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The religious dimension of intercultural dialogue

Report¹

Committee on Culture, Science and Education

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Summary

The cultural diversity characteristic of European societies has become a source of tension and divisions which disrupt social cohesion. The Committee on Culture, Science and Education considers that it is time to create a new culture of living together on the basis of the assertion of everyone's equal dignity and of wholehearted adherence to the principles of democracy and human rights

This report proposes building on what unites us rather than emphasising what separates us, and underlines the importance of the religious dimension of intercultural dialogue for the promotion of the values that make up the common core of any democratic society. The report points out the importance of education systems in fostering mutual understanding and learning of these values; it calls for enhanced dialogue at local and regional levels and for dynamic collaboration between public institutions, religious communities and groups that espouse a non-religious perception.

On the basis of the findings of the report, the committee proposes: the promotion of a partnership for democracy and human rights between the Council of Europe, the religious faiths and the main humanist organisations; the establishment, to this end, of a stable platform for dialogue, seeking to encourage the active involvement of all stakeholders in action to promote the fundamental values of the Organisation; to associate the European Union and invite the Alliance of Civilizations and, if appropriate, other partners to contribute.

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A. Draft recommendation²

1. The Parliamentary Assembly notes the growing interest raised by the questions relating to intercultural dialogue in a European and global context, where efforts to establish closer ties and collaboration between communities within our societies and between peoples, to build together for the common good, are constantly imperilled by lack of understanding, high tension and even barbarous acts of hatred and violence.
2. The Assembly welcomes the positive momentum developing within the Council of Europe, conducive to an approach mainstreaming the questions relating to intercultural dialogue and its religious dimension. The “White Paper on Intercultural Dialogue – Living together as equals in dignity” and the annual exchanges organised by the Committee of Ministers on “The religious dimension of intercultural dialogue” represent in a way the highest achievement of this approach.
3. Article 9 of the European Convention on Human Rights (“the Convention”, ETS No. 5) secures the right to freedom of thought, conscience and religion. This freedom represents one of the foundations of a “democratic society” within the meaning of the Convention; it is, in its religious dimension, one of the most vital elements of believers’ identity and their conception of life, but is also a precious asset for atheists, agnostics, sceptics or the unconcerned.
4. Assertion of this inalienable right presupposes that all are free to have (or not to have) a religion and to manifest their religion alone and in private, or collectively, in public and within the circle of those whose faith they share. In Europe, Churches and religious communities have the right to exist and to organise themselves independently. Nevertheless, freedom of religion and freedom to have a philosophical or secular world view are inseparable from unreserved acceptance by all of the fundamental values enshrined in the Convention.
5. These values should bring us together, but it is also important to acknowledge the cultural differences that exist between persons of differing convictions. Differences, as long as they are compatible with respect for human rights and the principles that underpin democracy, not only have every right to be there but also help determine the essence of our plural societies.
6. The European model is by definition a multicultural one and should take into account differences arising from different historic backgrounds. However, common values such as mutual respect, the protection of human rights, democracy, tolerance, the acceptance that differences are normal and vision of a common future need to be strengthened further.
7. The problem often lies in our attitude to diversity. The Assembly insists on the need for everyone to learn to share their differences positively and accept others with theirs, in order to build cohesive societies receptive to diversity and respecting the dignity of each individual. To achieve this, the Assembly is convinced of the importance of the religious dimension of intercultural dialogue, and of collaboration between religious communities to foster the values that make up the common core of our European societies and of any democratic society.
8. The Assembly considers it not only desirable, but necessary, that the various Churches and religious communities – in particular the Christians, Jews and Muslims – recognise each other. It is also indispensable that people of all beliefs and world views, religious or otherwise, accept to intensify dialogue building on the common assertion of all people’s equal dignity and wholehearted commitment to democratic principles and human rights. These are two crucial conditions for developing a new culture of living together. The Assembly therefore calls upon all religious communities and Churches to persevere in their endeavours for dialogue, including with humanist movements, in order to work in unison to attain the goal of effectively safeguarding these values everywhere, throughout Europe and worldwide.
9. States have to establish the necessary conditions for religious and convictional pluralism and to ensure effective respect for freedom of thought, conscience and religion, as secured by Article 9 of the Convention.
10. The Assembly recalls in this connection states’ obligation to ensure that all religious communities accepting the common fundamental values can enjoy appropriate legal status guaranteeing the exercise of freedom of religion, and that any preferential support granted to certain religions does not become disproportionate and discriminatory in practice. States must also reconcile the rights of religious communities with the need to protect the rights of persons with humanist convictions who adhere to these fundamental values.

2. Draft recommendation adopted unanimously by the committee on 18 March 2011.

11. The Assembly considers it necessary to build up a dynamic, productive partnership between the public institutions, the religious communities and the groups that espouse a non-religious perception. The common starting point for this is acknowledgement by the various religious denominations and by non-religious belief systems that human dignity is an essential and universal asset.

12. The Assembly therefore recommends that the public authorities at local and national level facilitate encounters organised in the framework of inter-religious dialogue and encourage and support projects jointly conducted by several communities, including humanist associations, that seek to consolidate the social bonds by such means as the promotion of inter-community solidarity, care for the most vulnerable and the fight against discrimination.

13. The Assembly reiterates the importance and the function of the education system for knowledge and understanding of the various cultures, including the beliefs and convictions which identify them, and for learning democratic values and respect for human rights. It recommends that states and religious communities review together, on the basis of the guidelines provided by the Council of Europe, the questions regarding teaching on religions, denominational education, and training of teachers and of ministers of religion or those with religious responsibilities, according to a holistic approach.

14. The Assembly emphasises that the principle of state neutrality applies to religious education at school and that according to the case law of the European Court of Human Rights, it rests with the national authorities to pay strict attention that parents' religious and non-religious convictions are not offended.

15. In the Assembly's view, the challenge today is to reach the agreement and the balance necessary in order that teaching on religions provides an opportunity for encounter and for receptiveness on both sides. It recommends that state authorities and religious communities make concerted efforts in that direction and invites states to commit the resources required for statements to give way to achievements on the ground. It would be highly advisable that every teacher, irrespective of type and branch of education, take a module during training that familiarises them with the major currents of thought.

16. The Assembly recalls that the internal autonomy of religious institutions as regards training of those with religious responsibilities is a principle inherent in freedom of religion. Nevertheless, this internal autonomy is limited by fundamental rights, democratic principles and the rule of law, which we hold in common. Therefore, the Assembly invites the religious institutions and leaders to study, if possible together and in the framework of inter-religious dialogue, the appropriate way to better train the holders of religious responsibilities in:

16.1. knowledge and understanding of other religions and convictions and in openness, dialogue and collaboration between religious communities;

16.2. respect for fundamental rights, democratic principles and rule of law, as a common basis for such dialogue and such collaboration.

17. The Assembly recommends that the Committee of Ministers:

17.1. promote a genuine partnership for democracy and human rights between the Council of Europe, the religious faiths and the main humanist organisations, seeking to encourage the active involvement of all stakeholders in action to promote the fundamental values of the Organisation;

17.2. establish, to this end, a place for dialogue, a workspace between the Council of Europe and high-level representatives of religions and of non-denominational organisations, in order to place existing relations on a stable and formally recognised platform;

17.3. develop this initiative in concertation with the interested parties, closely associate the Parliamentary Assembly and, as far as possible, the European Union, and invite the Alliance of Civilisations and, if appropriate, other partners to contribute;

17.4. continue, in this context, organising dedicated meetings on the religious dimension of intercultural dialogue.

18. The Assembly further recommends that the Committee of Ministers:

18.1. promote the accession of the Mediterranean Basin states to the Venice Commission, the Partial Agreement on Youth Mobility through the Youth Card, and the North–South Centre;

18.2. invite all member states to support any targeted projects that the North–South Centre may conduct in order to amplify the positive forces at work in the religious dimension of intercultural dialogue beyond the boundaries of the European continent, at the inter-regional and/or global level;

18.3. increase the resources allocated to the project on intercultural cities, in which the religious dimension of intercultural dialogue should be explicitly incorporated;

18.4. offer more support for the work of the European Wergeland Centre in Oslo, particularly for building its capacity to collaborate with the Council of Europe member states on projects concerning the intercultural and inter-religious dimension of training for teachers and educators.

19. The Assembly invites the European Union, in particular the European Parliament and the European Commission, together with its Agency for Fundamental Rights, to engage in joint programmes with the Council of Europe on education for democratic citizenship and human rights education, with reference to the Charter which the Committee of Ministers adopted on 11 May 2010, and on intercultural and inter-religious dialogue.

20. The Assembly invites the Alliance of Civilisations to deploy joint programmes with the Council of Europe aimed at increasing the synergies in their respective action in Europe.

