solidarity, are inestimable. Largely as a result of their influence, society has realised that situations of poverty are a violation of fundamental human rights, which have now been extended from the civil and political sphere to the social and economic field. This is why, alongside the European Convention on Human Rights, the Council of Europe drew up the European Social Charter guaranteeing social and economic rights.

(23) Followers of religions are therefore called upon today to view their action in the charitable and social sphere from this angle: above and beyond the immediately imperative

assistance-based approach, it is essential to recognise situations of poverty and destitution as violations of fundamental rights and to put forward ways of remedying them, also in a structural way.

(24) The action pursued in this area should be geared to involving the victims themselves in the steps taken, enabling them to once again partake in the enjoyment of their fundamental rights, in particular through political action by the public authorities and, in many cases, through a joint learning process involving the people experiencing these situations and the public services. Such action should be taken further, as is often the case, by means of co-operation in the international institutions and advocating the case for defending and promoting economic and social rights and the democratic participation of the most vulnerable.

(25) It is therefore to be hoped that the major religious charitable and social organisations, over and above the provision of the necessary assistance, sensitise members and leaders of religions to the need to make the human rights of the victims of poverty and injustice the ultimate goal of all action in this area.

Appeal adopted by the Conference of INGOs on 30 January 2014
CONF/PLE(2014)APP1

Human Rights and Religions

**An appeal to the citizens of Europe and International Non-Governmental Organisations
(INGOs)**

State of play

(A) Violence is infecting community life, and certain religious groups are contributing to the problem even though the religions themselves promote peace. Demeaning or slanderous comments and actions, notably on the ground of religious affiliation, are stoking social tension, creating a breeding ground for sectarianism and exclusion. Some religious leaders are also guilty of using current events and social issues to inflame public opinion.

(B) Such behaviour is an indication of the degree of suffering endured by those who perpetuate it. All violent outrages are an affront to human rights and the dignity of all people, whether children, adolescents, women, men or elderly persons.

Concerns

(C) Troubled by the spread of these acts of violence and by the harsh public stances adopted by representatives of religions in social debate, posing a direct threat to democracy;

(D) Alarmed by the frequency of remarks along the lines of “It’s not our country any more”, fuelled by a lack of regard among certain elites for the rightful place of religion in cultural identity;

(E) Indignant at the fact that in some European countries, the introduction of so-called “traditional” courts shows the danger of cultural relativism which, in pushing for the creation of different rights according to religion, contradicts human rights (cf. the Vienna Declaration of 1993¹);

(F) Alarmed also by the contempt shown for responsibility, which is inextricably linked to freedom of expression;

(G) Alerted to the ongoing erosion of the principle of the equal dignity of every person, which forms the basis of human rights;

(H) Concerned at the manifest confusion indicating the doubts that exist, in all religions, about the priority to be accorded, in everyday life, to religious teachings and human rights, not least with regard to the position of women;

(I) Aware of the prominent role now played by religion in the public sphere;

For all these reasons,

Representatives of the INGOs of the Council of Europe have decided to tackle these challenging issues, and to provide as much clarification as possible in order to minimise confusion and guesswork.

Determined to safeguard, whatever happens, democracy, human rights and the rule of law, the Conference of INGOs of the Council of Europe is launching an appeal to the men and women of Europe and to NGOs operating on the ground so that, together, everyone can take action at their own level and in their own setting to ensure continued respect for the equal dignity of all individuals and of the values connected with this inviolable principle.

The Conference of INGOs therefore recommends:

Equal dignity of all individuals, as a source of universal human rights

(1) Far from being a privilege bestowed by some external authority or other, human rights are the birthright of all human beings - children, women and men – because they spring from the equal dignity and respect owed to each individual. It is this universal recognition of the dignity of all individuals that makes human rights universal. In ratifying the relevant European and international conventions, states make a commitment to protect human rights.

(2) Because they concern everyone, i.e. each member of the human family, everyone is responsible for the observance of fundamental rights with respect to others.

