

## Freedom of Faith, Conscience and Expression

Faith, conscience and expression are relational and fundamental freedoms. These freedoms mean that we do not just make our own conviction heard but that we give each other the space to do the same, individually and together. Real freedom of faith, conscience and expression only becomes visible via relations with those who feel, think or act differently. Mutual respect for these freedoms will lead to real plurality.

The European Union is, besides a project for peace and prosperity, also a promoter of plurality. In the year 2000 the EU motto “United in Diversity” was adopted. ECPM wholly supports this motto since only a real understanding of each other’s culture and history can lead to a beneficial cooperation on the long term.

### Foundations

The basis for the view of the ECPM on freedom of faith, conscience and expression is derived from Article 18 of *The Universal Declaration of Human Rights* (The United Nations Assembly, Paris, 1948) which states: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

Furthermore the ECPM fully supports and endorses the *Global Charter of Conscience* which is summarized in five points:

- 1. Freedom of thought, conscience, and religion is a precious, fundamental, and inalienable human right – the right to adopt, hold, freely exercise, share, or change one’s beliefs, subject solely to the dictates of conscience and independent of all outside, especially governmental control.*
- 2. This right is inherent in humanity and rooted in the inviolable dignity of each human individual. As a birth right of belonging, it protects our freedom to be human and is the equal right of all human beings without exception.*
- 3. The right to freedom of thought, conscience, and religion contains a duty as well as a right, because a right for one person is automatically a right for another and a responsibility for both.*
- 4. The public place of freedom of thought, conscience, and religion is best fulfilled through cultivating civility between citizens and constructing a cosmopolitan and civil public square – a public square in which people of all faiths, religious and naturalistic, are free to enter and engage public life on the basis of their faith.*
- 5. The rights of freedom of thought, conscience, and religion apply not only to individuals, but to individuals in community with others, associating on the basis of faith.<sup>1</sup>*

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<sup>1</sup> Global charter of Conscience [http://charterofconscience.org/?page\\_id=40](http://charterofconscience.org/?page_id=40)

## **Anti-discrimination**

Without any doubt, discrimination is damaging for the society and individuals and it should be addressed in a proper way. However, anti-discrimination laws and policies can create a serious risk of enforcing a form of political correctness that, when applied, put equal fundamental rights and freedoms under pressure.

Anti-discrimination policies can, therefore, become a serious risk to the freedom of religious associations. These organizations only exist with the aim to advance their faith, fellowship, and similar activities. The right to promote these efforts and beliefs is guaranteed in international law as a fundamental right and a cornerstone for democracy. ECPM believes that national states and the EU should be impartial in assessing the legitimacy of religious beliefs and should require conflicting groups to tolerate each other. In some member states, religious organizations and faith-based associations have been shut down because of anti-discrimination legislation (like the Roman Catholic foster care agencies in the UK). The ECPM therefore calls for caution with regard to the Equal Treatment Directives in order to prevent such unintended consequences of EU policy.

It is the view of ECPM that faith inspires many EU citizens to actively engage in society for the benefit of society as a whole. Religious followers are often active in numerous local, regional or national activities addressing issues such as poverty, care and reconciliation. The plurality of religious and ideological worldviews in the EU should be respected instead of rejected in favour of one particular religion or ideology.

The assertion and promotion of equal freedom of all convictions and mutual dialogue are in our view the best way to combat discrimination.

## **Freedom to disagree**

Freedom that only protects ideas that are accepted by the majority is not real freedom. Yet, there is a growing tendency in European institutions to promote the freedom of one group at the costs of the freedom of another group. There is less and less freedom to disagree with the views of a vocal political majority. Yet, the European Court of Human Rights has interpreted freedom of expression to protect not only the information or ideas that are favourably received or regarded as inoffensive or as a matter of indifference, but also those that offend, shock or disturb. The latter are the true demands of pluralism, broad-mindedness and tolerance. If there is no fundamental right to disagree there is no democratic society.<sup>2</sup>

ECPM believes that real pluralism requires the space for a group, religion or ideology to question the views of another group, religion or ideology at any time. In order to create a genuine debate at the national and European level, there should be room for all views in society.

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<sup>2</sup> Roger Kiska, "The threat to religious liberties and the European institutions" in ECPM publication *Liberty of faith and conscience*, Sfera politiciii (June 2011): 3 - 12

In the EU there should be a level playing field in this regard, especially when it comes to funding of NGO's by the EU. The ECPM wants a thorough review of this funding and asks for more transparency. NGO's who have an ideological or industry related interest in EU policy making should in principle not receive direct funding from the EU.

ECPM wants a European Union that we *can* relate to, a European Union that respects cultural, historical and religious differences and promotes a genuinely open debate and the freedom to disagree for all.

### **Parental rights**

ECPM believes that it is up to the parents to decide in which way they want to raise their children. The influence of national governments in this should be limited while the European Union itself should fully respect the principle of subsidiarity, especially regarding this issue.

The United Nations Convention on the Rights of the Child states that among the most important rights of the child, besides the right to life, are precisely the right to parental love and the right to education. The Convention also explicitly states that parents, being the ones who love their children the most, are the ones called upon to decide about the education of their children. Furthermore, Article 2 of the First Protocol of the European Convention of Human Rights explicitly specifies that the state shall respect the right of parents to ensure education and teaching in conformity with their own religious convictions.<sup>3</sup>

ECPM fully supports these Articles and wants the European Union to respect the rights of the parents in every EU member state. The EU institutions should refrain from any interference in this area. A coincidental political majority of MEP's in the European Parliament cannot decide over something as personal as the raising of children.

### **Freedom of faith and protection of converts in EU policies**

Freedom of belief is a clear indicator of the level of democracy and freedom in a country. It is no coincidence that the countries in which Christians are persecuted the most, are either authoritarian regimes or failed states that are facing a certain level of civil war. In many so-called more well-ordered societies there is in practice no real freedom of belief as well.

According to *Open Doors* over 100 million Christians worldwide are currently persecuted or in danger because of their belief. The number of persecuted people of other faiths is lower, however persecution on this ground is always an act against human dignity.

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<sup>3</sup> Kiska, 3 - 12



The ECPM welcomes therefore the adoption of the guidelines to promote freedom of belief in EU foreign policy. These guidelines are a practical demonstration of freedom of faith as core value of the EU. ECPM MEP's have been in the forefront of the development of these guidelines.

The ECPM MEP's have in this regard put special emphasis on the right of each person to change his/her belief (or refrain from any belief). This right is the cornerstone of freedom of faith. Without this right there is no real freedom of religion and belief.

However, also within the EU there is a trend of converts that are being threatened because they changed their belief. This is especially the case with migrants and asylum seekers coming to the EU. Given this background, the ECPM wants the European Union to address this issue in the coming years and facilitate solutions for the member states.