B. Explanatory memorandum by Ms Brasseur, rapporteur

1. Introduction

1.1. Report's terms of reference and preparation

1. On 4 October 2010, on the proposal of its President, Mr Mevlüt Çavuşoğlu, the Bureau of the Parliamentary Assembly instructed the Committee on Culture, Science and Education to prepare a report on the religious dimension of intercultural dialogue. The committee appointed me rapporteur in November 2010.
2. The President of the Assembly wished that the debate of the Assembly on this report take place on Tuesday 12 April 2011 in the presence of five senior religious personalities, to whom he addressed personal invitations.³
3. To accomplish the task entrusted to me, I sought assistance from Professor Francis Messner (Director of Research at the CNRS (Centre national de la recherche scientifique) PRISME-SDRE, University of Strasbourg), with whom I had preliminary talks on 4 January 2011. I extend my sincere thanks to him for his contribution on the place of religions in Europe and his contribution to our reflections on the role of religions in the promotion of the fundamental values upheld by the Council of Europe. I also asked the Registrar of the European Court of Human Rights ("the Court") if his staff could prepare a synopsis of the Court's case law on the right to freedom of religion and belief. I am grateful to him for having replied in the affirmative. The synopsis that he sent me covers key issues relating to the right to freedom of religion and belief in a democratic society in the case law of the European Court of Human Rights.
4. To complete the analysis, I believed it essential that our committee be able to hear from senior representatives of various religious faiths (Catholic, Orthodox, Protestant, Jewish and Muslim), at a hearing, in order to hear their respective points of view on the role of religion in promoting fundamental values in national religious communities and more widely. To this end, the chairperson of our committee convened an extraordinary meeting in Paris on 18 February 2011. The French National Assembly was kind enough to make its Lamartine Room available.
5. The committee heard statements from: Mgr Nestor (Sirotenko), Bishop, Diocese of Chersonèse, responsible for the administration of the Moscow Patriarchate in France, Switzerland, Spain and Portugal (also representing the Assembly of Orthodox Bishops in France); Mgr Aldo Giordano, Permanent Observer for the Holy See to the Council of Europe; Rabbi Alain Goldmann, Chief Rabbi of the Israelite Consistoire of Paris (Chief Rabbi of Paris from 1980 to 1994); Pastor Claude Baty, President of the French Protestant Federation; Mr Haydar Demiryurek, Vice-President of the French Council of the Muslim Faith.
6. The committee invited them to provide elements of reply to the following questions:
 - How does each community contribute to the safeguarding of fundamental human rights and what are the major challenges and obstacles to overcome for the action of different communities to produce further results?
 - Which are the most fruitful areas of co-operation between the different religious communities and harmony between them and individuals and groups of non-believers?
 - How can religious communities get the message over effectively that a believer should never condone violence and hatred in the name of religion?
 - What do the religious communities expect from international organs dealing with fundamental rights, and in particular from the Council of Europe?
7. Other participants in the hearing were: Ms Işıl Karakaş, Judge on the European Court of Human Rights (elected in respect of Turkey); Ambassador Arif Mammadov, Permanent Representative of Azerbaijan, Chairperson of the Council of Europe Committee of Ministers' Rapporteur Group on Education, Culture, Sport,

3. These personalities are: Patriarch Daniel of Romania; Cardinal Jean-Louis Tauran, President of the Catholic Church's Pontifical Council for Inter-religious Dialogue; Chief Rabbi Berel Lazar, Chief Rabbi of Russia and President of the Rabbinical Alliance of the Community of Independent States; Prelate Bernhard Fellmberg, Plenipotentiary Representative of the Evangelical Church in Germany to the Federal Republic of Germany and the European Union; Professor Mehmet Görmez, Head of the Diyanet (Presidency of Religious Affairs) in Turkey. The Diyanet İşleri Başkanlığı (commonly known as the Diyanet) is an official institution established in 1924 by the Grand National Assembly of Turkey after the abolition of the caliphate. It is Islam's highest religious authority in Turkey.

Youth and Environment; Mrs Gabriella Battaini-Dragoni, Director General of Education, Culture and Heritage, Youth and Sport and Coordinator for Intercultural Dialogue (with whom I also had the opportunity to talk with at a meeting on 7 February 2011); Mr David Pollock, President of the European Humanist Federation; Professor Francis Messner. I should like to thank all the speakers for their valuable contribution to our work.

8. Two more things need to be pointed out. Firstly, despite the efforts made and the determination to consider in depth the many questions raised, the very tight deadlines did not allow the rapporteur and the committee to be absolutely thorough. We neither feel (nor claim) that we have exhausted the topic, but consider that the report forms a fresh stage in the work which our Assembly is conducting in this area. Second, for the reason which I have just given, in defining the scope of the report I avoided further reference to several aspects relating to the question of the place of religions in the public sphere and the concept of “secularity” which were the subject of the report on state, religion, secularity and human rights and of [Recommendation 1804 \(2007\)](#). It is not an oversight, but a choice, and a sequel to the report will probably have to be envisaged in this direction too, given the continuing importance of these questions in our states.

9. On the other hand, even though the emphasis – as the title of the report requires – is on the religious dimension of intercultural dialogue, I wanted to recall in the report that our societies must gather together believers and unbelievers alike and that consequently the input of the latter into the dialogue must not be discounted.

1.2. Issues and aim of the report

10. The Parliamentary Assembly has attached great importance to religions and the religious dimension of intercultural dialogue for a number of years; a wide range of specific issues related to this subject has been covered by detailed studies, resulting in numerous resolutions and recommendations.⁴ Indeed, it is not really possible to understand our pluralist societies, or face the challenges that they present, without considering the meaning and consequences of the encounters between cultures and beliefs with which these societies are seething.

11. Intermingling of populations, cultures and beliefs is certainly nothing new in Europe. On the contrary, it must be said that Europe as we know it today is the result of multiple interactions between populations whose cultures (in the general sense, including religious, philosophical and secular beliefs) have met, clashed, mixed and bonded throughout our continent's history. However, the scale and impact of this mixing is today unprecedented.

12. Unfortunately, cultural and religious diversity has become a source of anxiety, fear and tension in Europe, and even more outside the continent. Divisions have sprung up, which seem to have been exacerbated, amongst other things, by the different visions of society offered by each religion. We are confronted almost daily with problems of understanding and more and more instances of intolerance, rejection and violence, which destroy social cohesion and even stability and peace.

13. The Assembly has expressed its deep concern at the recent attacks on Christian communities in the Middle East; in its [Recommendation 1957 \(2011\)](#) it firmly condemns the tragic attacks of October 2010 in Baghdad and those of January 2011 in Alexandria. There are more and more such tragedies. On 2 March in Islamabad, the Pakistani Minister for Minorities Shahbaz Bhatti, a Christian, was killed; he was regularly under threat for supporting an amendment to the clause of the Pakistani Blasphemy Law which stipulates that blasphemy is punishable by death, and condemning the violence and intimidation directed at the Christian minority. On 4 March in the village of Soul near Cairo, during Muslim-Christian violence instigated by an amorous relationship between a Christian boy and a Muslim girl, the fathers of the two young people were killed and the next day, after the funeral of the girl's father, a group of Muslims set fire to the village church. On 8 March, in Cairo, new confessional clashes between Christian Copts and Muslims left 13 people dead and some 140 injured.

14. We are profoundly shocked whenever – across the globe and also in our Europe which upholds human rights – scorn and hatred is heaped on particular persons or communities for their beliefs and convictions and because they have manifested them. But today it is not enough to analyse the tragic events which regularly make the media headlines; it is not enough to dissect their causes and make repeated calls for tolerance and dialogue. We must embark resolutely on a new path, establish a new paradigm for living together and root it in the minds of our peoples.

4. It would be impossible to refer to all this work in the present report, which will nevertheless take it into due consideration. For further information, a list of the most relevant Assembly texts is given in the appendix to this report.

15. Each of us has to understand that we must all not only accept the existence of different attitudes but also respect them when they come into contact with our own. Pretending not to care is inappropriate; feeling threatened is a mistake; isolationism is dangerous and irresponsible; rejecting others in the name of some claimed identity or marginalising them or, worse still, attacking them and wanting them removed, is simply unacceptable.

16. A number of factors go into making up individual and collective identities. Religion is only one of these factors, but when it is present it assumes major importance. The UNESCO World Report *Investing in Cultural Diversity and Intercultural Dialogue* (2009) exposes a resurgence of the question of identities. The report notes that “[c]ulture and religion can be seen to be intimately linked in this often conflictual affirmation of separate identities”. It also points out that “[a]llied to political activism, religious affiliations can be a powerful marker of identity and a potential source of conflict” and that “religions run the risk of being instrumentalised for other purposes, for example, as vehicles for the promotion of ideological, political and/or economic agendas”.

17. To counter the threat of conflict and confrontation rooted in identity, and even the risk of a “clash of civilisations”, we must encourage productive encounters between cultures and civilisations as our weapon. As the President of the Assembly stated at the Council of Europe’s last meeting on the religious dimension of intercultural dialogue (Ohrid, 13-14 September 2010), it is not just the cohabitation of different religions and cultures in our states and in Europe that is at stake but also the coexistence of our European societies with those of the world at large.

18. All those claiming a belief – including non-religious ones – have to realise that it is their responsibility to encourage and facilitate such encounters. The historical and sociological importance that religions have enjoyed in Europe means that they have a particular role and responsibility in developing and promoting a culture of tolerance and understanding. All religious authorities should openly and unreservedly condemn intolerance, discrimination, hate and violence: religion and faith – like secular beliefs – should neither accept nor justify attitudes dictated by contempt for others, and we must all work to eradicate them.

19. Instead of emphasising what separates us, and running the risk of creating more and more parallel societies, we should build on what unites us. Our common aim must be an open and tolerant society based on an ethic of respect for others and thus able to accommodate anyone sharing this ethic – a society in which every individual will not only be entitled but also be actually able to practise his or her faith and live according to his or her beliefs whilst respecting the rule of law and respecting people who take another approach, whether religious or secular.