(3) The recognition that human rights concern each individual as a human being worthy of respect and as an actor in society makes it incontrovertible that no one, whether child or adult, should be discriminated against on the ground that they belong to a particular religious or philosophical community.

Religious pluralism – Freedom of conscience

(4) Human rights necessarily require us to suppose that other persons may be the bearers of a truth other than the one to which we ourselves subscribe, without either belief system being diminished as a result.

Such freedom of conscience,

- paves the way for the lifelong development of beliefs and the right to criticise religions;
- is proof of the inseparable nature of upholding freedoms, equal rights and non-discrimination, whether one is religious or not;
- is directly linked to the separation of state and religion, and state neutrality towards religions and belief systems in a democracy.

(5) The ban which prevents women from holding certain offices reserved for men in many religions shows that equality between women and men on the basis of their equal dignity is still subject to different interpretations and needs to be discussed in inter- and intra-faith dialogue.

(6) The Conference of INGOs, which has no competence in theological matters, observes that religions proclaim the equal dignity of lesbian, gay, bisexual and transgender (LGBT) people

while failing, however, to grant them access to all human rights. Many LGBT people who are followers and/or leaders of religions have to keep their sexuality a secret.

(7) Certain assertions considered “truths” by religions on the basis of their founding texts can be mutually exclusive. The secularisation of modern society allows the various truths to be expressed and to exist peacefully alongside one another. It provides a framework for dealing with the conflicts liable to arise from exclusive assertions of this kind.

Visibility and religious practices

(8) The visibility enjoyed by “newcomer” religions is apt to jar with the cultural concepts derived from the more established religions and beliefs. The new religious buildings challenge traditional ideas while disused places of worship are sold off or demolished. Faced with a changing landscape and seemingly strange religious practices, local communities need to be supported and consulted and given time to adjust.

Educating people, from school age, about religion and the principle of the separation of state and religion is crucial for combating racism, sectarianism and stigmatisation.

Separation of state and religion

(9) Aware of the wide range of situations that exist in Europe, as pointed out in Resolution 1928 (2013)² of the Parliamentary Assembly of the Council of Europe, we affirm

*the vital separation of religion and politics in order to ensure:

— the exercise of freedom of conscience whenever states formally recognise it. Accordingly, each individual is free to have or not to have a religion and to change religion, provided this does not cause personal injury or mental harm or pose a threat to the state³;

— the protection of human rights in relation to religion and belief;

*the neutrality of public institutions vis-à-vis religions and belief systems, while at the same organising co-operation between believers and the civil authorities;

*the full exercise of equal citizenship for all, irrespective of a person’s religious, political or social status, and the opportunity to be a fully functioning citizen and, at the same time, to join, or not to join, an organisation, faith-based or other.

To conclude, an appeal:

In order that human rights may be respected and observed in a harmonious manner, the Conference of INGOs of the Council of Europe calls on all European NGOs and each and every citizen of Europe, whatever their family background, whatever organisation they belong to and whatever their status, beliefs, professional or other responsibilities;

(10) To be guided by the five key principles, namely 1) freedom of conscience, 2) non-discrimination, 3) mutual autonomy and separation of the state and religious institutions, 4) state neutrality in relation to religions and belief systems, 5) education in intercultural dialogue, with due regard for its religious and philosophical dimension.

(11) To take care to ensure that the state and religious institutions are effectively independent from one another, while avoiding any attempts by the two to exploit one another or to form alliances.

(12) To realise that no one can possess the whole truth and that individual progression towards the truth can occur only if there is a willingness to reach out to, and converse with, others in a way that respects the individuals concerned (without necessarily sharing their ideas); note that adopting this attitude does not mean giving way to relativism.

(13) To pursue inter-faith, intra-faith and inter-belief dialogue which helps to promote awareness that people can have the same values, but for different reasons.