20. In this respect, I firmly believe that the fundamental values of the Council of Europe can and must be the glue that binds us together. The right to freedom of thought, conscience and religion is one of these values, and we must safeguard it effectively. At the same time, the freedom of religion of some believers cannot be held up against the freedom of religion of others or against the freedom of thought and conscience of adherents of a non-religious view of the world. Nor can it be used as a pretext to justify interference with other fundamental values. These are messages that have been conveyed by the Assembly on many occasions.

21. Thus, already in its [Recommendation 1396 \(1999\)](#) on religion and democracy, the Assembly stressed the importance not only of guaranteeing freedom of belief and speech for all citizens as laid down in the European Convention on Human Rights but also of “safeguard[ing] religious pluralism” and “denounc[ing] any attempt to foment conflict within and between religions”.

22. In its [Resolution 1510 \(2006\)](#) on freedom of expression and respect for religious beliefs, the Assembly emphasised that “hate speech against any religious group is not compatible with the fundamental rights and freedoms guaranteed by the European Convention on Human Rights”, and it affirmed “its commitment to ensuring that cultural diversity becomes a source of mutual enrichment, not of tension, through a true and open dialogue among cultures on the basis of mutual understanding and respect”.

23. In the same resolution, the Assembly stated the overall aim in this respect of “preserv[ing] diversity in open and inclusive societies based on human rights, democracy and the rule of law” and called for “intercultural and interreligious dialogue based on universal human rights, ... with a view to promoting tolerance, trust and mutual understanding, which are vital for building coherent societies and strengthening international peace and security”.

24. Drawing on the Assembly’s earlier work, this report should therefore aim to take further our joint reflection on how we can all work in unison to achieve the goal of effectively safeguarding the values which constitute the common foundation of European democracies.

25. Indeed, as the Assembly recently pointed out in its [Resolution 1743 \(2010\)](#) on Islam, Islamism and Islamophobia in Europe, the three monotheistic religions “share the same historic and cultural roots and recognise the same fundamental values, in particular the paramount value of human life and dignity, the ability and freedom to express thoughts, the respect for others and their property, and the importance of social welfare. Those values have been reflected by European philosophies and have been included in the European Convention on Human Rights.” We must consider how these religions contribute now and can contribute in the future to effective promotion and protection of these values, as well as how we can work together more effectively and productively to this end.

26. The complexity of the issues requires an in-depth analysis of various aspects. Firstly, I believe we have to study the situation of religions in Europe. The report thus offers a brief description of the religious diversity that exists in our continent – and possibly of the multiculturalism and religious pluralism in European societies today – and underlines (once again) the contribution made by monotheistic religious traditions (Christian, Jewish and Muslim) to European culture. It also explains the various approaches to the relationship between state and religion, as well as the types of regulation governing this relationship.

27. One crucial aspect is the recognition of freedom of religion as a fundamental right for both individuals and communities. The report therefore contains an excursus on the case law of the European Court of Human Rights on the right to freedom of religion (and thought and conscience), which the Court holds to be one of the pillars of a “democratic society” and a vital element in defining a believer’s personal identity, but to which its case law also sets limits.

28. Lastly, the report explores the question of religions’ contribution to the promotion and effective enforcement of the fundamental values which are the common heritage of the peoples of Europe, based on the recognition of human dignity by all religious beliefs (equal dignity for all, without discrimination); and in this context the report considers dialogue between religions as a possible tool for developing a culture of openness and receptiveness to others and for building a cohesive society together. The conclusions drawn from this study point the way to some avenues to explore and propose some concrete courses of action for achieving this goal.

2. The place of religion in European states

29. The Assembly has already noted the importance of the religious element in European society. This importance stems from the centuries-old historical presence of certain religions in our continent and from their influence in European history.⁵ The Assembly has also emphasised the contribution made not only by Christianity but also by Judaism and Islam to European culture and civilisation.⁶

30. Looking at the trends of this religious phenomenon on our continent, it can be observed that the religious institutions have steadily lost their hold on state institutions and on society at large, but it can also be noted that today Europe is endowed with a multiple reality of beliefs and churches and that despite their decline since the end of the Second World War and the secularisation of our societies, religions continue to have a significant place there and play a meaningful part for millions of European citizens in all our states, which are thus prompted to establish a statutory framework for their relations with the various religious communities.

2.1. Religions and European societies

2.1.1. Religions in Europe today

31. Many experts believe that Europe has been profoundly influenced by what may be considered a decline in religious belief, affiliation and practice.⁷ The relationship between religious groups and their members has changed dramatically and the influence of religious institutions on their members is also on the wane.

5. See [Recommendation 1804 \(2007\)](#) on state, religion, secularity and human rights (and the corresponding report by the Committee on Culture, Science and Education – Doc. 11298).

6. See in particular [Resolution 885 \(1987\)](#) on the Jewish contribution to European culture (and the corresponding report by the Committee on Culture, Science and Education – Doc. 5778), [Recommendation 1162 \(1991\)](#) on the contribution of the Islamic civilisation to European culture (and the corresponding report by the Committee on Culture, Science and Education – Doc. 6497).

7. And this unlike other continents such as America and other countries such as those that are predominantly Muslim, where religion continues to play a determining role in society.

32. Data from European surveys show “alienation of Europeans from institutional religiosity”;⁸ although the majority still identify with one or other of the Christian churches.⁹

33. Religious precepts are no longer taken for granted by society, especially in the field of morals. There is a certain disaffection concerning regular observance – weekly mass or worship – which have in some cases been replaced by occasional intense assemblies.¹⁰ Moreover, belief has been unable to escape the prevailing climate of individualism; subjectivity and pluralism have left their mark. A wide variety of religions is now on offer and forms of belief also vary considerably within each religion.¹¹ However a greater degree of religiosity must be noted within minority religions, such as Judaism and Islam, as well as an internal resurgence within Christianity.

34. The growth in the number of people, especially young adults, who identify themselves as having no religion, the development of unattached religious sentiment and a certain reassertion of Christian and non-Christian religious identities thus appear in the sociology of religions as the three main characteristics of present-day Europe’s religious landscape.¹² The situation may of course differ substantially between parts of Europe, even between European states.¹³

35. The countries of western Europe can be classified in three groups: those of Catholic tradition (notably Austria, Belgium, France, Ireland, Italy, Portugal, Spain); those of Protestant tradition (notably Denmark, Finland, Sweden); those with a blend (notably Germany, Netherlands, United Kingdom).

36. Ireland’s pronounced religiousness is the legacy of the association between Catholicism and the defence of the Irish identity against the dominance of a Protestant England. The Netherlands, whose permissiveness has been the most advanced, is where religious affiliation is weakest, but also where non-institutional religious observance is the most developed. It is no coincidence that France and Belgium, which have built up a strong secularity, are among the least religious of the Catholic countries today, the result of a highly conflictive past. In Germany, where Catholics and Protestants once rivalled one another, a degree of religious vitality has persisted in the western regions where the Lutheran churches occupied an important place in society and enjoyed social recognition, while the east has become the least religious part of all Europe. In the Lutheran countries of northern Europe, religious affiliation has remained very high but the status of official religion may have led to religious devitalisation internally, above all in Sweden where observance and belief are the lowest in western Europe. As to the United Kingdom, it ranks among the least religious countries, like the other European countries of earliest industrialisation.

37. Eastern Europe bears a strong religious stamp in the Catholic countries (Poland, Croatia, the Slovak Republic, Lithuania, Slovenia to some extent), average (Latvia, Hungary) or slight (Czech Republic) in the “blend” countries, slighter still in the countries of Lutheran tradition (former East Germany, Estonia). In the Orthodox countries, a strong contrast is found between deeply religious Romania, less devout Bulgaria and

8. Jean-Paul Willaime, *Le retour du religieux dans la sphère publique*, Lyon, Olivétan, 2007, p. 27.

Indeed, according to Eurobarometer 2006, religion is the last value chosen by Europeans from among 12 suggested personal values and representative values of the European Union; according to that survey, the most important personal values are peace (52%), respect for human life (43%), human rights (41%), democracy (24%) and personal freedom (22%); religion lags far behind (7%).

9. In that respect, however surprising, the *Atlas of religious values 2005 of the European Values Study* shows that about three out of four Europeans describe themselves as “religious people” (compared to those identifying themselves as “not religious” or “confirmed atheists”, the last being a small minority, except in France where they are close to 15%). The Atlas may be consulted on website www.europeanvaluesstudy.eu/evs/research/themes/religion/.

10. Danièle Hervieu-Léger, *Le Pèlerin et le converti. La religion en mouvement*, Paris, Flammarion, 1999.

11. Bérengère Massignon and Virginie Riva, *L’Europe, avec ou sans Dieu? Héritages et nouveaux défis*, Paris, Editions de l’Atelier, 2010.

12. Jean-Paul Willaime, op. cit., *ibid.*, who also quotes Yves Lambert, *Des changements dans l’évolution religieuse de l’Europe et de la Russie*, *Revue Française de Sociologie*, 45, 2, 2004, p. 319. Willaime also draws attention to the fact that among those saying they have no religion, believers in God with no religion have to be distinguished from unbelievers with no religion (op. cit., p. 29).

13. The following synoptic analysis is based on various sources including:

– Yves Lambert, *Religion: l’Europe à un tournant*, *Futuribles*, July-August 2002; and, by the same author, *A turning point in religious evolution in Europe*, *Journal of Contemporary Religion*, 19 (1), 2004, pp. 29-45;

– Matthias Koenig, *Religiosity in “laicist” States in Europe: France and Turkey*, in *What the world believes: analyses and commentary on the Religion Monitor 2008*, Bertelsmann Stiftung, 2009, pp. 375-397;

– Surveys on religious affiliation and/or participation: *European Value Survey 1999*; *International Social Survey Programme 1998*; survey GFK 2004; *Religion Monitor 2008*.

irreligious Russia. Surprisingly, after decades of communism, the proportion of “confirmed atheists” there is very small (8% in Russia and the Czech Republic, 6% in Estonia and Bulgaria, and elsewhere less), except in East Germany (20%) where de-Christianisation is an old-established phenomenon.

38. Religion is also very strongly entrenched in Turkey, where 51.3% of people questioned describe themselves as “religious”, 47.9 % “very religious” and only 0.8 % consider themselves “not religious”.

39. Marked differences are also noted between the various nationalities in the replies to the question on active religious observance (apart from family events such as weddings, baptisms and funerals). In western Europe, Germany included, 25% of people declare some religious affiliation, stating that they attend at least one religious service per week. Some 50% attend a religious service four times a year at the most. Italians form an exception among western Europeans with almost 40% of people questioned attending a religious service at least once a week. In Sweden and Denmark, some 50% of people questioned say that they hardly ever attend a religious service. Participation in religion is stronger in central Europe where almost 40% of respondents (even 60% in Poland) say they attend a service at least once a week.

40. In Turkey, private prayer is considered more important than public observance, yet 65% of men nevertheless profess weekly participation in Friday prayer as against 11% of women.

2.1.2. The influence of history

41. In Europe, the status accorded to religious faiths in society, the role that they play there, and the legal arrangements concerning them are inseparable from the history of European state institutions.

42. In the Europe of the Middle Ages, the Catholic Church was the cornerstone of western civilisation and society. The Great Schism, the Reformation and the spread of Enlightenment ideas diminished the power of the religious authorities and facilitated the emergence of the principle that religion should be subordinate to the prince.

43. The Catholic Church did not accept this predominance of the state and claimed separation and independence as a perfect and self-contained ecclesiastic society equal to the state rather than an association or group of persons within that state. The Protestant Churches, for their part, were incorporated in the machinery of state and governed by the prince. The Orthodox Churches advocated harmonious relations between faith and power, known as “symphonia”; in reality, the Orthodox Churches would usually identify with the national cause.

44. The *cuius regio, eius religio* principle (usually accompanied by exploitation of religious institutions for the benefit of political authority) was still in force in many states in the late 18th and early 19th century but was gradually being undermined by claims for religious freedom. This freedom was definitively confirmed at international level in the 20th century with the Universal Declaration of Human Rights and the European Convention on Human Rights.

45. Religions whose institutions have been shaped by non-European cultures generally find it difficult to fit into the framework laid down by European states. Muslim communities are at the centre of the debate: Islam is gradually claiming its place in European states’ legislation on religion, but this religion has come up against particular problems.

46. One major difficulty is linked to the relative inability of Muslim communities independently to find a type of representation that meets the requirements laid down by public authorities (guarantee of permanence, believers’ recognition of representatives’ legitimacy, adherence to commonly accepted values). Thus, public authorities are faced with a multiplicity of Muslims associations, federations and groupings, whereas, historically, representation of Christian and Jewish religious communities has grown out of a very centralised model. The determination of the public authorities to have a single interlocutor for each religion or major religious tradition, together with the organisational deficiencies peculiar to Muslim communities, has resulted in artificial types of representation. Their authority is usually limited inasmuch as it is exercised over federations and associations with differing conceptions of Islam.¹⁴

14. Nevertheless, in Austria a good level of representation has been achieved: the Islamic community is organised according to an order of 1988 which defines the content of its statutes; it comprises a legislative assembly at federal level, the Islamic Religious Community of Austria, which brings together the major federations, and an executive body, the Superior Council.

47. A second problem lies in the difficulty of distinguishing religious affiliation from ethnic affiliation.¹⁵ This problem is foreign to European tradition, which draws a clear distinction between religious affiliation and citizenship, and between religious institutions and public institutions. In other respects it may entail haziness in the whole remit of the body representing the Muslim faith, with political and administrative considerations sometimes taking precedence over spiritual and theological ones.

2.2. Rules governing religious denomination in Europe

48. The European system of regulating religion has two distinct tiers. The first covers protection of the beliefs of individuals, held individually or in community with others, and is intended to safeguard fundamental religious rights: freedom of conscience, positive and negative freedom of religion, equality and non-discrimination in religious matters, right of association for believers, and religious neutrality.

49. The second tier covers the rules or arrangements governing faiths, that is, the way in which organised religious groups operate and are structured. The types of relationships between state and Church, religions and, sometimes, philosophical groupings (the humanists) vary widely in Europe.¹⁶ However, they are organised on common principles and have developed a common content.

2.2.1. Common principles

50. The law relating to religion in Europe has definitively broken with the idea of citizenship coinciding with religious affiliation or the nation coinciding with religion. Freedom of religion covers the right to belong to, practise and teach a religion (entailing, if the need arises, the right to protection for places of worship), but also the right to refuse any religious affiliation and to be free to leave a religious or philosophical grouping.

51. The guarantee of freedom of conscience and religion is reflected in the state's non-denominationalism and neutrality in matters of religion. The state, built solely on the will of its citizens, is not subject to any religious control.

52. The principle of independence (freedom of organisation and self-determination) for faiths is a logical consequence of the principle of state neutrality and freedom of religion. The non-denominational, and therefore non-theological, state is not qualified to deal with internal matters of religious denominations. This principle is enshrined in the constitutions of many European Union member states and is established by law or specified in case law in others.

53. Co-operation between state and religions occurs within a framework of guaranteed freedom of religion, state neutrality and equality of faiths. Public authorities negotiate with religious groupings not because of their doctrinal or theological positions but because religion, as a factor of civilisation, is an important element in the life of a society. Co-operation comes within the broader sphere of relations between the authorities and social groups. It is relative and on a sliding scale, and it reflects the religion's numerical importance, how long it has existed in the country and, in particular, the nature of its activities.

2.2.2. Shared elements in the rules governing faiths

54. The rules and laws governing faiths in European states consist of a set of arrangements intended to support and structure religious denominations as well as promote co-operation and, where appropriate, joint action between public authorities and religions. Each state retains considerable freedom as to how they are implemented.

55. Support from public authorities in Europe is conditional on a basis of shared values: the intermediary groups must consent to form part of and participate in social life (rejection of communitarianism); each individual must be free to choose whether or not to join a particular group; all members of society must be equal (principle of non-discrimination); religious groupings must promote religious peace and make their own contribution to social cohesion.

15. Thus in France secular Muslims consider themselves inadequately represented with regard to the public authorities. Their associations are not included among those making up the French Council for the Muslim Faith. In Germany, cultural Muslims feel that they are not represented by Islamic bodies such as the *Deutsche Islam Konferenz* (DIK).

16. On the right of religions, two very recent publications can be consulted amongst others: the *Dictionnaire du droit des religions*, under the direction of Francis Messner, Paris CNRS éditions, 2011; and *Religion and the Secular State: interim national reports* (issued for the occasion of the 18th International Congress of Comparative Law, Washington, D.C. – July 2010) under the direction of Javier Martinez-Torrón and W. Cole Durham Jr., General Reporters, The International Center for Law and Religion Studies Brigham Young University – Provo, Utah, 2010.

56. The principle of independence for faiths and religious communities is a cornerstone of contemporary law on religion. It implies, on the one hand, the independence in matters of doctrine which is respected in all European states: religious communities are entitled to define their own belief systems without any state interference. It implies, on the other hand, the entitlement to self-administration, namely the capacity to organise themselves in accordance with their own understanding of their doctrines and according to their internal laws and rules of conduct. This is the rule everywhere in Europe, although with sometimes important national differences.

57. The principle of independence also underlies the special status of religious institutions, whether they fall under public law or private law, and it provides a legal basis for intervention by religious authorities in the preparation of religious syllabuses and the appointment of teachers of religion in state schools, as well as in faculties of theology in state universities. Lastly, it ensures freedom of training for ministers of religion.

58. The funding of faiths is connected, on the one hand, to freedom of religion and, on the other, to the public interest that religious activities may have. The methods of state funding for religious institutions and activities (payment of ministers' salaries, taxpayer allocation of part of income tax to specific religious denominations, exemption from tax, church taxes collected by the tax authority, annual grants) have developed or, conversely, collapsed according to whether state and religion grew closer or farther apart and whether Church property was secularised.

2.2.3. National characteristics

59. National legislation on religion can be divided into five main categories: law on national churches, law on recognised faiths, treaty law, law on registered religions, and systems without any specific statutory arrangements.

60. Laws concerning state churches (Denmark, Finland, Iceland and Norway), the established church (England) and the predominant church (Greece) were introduced by the temporal authorities when the Eastern Orthodox Church split from the Western Church (Greece), during the Reformation (Denmark) or in the course of a dispute between prince and Pope (British Isles).¹⁷ These laws are characterised by very limited independence for religious faiths, a privileged institutional position for the only established church and, apart from the United Kingdom, substantial economic support from the public authorities. This model, bound up with a nation's historical identity, is ill-adapted to religious pluralism: the basic legislation has been amended over the years but without essentially taking into account the position of religious minorities. Sweden has abandoned this model since 1 January 2000. None of the former communist countries, including those which were sociologically Orthodox, adopted it after the collapse of the communist bloc.