(14) To engage or pursue, in the case of believers, dialogue with members and leaders of their respective religions with a view to:

- promoting within these religions acceptance of and respect for human rights to resolve conflicts between rights in society;
- ensuring that, when making public statements, official representatives of religions are guided by the principles of human rights;
- clarifying the position of women within religious institutions;

(15) To rule out any attitudes or language of intolerance towards anyone and combat any religiously-motivated hate speech on the part of members of organisations.

(16) To respect and ensure respect for gender equality in practice and in law.

(17) To refrain from making any statements or adopting any stances that would threaten the lives, health, safety or social participation of LGBT persons and to speak with moderation and tact on issues of sexuality, without judging or condemning individuals, while recognising the misunderstandings and injustices or even violence to which recklessly expressed opinions can lead.

(18) To increase the amount of attention paid by civil society and religious institutions to children's rights⁴.

(19) To oppose all forms of discrimination based on religion or non-religion. To realise that no one can be reduced to their beliefs or religious affiliations alone.

(20) Lastly, NGOs are encouraged to lobby European and international bodies to defend and promote human rights.

Appendix 1

Information on the Council of Europe and the INGO Conference

(20) Founded on 5 May 1949 by the Treaty of London, the Council of Europe is the oldest European institution. It seeks to safeguard and develop human rights and democracy, and operates smoothly thanks to the complementary nature of its four institutional pillars: the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities and the Conference of INGOs.

(21) The Council of Europe, notably through the European Court of Human Rights (ECHR) which is a constituent part thereof, is responsible for upholding human rights and democracy Europe-wide, and for creating a common democratic and legal area so that everyone can find their place in a society which practises mutual respect.

(22) If all citizens of Europe are to have the full and equal enjoyment of all of these rights, without any tests as to eligibility, each individual must assume full responsibility for the exercise and day-to-day observance of these rights, both in respect of themselves and in respect of others. This implies the existence of duties as well as rights.

(23) Taking in account the fact that human rights form a coherent and inseparable whole and are the birthright of all human beings, rather than something that is bestowed, the Conference of representatives of civil society (INGOs) contributes, through its numerous initiatives, to the affirmation of these key principles and to the implementation of human rights. It carries out its work within the framework of the rule of law and democracy, the principles of which are set out in its declaration on genuine democracy CONF/PLE(2013)DEC1⁵.

(24) Condemning the numerous human rights violations and the calling into question of the universal nature of human rights, due in particular to growing cultural and religious diversity, and mindful of the current importance of interaction between religions and human rights, representatives of civil society at the Council of Europe have decided to examine the relationship between human rights and religions, specifically the areas of convergence and areas of tension between them.

(25) This work, which was conducted over three years and features in a report entitled “Human rights and religions”⁶, aims to generate among European citizens faced with the everyday frictions and discomfort engendered by the current changes an informed awareness of the social issues that exist across Europe and indeed worldwide so that we can explore them and act on the proposals made.

Appendix 2

Some key Council of Europe texts

[Doc. 10673 of 19 September 2005 of the Parliamentary Assembly ‘Education and religion’](#)

[Doc. 11298 of 8 June 2007 of the Parliamentary Assembly ‘State, Religion, secularity and human rights’](#)

[Doc. 12788 of 10 November 2011 of the Parliamentary Assembly ‘Combatting all forms of discrimination based on religion’](#)

[Recommandation 1805\(2007\) adopted on 29 June 2007 by the Parliamentary Assembly ‘Blasphemy, religious insults and hate speech against persons on grounds of their religion’](#)

[Recommandation 1720 \(2005\) adopted on 4 October 2005 by the Parliamentary Assembly ‘Education and religion’](#)

¹ Link to the Vienna Declaration of 25 June 1993.

[http://www.unhchr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en)

²http://www.eu-logos.org/eu-logos_nea-say.php?idr=4&idnl=1928&nea=102&lang=fra&lst=0

³ A threat to the state is deemed to exist in cases where the state is the guarantor of the official religion, with no separation between the two.

⁴ [Link to the Convention on the Rights of the Child](#)

⁵ [Link to the declaration on genuine democracy adopted by the Conference of INGOs on 24 January 2013](#)

⁶ [Link to the report](#)