61. The arrangements for recognised faiths that emerged from the 18th century onwards broke with the state church system and, as an indirect result, the denominational state. They represented a first step towards the institutional acknowledgement of religious pluralism and effective recognition of freedom of worship for religious minorities. Today the arrangements for recognised faiths are largely determined by unilaterally negotiated provisions, with religious needs being taken care of by central government (payment of ministers of religion) and local authorities (maintenance of places of worship and ministers' accommodation) and public-law status being granted to some of the institutions of recognised faiths.¹⁸

62. Historically, the system of agreement-based law – which is intended to regulate relations between state and religion through agreements – emerged in Catholic states. Initially restricted to the Catholic Church in the form of “concordats” (international public-law treaties), this system was extended in the early 20th century, through domestic public-law agreements, to cover non-Catholic religious minorities in Germany and in the late 20th century to cover the same in Italy, Spain, Luxembourg, Portugal, Hungary and Poland. Agreement-based

17. Note that in these various cases the place of the religions in question is settled by the constitution (for example, Article 4 of the Danish Constitution provides that the Lutheran Church is the national church; Article 3 of the Greek Constitution identifies Orthodox Christianity as the dominant religion) or by law (the Church of England is a Church established by law pursuant to a series of Acts passed from 1530 onwards).

18. The recognition arrangements established in the 19th and early 20th centuries (for example, in Germany, Spain and Italy) were intended to safeguard public worship and the legal personality of minority and micro-minority religious faiths. In Austria, Islam was recognised by a law of 15 July 1912. In Belgium, all the main historical religions as well as philosophical groupings such as the humanists and “organised secularism” have gradually come to enjoy the same advantages as those granted to recognised faiths in the early 19th century. The Romanian Constitution (Article 29) favours religious expressions based on tolerance and mutual respect, within the framework of a system of relationships between denominations where every form, means, act or action of religious contention is prohibited.

law systems (and, to a lesser extent, systems of recognised faiths¹⁹) have, unlike state church systems, established a complex architecture of statutory regulation for religious faiths, with various levels of support forming a pyramid structure.²⁰

63. Virtually all pyramid systems include rules governing registered religious entities.²¹ This is not state “recognition” but an opportunity for religious groupings to acquire legal personality in line with their objectives. The “registers of religious entities”, which were introduced in the last third of the 20th century, reflect the need to implement the principle of equality in matters of religion – by treating similar cases the same and different cases differently – or to move towards a uniform regulatory system for faiths (same state support for all religions).

64. Many former communist countries have kept or simply amended the pyramid system of relations between state and religion. Others, putting the past behind them, have made do with just a basic regulations system for religions, egalitarian by definition, with due regard for freedom of religion. This minimalist framework for religions, which does not rely on specific statutory arrangements, also exists in a handful of other western European states (in particular France and the Netherlands).²²

3. The right to freedom of religion and belief in a democratic society in the case law of the European Court of Human Rights

65. Article 9 of the European Convention on Human Rights guarantees “freedom of thought, conscience and religion”;²³ it applies to all the beliefs (political, philosophical, moral or religious) held by individuals and their conception of personal and social life. The Court has frequently underlined the importance of this freedom, which is one of the foundations of a “democratic society” within the meaning of the Convention. The following paragraphs concern the religious dimension of this right.

3.1. Meaning and scope of the right to freedom of religion

66. The Convention’s institutions do not have the authority to define “religion”. It must, however, be considered in a non-restrictive sense: religious beliefs cannot be restricted to the “main” religions. The freedom enshrined in Article 9 is guaranteed equally to all religious groups and their members.

19. As an example, in Alsace-Moselle, a two-tier system has progressively emerged: the first tier is confined to faiths recognised in the 19th century (Catholic, Protestant and Jewish), and the second comprises all the other religions without these arrangements and organised as associations. Austria has also introduced multi-tier arrangements for religious faiths but without any public funding. Heir to a long tradition of concordats with the Catholic Church, Austria granted rights to religious minorities (Protestants, Jews, Muslims, Orthodox Christians, etc.) by means of special laws as well as a law of 20 May 1874, amended by a law of 9 January 1998, establishing, on the one hand, an official recognition procedure and, on the other, a register of faith communities.

20. The dominant religion(s) is (are) at the apex: Catholic Church in Italy, Spain, Belgium and Lithuania; Catholic and Protestant Churches in Germany, Poland and Hungary). The centre consists of the most representative religious minorities having come to agreements or understandings with the state if this is a statutory option. At the bottom, other religious minorities and micro-minorities – whose social integration raises no problems – with basic legal status or common law arrangements.

21. Registration procedures have been introduced in the Czech Republic (2002), Estonia (2002), Hungary (1990), Latvia (1995), Lithuania (1995), Poland (1989), Portugal (2001), Slovak Republic (1991), Slovenia (2007), Spain (1980) and Sweden (1998).

22. French *départements* subject to the law of 9 December 1905 are governed by a separation of Church and state, which nevertheless includes a number of statutory arrangements. These arrangements apply, at least in theory, to all faiths. Legal personality is acquired by having the status of a diocesan association in the case of the Catholic Church and a religious association in the case of other religions. The Republic of Ireland has not developed any detailed arrangements for religious faiths, which are organised within the framework of existing law (voluntary association, foundation, society) with due regard for the constitutional principles. In the Netherlands, religious faiths can acquire legal personality under Article 2.2 of the Civil Code. The purpose of the body applying must be religious and it must have an organisational structure. These *sui generis* legal persons are free to draw up their statutes in accordance with their internal laws and rules of conduct.

23. This fundamental right is enshrined in many national, international and European texts. The Charter of Fundamental Rights of the European Union (Article 10) protects freedom of thought, conscience and religion in the same terms as the European Convention on Human Rights. Other examples include Article 18 of the International Covenant on Civil and Political Rights and Article 14 of the UN International Convention on the Rights of the Child.

67. It is, in its religious dimension, one of the most vital elements that go into making up the identity of believers and their conception of life, but it is also a precious asset for atheists, agnostics, sceptics and the unconcerned. Freedom of religion entails, *inter alia*, freedom to hold or not to hold religious beliefs and to practise or not to practise a religion.²⁴ It has both an internal and an external aspect.

68. On an “internal” level, this freedom is absolute. Individuals have the right to choose a religion freely, to change their religion (that is to say, to convert) or not to have any religion. An individual’s deep-seated beliefs cannot in themselves prejudice public order and cannot therefore be subject to restrictions on the part of the state authorities.

69. On an “external” level, religious freedom also means freedom to “manifest one’s religion” alone and in private, or in community with others, in public and in the circle of those whose faith one shares.²⁵ Article 9 lists the various ways in which a religion or belief can be manifested, namely worship, teaching, practice and observance. On this level, the freedom in question is only relative: Article 9 does not protect every form of behaviour simply because it is motivated by religious (or philosophical) considerations.²⁶

70. The Court has recognised that a church or its ecclesiastical body can exercise freedom of religion and freedom to manifest one’s religion on its members’ behalf. In the judgment delivered on 23 September 2010 in the case of *Obst v. Germany* (Application No. 425/03), the Court notes that:

“44. ... religious communities exist traditionally and universally in the form of organised structures and where the organisation of such a community is at issue, Article 9 must be interpreted in the light of Article 11 of the Convention, which protects associative life from unjustified state interference. Indeed, their autonomous existence, which is indispensable for pluralism in a democratic society, is an issue at the very heart of the protection which Article 9 affords. The Court also recalls that, but for very exceptional cases, the right to freedom of religion as guaranteed under the Convention excludes any discretion on the part of the state to determine whether religious beliefs or the means used to express such beliefs are legitimate (*Hasan and Chaush v. Bulgaria* (GC), No. 30985/96, §§ 62 and 78, ECHR 2000-XI) ...”.

71. The principle of autonomy of religious communities upheld by the Court²⁷ has some important corollaries, including:

- prohibition on the state from obliging a religious community to admit new members or exclude others;²⁸
- duty of non-interference by the state in the event of dissidence within a religious body;²⁹
- extension of the protection of Article 9 to the participation of religious ministers in the life of the community, such participation being regarded as a particular manifestation of one’s religion;³⁰
- freedom for a religious community to choose its employees according to its own criteria, a freedom which is not absolute, however, and must be reconciled with the right to private and family life guaranteed by Article 8 of the Convention.³¹

24. *Kokkinakis v. Greece*, judgment of 25 May 1993, paragraph 31, Series A. No. 260-A; *Buscarini and Others v. San Marino* (Grand Chamber), Application No. 24645/94, paragraph 34.

25. Moreover, the state authorities have no right either to enquire about an individual’s religious convictions, or to compel him to disclose them (*Alexandridis v. Greece*, Application No. 19516/06, paragraph 38; see also *Sinan Isik v. Turkey*, Application No. 21924/05, judgment of 2 May 2010).

26. For example, Article 9 does not authorise the right to refuse to abide by general legislation (*Pichon and Sajous v. France* (dec.), Application No. 9853/99).

27. See also on this principle: *Metropolitan Church of Bessarabia and Others v. Moldova*, Application No. 45701/99, paragraph 118; *Holy Synod of the Bulgarian Orthodox Church (Metropolitan Inokentiy) and Others v. Bulgaria*, Applications Nos. 412/03 and 35677/04, judgment of 22 January 2009, paragraph 103.

28. *Sviato-Mykhaylivska Parafiya v. Ukraine*, Application No. 77703/01, judgment of 14 June 2007, paragraph 146.

29. For example, state action favouring one leader of a divided religious community or undertaken with the purpose of forcing the community to come together under a single leadership against its own wishes constitutes an interference with freedom of religion (*Hasan and Chaush v. Bulgaria* (Grand Chamber), op. cit., paragraph 78; *Metropolitan Church of Bessarabia and Others v. Moldova*, op. cit., paragraph 117; *Serif v. Greece*, Application No. 38178/97, paragraph 52).

30. *Hasan and Chaush v. Bulgaria* (Grand Chamber), op. cit.; *Perry v. Latvia*, No. 30273/03, paragraph 55, 8 November 2007.

31. The Court ruled on this issue in two judgments delivered on 23 September 2010: in the *Obst v. Germany* case (Application No. 425/03), the Court found no violation of Article 8; in the *Schüth v. Germany* case (Application No. 1620/03), it reached the opposite finding.

3.2. Extent of the protection afforded to freedom of religion

72. Respect for different beliefs is a basic obligation for the state. Any interference by a state in the exercise of the right to freedom of religion must be “necessary in a democratic society”. This means that it must meet a “pressing social need”.³²

73. In exercising its regulatory power in this sphere and in its relations with the various religions, denominations and beliefs, the state has a duty to remain neutral and impartial; what is at stake here is the preservation of pluralism and the proper functioning of democracy.³³ However, in the delicate matter of the establishment of relations between religious communities and the state, the latter enjoys in principle a wide margin of appreciation.³⁴ The Court determines the scope of that margin having regard to the need to secure true religious pluralism, which is an inherent feature of the notion of a democratic society.

74. According to the Court, Article 9 of the Convention can hardly be conceived as being likely to diminish the role of a faith or a church with which the population of a specific country has historically and culturally been associated.³⁵ However, the duty of neutrality requires that if a state sets up a framework for conferring legal personality on religious groups to which a specific status is linked, all religious groups which so wish must have a fair opportunity to apply for this status and the criteria established must be applied in a non-discriminatory manner.³⁶

75. Indeed, Article 14 of the Convention and Article 1 of Protocol No. 12 (ETS No. 177) prohibit the state from treating differently, without an objective and reasonable justification, persons in relevantly similar situations. The state enjoys a certain margin of appreciation in assessing whether and to what extent the existing differences justify different treatment, but the difference of treatment must pursue a legitimate aim and satisfy the requirement of reasonable proportionality.³⁷

76. Conversely, it follows from the case law on Article 14 that, in some circumstances, the failure to treat differently persons whose situations are significantly different may constitute a violation of this provision.³⁸ The Court accordingly takes into account the distinctive features of various religions (in terms of dogma, rituals, organisation, etc.) when those features may be of key significance in settling the dispute before it.

77. In a democratic society in which several religions (or several branches of the same religion) and belief systems co-exist within the same population, it may be necessary to place restrictions on freedom of religion in order to reconcile the interests of the various groups and ensure that everyone's beliefs are respected.

78. For example, the Court acknowledges that religious freedom includes, in principle, the right to try to convince one's neighbour; however, “convincing” does not include unreasonable behaviour such as improper pressure and actual harassment. Such behaviour cannot be protected by the Convention.

79. Some difficult issues arise when freedom of religion has to be reconciled with the freedom of expression protected by Article 10 of the Convention. Believers must tolerate and accept that others may deny their religious beliefs and even the propagation by others of doctrines hostile to their faith.³⁹

80. In some extreme cases, however, the effect of particular methods of opposing or disparaging religious beliefs may be such as to inhibit those who hold such beliefs from exercising their freedom to hold and express them. The state has a responsibility to prevent such unreasonable behaviour and to ensure to

32. *Sviato-Mykhaylivska Parafiya v. Ukraine*, op. cit., paragraph 116.

33. *Metropolitan Church of Bessarabia and Others v. Moldova*, op. cit., paragraph 115-116.

34. *Cha'are Shalom Ve Tsedek v. France* (Grand Chamber), Application No. 27417/95, paragraph 84. The Court has also held that where questions concerning the relationship between state and religions are at stake, on which opinion in a democratic society may reasonably differ widely, the role of the national decision-making body must be given special importance (*Leyla Şahin v. Turkey* (Grand Chamber), Application No. 44774/98, paragraph 109).

35. *97 members of the Gldani Congregation of Jehovah's Witnesses and 4 Others v. Georgia*, Application No. 71156/01, paragraph 132.

36. *Religionsgemeinschaft der Zeugen Jehovas and Others v. Austria*, Application No. 40825/98, paragraph 92, judgment of 31 July 2008.

37. *Oršuš and Others v. Croatia* (Grand Chamber), Application No. 15766/03, paragraph 149; *Savez crkava “Riječ života” and Others v. Croatia*, Application No. 7798/08, judgment of 9 December 2010, paragraphs 85-88.

38. *Thlimmenos v. Greece* (Grand Chamber), Application No. 34369/97, paragraph 44. The Court refers to this case law in *Miroļubovs and Others v. Latvia*, Application No. 798/05, judgment of 15 September 2009.

39. For example, the Court found a violation of Article 10 in a case where a journalist had been convicted of public defamation for having published an article in which he expressed the view that certain positions of the Catholic Church had “prepared the ground in which the idea and implementation of Auschwitz took seed” (*Giniewski v. France*, Application No. 64016/00, judgment of 31 January 2006).

believers the peaceful enjoyment of the right guaranteed by Article 9. It may therefore consider it necessary to take measures aimed at repressing certain forms of conduct, including the imparting of information and ideas judged incompatible with respect for the freedom of thought, conscience and religion of others.⁴⁰

81. In this connection, the Court has said that the state has an obligation to avoid as far as possible expressions that are gratuitously offensive to others and do not contribute to any form of public debate capable of furthering progress in human affairs. It has accepted that respect for the religious feelings of believers (Christians) has been violated by provocative portrayals of objects of religious veneration because such portrayals could be regarded as malicious violation of the spirit of tolerance, which must also be a feature of a democratic society.⁴¹

82. Similarly, the Court has drawn a distinction between “comments that offend or shock, or a ‘provocative’ opinion” and “an abusive attack on the Prophet of Islam”, faced with which believers (Muslims) “may legitimately feel themselves to be the object of unwarranted and offensive attacks”.⁴²

83. Lastly, the Court dismissed an application by the leader of an Islamic sect who had been convicted of incitement to crime and religious hatred through the publication of his comments in the press. The Court held that, in view of the content and violent tone of the applicant’s comments, they constituted hate speech glorifying violence and were therefore incompatible with the fundamental values of justice and peace set forth in the Preamble to the Convention.⁴³

4. The religious dimension of intercultural dialogue and promotion of the fundamental values of the Council of Europe

4.1. Work of the Council of Europe

4.1.1. Gradual development of a mainstreaming approach to the religious dimension of intercultural dialogue

84. Besides the statutory activities relating to the European Convention on Human Rights and the case law of the Court,⁴⁴ the reports of the European Commission against Racism and Intolerance (ECRI) and the European Commission for Democracy through Law (Venice Commission), the Committee of Ministers and the intergovernmental sectors, together with the Council of Europe Commissioner for Human Rights, have carried on, mainly since the beginning of the years 2000, several specific, high-visibility initiatives and a series of practical actions and long-term programmes fostering intercultural dialogue, its religious dimension included.

85. As part of the “Dialogue of the Commissioner for Human Rights of the Council of Europe with religious communities”, five seminars were organised between 2000 and 2006 at the instigation of the first Commissioner, Alvaro Gil-Robles. In the foreword to the 2006 publication taking stock of this “dialogue”, Alvaro Gil-Robles stresses the responsibility of religious leaders for teaching and promoting the stature and dignity of the individual in order to overcome divisions and foster mutual friendship and respect between peoples.

86. After the Faro Ministerial Conference in October 2005 (and the adoption of the strategy to develop intercultural dialogue), the 3rd Intercultural Forum in Bucharest (March 2006) and the international conference “Dialogue of Cultures and Inter-Faith Co-operation” in Nizhniy Novgorod (September 2006), the European Conference on “The religious dimension of intercultural dialogue” in San Marino in April 2007 opened a new phase with the launching of the Council of Europe annual exchanges on the religious dimension of intercultural dialogue organised by the Committee of Ministers, the latest in Ohrid in October 2010.

40. *Kokkinakis v. Greece*, op. cit.

41. *Otto-Preminger-Institut v. Austria*, op. cit.

42. *I.A. v. Turkey*, Application No. 42571/98, judgment of 13 September 2005.

43. *Gündüz v. Turkey* (No. 2) (dec), Application No. 59745/00, judgment of 13 November 2003. In *Gündüz v. Turkey* (No. 1) (dec), Application No. 35071/97, judgment of 29 March 2001, the Court had held that the mere fact of defending sharia, without calling for violence to establish it, cannot be regarded as “hate speech”.

44. It is useful to mention here that the role of the Court and the contribution of its jurisprudence in the field of intercultural dialogue were the subject of a study by Patricia Wiater on “Intercultural dialogue in the framework of European Human Rights Protection”, Council of Europe Publishing, March 2010.

87. The White Paper on Intercultural Dialogue – “Living together as equals in dignity” represents in a way the upshot of the approach that tends towards mainstreaming of the religious dimension. Launched by the Council of Europe Ministers for Foreign Affairs at their 118th ministerial session (Strasbourg, 7 May 2008), the white paper argues that the intercultural approach provides a future-oriented model for managing cultural diversity; it asserts that the building of a European identity is underpinned by shared fundamental values, respect for the common heritage and cultural diversity, and respect for the dignity of each individual. A chapter dedicated to the religious dimension stresses the need for dialogue between religious communities and public authorities, and at the same time the need to further dialogue between the religious communities themselves.

4.1.2. Other actions in the intergovernmental sector

88. Council of Europe action programmes, particularly geared to education for democratic citizenship, teacher training for intercultural learning and the teaching of history and relations between communities, henceforth have a component on education on religions. Under the Council of Europe project on “The New Challenge of Intercultural Education: Religious Diversity and Dialogue in Europe”, a conference on the religious dimension of intercultural education held in Oslo in June 2004 explored the issues raised by putting the religious dimension of intercultural education into practice at school, and the role and responsibilities of decision-makers and hands-on professionals. The results of the conference are published with the same title in a book that came out in January 2005.

89. ECRI, in General Policy Recommendation No. 10 on “Combating racism and racial discrimination in and through school education” (2007) asks states to ensure that pupils are given an education on religion which complies with the scientific neutrality essential in any educational approach by ensuring that, where public schools provide denominational religious education, easy procedures of discharge are in place for children for whom an exemption is requested. Committee of Ministers Recommendation Rec(2008)12 also deals with the dimension of religions and non-religious convictions within intercultural education. The Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education, which the Committee of Ministers adopted on 11 May 2010, does not specifically mention the role of religions, but follows the mainstreaming approach to the question of intercultural dialogue outlined by the white paper.

90. Among the actions of the European Centre for Global Interdependence and Solidarity (the North–South Centre) the 2010 Lisbon Forum⁴⁵ addressed the topic of “Freedom of expression, conscience and religion”; its conclusions emphasised that inter-religious dialogue, as an essential component of intercultural dialogue, is part and parcel of the quest for respect towards and knowledge of the other which should guide democratic societies.

91. In the Council of Europe youth sector, gatherings are regularly organised with discussants from the different religions or with ecumenical federations like the Ecumenical Youth Council in Europe (EYCE), with which a seminar is scheduled in December 2011 on “Secularism and religions: working together for a shared Europe”.

92. In conclusion, progress towards fuller acknowledgement of the religious dimension of intercultural dialogue can be measured by comparing the Committee of Ministers Declaration on Cultural Diversity of 7 December 2000, which does not mention the role of religions, with the Declaration on religious freedom of 21 January 2011, in which the Committee of Ministers affirms, “There can be no democratic society based on mutual understanding and tolerance without respect for freedom of thought, conscience and religion. Its enjoyment is an essential precondition for living together.”

4.2. Religions, interreligious dialogue and advocacy of fundamental values by religious institutions and communities

4.2.1. Recognition of equal dignity for all: a common starting point

93. In April 2001, the Conference of European Churches and the Council of the Bishops’ Conferences of Europe jointly adopted a *Charta Oecumenica*.⁴⁶ In the prologue to it, the Christian Churches state the following position: “With the Gospel, we want to stand up for the dignity of the human person created in God’s

45. Organised each year since 1994, the Lisbon Forum is a platform for dialogue and transferring experience, expertise and best practice between Europe and the other continents, particularly the adjacent regions of the southern Mediterranean seaboard, the Middle East and Africa. Since 2006 the Forum has benefited from partnerships with the Venice Commission and the Commissioner for Human Rights, and lately with the Alliance of Civilizations under the aegis of the United Nations.

image ...". At the hearing held by the Committee on Culture, Science and Education on 18 February 2011, Mgr Aldo Giordano said that the wellspring of human rights was to be sought in the human dignity belonging to every human being.⁴⁷

94. Mr Abdulaziz Othman Altwajri, in his essay on "Human Rights in Islamic Teachings",⁴⁸ recalls the view of Islam that all men are born equal⁴⁹ and asserts that complete and unconditional respect for human dignity remains the underlying constant of Islamic teaching. In a very recent interview, Hassen Chalghoumi, Imam of the mosque at Drancy, said he wanted to demonstrate with his latest book – *Pour un islam de France* – the possibility of a republican Islam sharing the same values as those of France, with man at the core of religion.⁵⁰

95. In his address to the Committee on Culture, Science and Education at the hearing on 18 February 2011, Chief Rabbi Alain Goldmann made reference to the Israeli-Palestinian conflict, and to the escalation of anti-Semitic and racist violence often linked with that conflict, to emphasise his community's constant effort to condemn all the resultant breaches of respect for human dignity. He went on to quote a passage from the Rabbinic writings about the seven essential virtues for honouring God, "faith, righteousness, justice, love, mercy, constancy and peace" (Avot of Rabbi Nathan, chapter 37).

96. The list of texts emanating from religious communities, and the older or more recent concurring stances, could go on for several pages but would still remain substantially incomplete. Synoptically, as was asserted by the participants in the seminar "Human rights, culture and religion: convergence or divergence? Beliefs, values and education" (Louvain-la-Neuve, December 2002), "tolerance, with the respect and love for one's neighbour that it may lead to, is enshrined at the heart of the monotheistic religions, thus opening up an important arena for the implementation of human rights".

97. This assertion makes it still more distressing to observe that none of it has averted centuries dominated by wars of religion, nor does it now prevent intolerance, discrimination, hatred and violence even within our European societies, and the human tragedies resulting from conflict and terrorism with a spurious foundation in religion, veritable afflictions of our era. Nonetheless, it ought not to be forgotten that touching demonstrations of interpersonal solidarity between people of different creeds have occurred in gloomy periods of our recent history, for example the Bulgarian Orthodox Church's courageous help to the Jews which was mentioned at the hearing on 18 February 2011.

4.2.2. Inter-religious dialogue and dialogue between religions and other convictions: an instrument for reconciling and promoting fundamental values

98. To exemplify the outreach towards constructive dialogue between churches and religious communities, I find a further reference to the *Charta Oecumenica* helpful. The prologue to the charter reads: "Europe – from the Atlantic to the Urals, from the North Cape to the Mediterranean – is today more pluralist in culture than ever before. ... we want ..., as churches together, to contribute towards reconciling peoples and cultures. In this spirit, we adopt this charter as a common commitment to dialogue and co-operation." Later in the text, in chapter III, section 8 (Reconciling peoples and cultures) one can read: "We consider the diversity of our regional, national, cultural and religious traditions to be enriching for Europe. In view of numerous conflicts, the churches are called upon to serve together the cause of reconciliation among peoples and cultures. We know that peace among the churches is also an important prerequisite for this."

99. This willingness for reconciliation and dialogue is shown in a series of commitments, including:

- in chapter II, section 4 (Acting together), the commitment "to help reduce misunderstandings and prejudices between majority and minority churches";

46. *Charta Oecumenica* – Guidelines for growing collaboration between churches in Europe, Strasbourg, 22 April 2001. The Conference of European Churches (KEK) comprises most Orthodox, Reformed, Anglican, independent and Old Catholic Churches. The Roman Catholic bishops' conferences in Europe are banded together in the Council of the Bishops' Conferences of Europe (CCEE).

47. In the written version of his address, Mgr Giordano also refers to the Pastoral Constitution *Gaudium et Spes*, 27.

48. Published in the publications series of the Islamic Educational, Scientific and Cultural Organisation (ISESCO), 1421H/2001; see in particular pp. 16 and 17.

49. In that connection he quotes the Surat Al-Hujurat, verse 13. In the same vein, Nasri Sahlab asserts that equality is one of the tenets of Islamic faith; see *L'Islam tel que je l'ai connu : religion de la clémence et de la paix*, Publications of the Islamic Educational, Scientific and Cultural Organisation (ISESCO), 1424H/2003, p. 57.

50. *DNA* newspaper of 18 February 2011, comments reported by Gabrielle Rosner.

- in chapter III, section 7 (Participating in the building of Europe) the commitment “towards a humane, socially conscious Europe, in which human rights and the basic values of peace, justice, freedom, tolerance, participation and solidarity prevail”;
- in the same section 7, the commitment “to defend basic values against infringements of every kind” and “to resist any attempt to misuse religion and the Church for ethnic or nationalist purposes”.

100. Finally, I shall note that three sections (10 to 12) deal with the following themes respectively: “Strengthening community with Judaism”; “Cultivating relations with Islam” and “Encountering other religions and world views”. With regard to the latter, it is recognised that “The plurality of religious and non-confessional beliefs and ways of life has become a feature of European culture” and the commitment has been made “to recognise the freedom of religion and conscience of these individuals and communities and to defend their right to practise their faith or convictions, whether singly or in groups, privately or publicly, in the context of rights applicable to all”.

101. It is also important to mention the Universal Islamic Declaration of Human Rights promulgated in Paris on 19 September 1981 at a UNESCO meeting. Article 12 on the right to freedom of belief, thought and speech stipulates in paragraph e: that “No one shall hold in contempt or ridicule the religious beliefs of others or incite public hostility against them; respect for the religious feelings of others is obligatory on all Muslims.” Article 13 on the right to freedom of religion reads: “Every person has the right to freedom of conscience and worship in accordance with his religious beliefs.”

102. Readiness to dialogue with convictions expressing immanent perceptions of the world seems highly important to me. If religions can have a leading role in the furtherance and realisation of human rights, recognition of man’s central position and of the universality and inviolability of the fundamental rights derived from that that equal dignity is also a legacy of humanist thought, as recalled by the memorandum from the European Humanist Federation to the Committee on Culture, Science and Education for the hearing on 18 February 2011. It is thus essential that suitable co-operation arrangements be found so that all may work together in actively promoting and protecting fundamental rights.

103. I was glad to hear, at the 18 February hearing, Mgr Aldo Giordano’s statement that various schemes were in hand to work together – at the ecumenical and inter-religious level as well as with non-believers – for peace, justice, environmental conservation, protection of the weakest (migrants, Roma, children, the elderly, victims of people-trafficking, etc.), Chief Rabbi Alain Goldmann mentioning the quality and frequency of the top-level Catholic-Jewish encounters, and the initiatives advocating Jewish-Muslim friendship in France and optimisation of the points of convergence between the Islamic and Jewish traditions, then Pastor Claude Baty speaking of the enlistment of the Fédération protestante de France alongside the Christian organisations in the campaign “*Ne laissons pas fragiliser le droit de l’étranger*”, adding that respect for people must be secured whatever their status.

104. This brings me to a final consideration: that dialogue cannot possibly be effective unless it does not end at the level of institutions and meetings of high dignitaries and experts. It is important, I find, for this dialogue to develop at the level of the groups of believers and the religious associations in the towns and regions of all our countries in order to generate concrete action. In that connection, the notion of dialogue cannot amount to mere exchanges of viewpoints but also requires sincere, constructive collaboration to be established between the various parties involved.

5. Conclusions: promoting dialogue and developing an open pluralist culture to build cohesive societies together

105. It would be presumptuous to attempt to draw full or final conclusions on such a broad and complex subject. Nevertheless, I find that the analysis in the report, and the discussions held at the hearing in Paris on 18 February 2011:

- recall that cultural diversity is an essential European value;
- confirm the essential nature of freedom of thought, conscience and religion as a mainstay of any democratic society;
- give the religious dimension of intercultural dialogue a profound meaning and emphasise the expediency of inter-religious dialogue as well as dialogue between religions and non-religious belief systems, for the development of open, cohesive pluralist societies in Europe and worldwide;
- guide our reflection on how to encourage and support the religious dimension of intercultural dialogue at local, national, European and world level.

106. On several occasions and just recently, the Assembly has resolutely condemned religious extremism and religious discrimination, as well as violence and terrorist attacks perpetrated in the name of religion. No conviction, religious or otherwise, could warrant such acts of hate and violence.

107. The “scriptural religions” send out a message of peace in proclaiming that faith in one God presupposes acceptance of the Other, solidarity and acknowledgment of the equal dignity of all human beings. For Alvaro Gil-Robles, “understanding and co-operation between the major religions present in our continent, and their common commitment to peace and non-violence, can help build an international society capable of striving for the tranquillity of good order governed by justice and freedom”.⁵¹ However, this still has to materialise universally and with no exceptions.

108. The consultation prior to the preparation of the white paper on intercultural dialogue showed that the aspirations of the religious communities and the priorities of the Council of Europe largely overlap: human rights, democratic citizenship, rule of law, peace, dialogue, education, solidarity and social justice. There is also a consensus on the responsibility of religious communities to contribute, through inter-religious dialogue, to improvement of understanding between the different cultures. Religious institutions should thus take clear stands against communitarian deviations and extremist tendencies, and roundly condemn any form of discrimination and violence perpetrated by the members of one community against those of another.

109. All states – in Europe of course but elsewhere too – have the necessary role and the duty of establishing the proper conditions for religious pluralism. Freedom of thought, conscience and religion, as secured by Article 9 of the European Convention on Human Rights, is an inalienable right, one of the foundations of a “democratic society”, one of the most vital elements of every person’s identity, whether believers, atheists, agnostics, sceptics or unconcerned.

110. States are bound to ensure effective fulfilment of this freedom. The report reflects the diversity of arrangements governing relations between state authorities and religions in Europe. Theoretically none of these is legally incompatible with the principles deriving from the right to freedom of religion. However, in practice, a minority or unrecognised denomination may find itself at a clear disadvantage compared to recognised ones. States should thus take care that all communities accepting the common fundamental values can benefit from like legal status and that the preferential support granted to certain religions does not become disproportionate and discriminatory in practice.

111. Similarly, states should reconcile the rights of religious communities with the need to make room also for the humanist convictions that espouse the same fundamental values. The aim of Article 9 is, *inter alia*, to avert discrimination between religious and other convictions.

112. It is necessary to build up a forceful, productive partnership between the public institutions, the religious communities and the groupings that invoke a non-religious perception. The common starting point for this can be acknowledgement by the various religious denominations and by humanist convictions that human dignity is an essential and universal asset (thus inherent in every individual with no possible exception).

113. At the local and national level, fairly regular encounters are organised in the context of the inter-religious dialogue. Local and national public authorities should encourage such initiatives as well as collaborative projects (to include humanist associations) arising from this dialogue and seeking to consolidate the social bonds by such means as the promotion of inter-community solidarity, care for the most vulnerable and the fight against discrimination. Subject to compliance with the conditions stipulated by law, a proportion of the funds earmarked for aid to civil society initiatives could be used for this.

114. A clear point of consensus at the hearing on 18 February 2011 was the need for actions in the educational sphere to be implemented collaboratively. People belonging to different beliefs and convictions need to know each other better and to learn respect for each other. This learning proceeds via education. The various stakeholders should no doubt review together the questions regarding teaching on religions, denominational education, and training of teachers and of ministers of religion or holders of religious responsibilities, according to a more holistic approach.

115. The principle of the state’s neutrality applies to religious education at school: it rests with the national authorities to pay strict attention that parents’ religious and philosophical convictions are not offended.⁵² But that is not the whole point; the challenge is to agree together in order that, with receptiveness on both sides,

51. “Dialogue of the Council of Europe Commissioner for Human Rights with the religious communities”, CommDH(2003)6rev3, first paragraph of the foreword.

52. European Court of Human Rights, *Hasan and Eylem Zengin v. Turkey*, Application No. 1448/04, judgment of 9 October 2007.

teaching on religions ceases to be viewed as a disturbance, even a breach, of freedom of conviction, but provides scope for encounter. This is an area of work deserving more combined efforts and resources so that statements give way to achievements.

116. The internal autonomy of religious institutions as to the training of those holding religious responsibilities must be preserved, but that does not preclude the remark that the training could:

- cater more for the need to know (and understand) other religions and convictions;
- encourage readiness to dialogue and to collaboration;
- uphold recognition of fundamental rights, democratic principles and rule of law as the common basis for this dialogue and collaboration.

117. Where education is concerned, it would be highly advisable that every teacher (irrespective of type and branch of education) take a module during training that familiarises them with the major currents of thought.

118. Taking up another idea put forward at the hearing on 18 February, I propose establishing a platform for dialogue/partnership between the Council of Europe, the religious faiths and the main humanist organisations. I am aware that this diverges at least in part from the position stated by the Committee on Culture, Science and Education in 2007 in adopting the report by our colleague and former Chair, Lluís Maria de Puig on state, religion, secularity and human rights⁵³. While pleased with the proposal of the Committee of Ministers to organise annual exchanges on the religious dimension of intercultural dialogue, the committee felt it improper to have representation of religions within the Council of Europe and to establish new structures. The report also concluded that the Council of Europe had no say in matters of inter-religious dialogue.

119. I shall express the wish that we might now qualify this stance. The Council of Europe ought not to “interfere” with inter-religious dialogue, but there is nothing to prevent it from taking an interest and working in an organised manner with the religious faiths⁵⁴ if they so desire, in order that this dialogue becomes a real instrument for furthering the fundamental values upheld by the Council of Europe; this should include extension of the dialogue to the humanist perceptions also espousing those values.

120. However, my suggestion does not presuppose setting up a Council of Europe structure with representation of religions. It is simply a matter of introducing a more formal system of meetings, a platform for dialogue, between the Council of Europe (its bodies) and high-ranking representatives of religions and of non-denominational organisations in order to build a true partnership for democracy and human rights, and foster everyone’s active involvement in actions to promote the fundamental values upheld by the Council of Europe. Such an initiative should be pursued in consultation with the interested parties and should draw in the European Union as far as possible. Participation by other partners, like the Alliance of Civilisations, should be encouraged. Of course, were the scheme to be launched the Parliamentary Assembly should be a stakeholder.

121. Finally, the North–South Centre could perform a key role, in close co-operation with the various competent entities in the Council of Europe, to promote and amplify the positive forces at work in the religious dimension of intercultural dialogue beyond the boundaries of the European continent, at a global and/or inter-regional level (seeking to associate in particular the Middle Eastern and southern Mediterranean regions as well as other African countries). Member and non-member states of the Partial Agreement should be invited to support these projects.

53. Assembly Doc. 11298.

54. On the contrary, we can recall that, in its [Recommendation 1804 \(2007\)](#) on state, religion, secularity and human rights, the Assembly affirms:

“2. Organised religions as such are part and parcel of society and must therefore be considered ... as organisations that are part of civil society, with all its potential for providing guidance on ethical and civic issues, which have a role to play in the national community, be it religious or secular.

3. The Council of Europe must recognise this state of affairs and welcome and respect religion, in all its plurality, as a form of ethical, moral, ideological and spiritual expression of certain European citizens ...”.

Appendix – Reference documents

Texts adopted by the Assembly

[Resolution 1743 \(2010\)](#) – Islam, Islamism and Islamophobia in Europe (adopted on 23 June 2010)

[Recommendation 1927 \(2010\)](#) – Islam, Islamism and Islamophobia in Europe (adopted on 23 June 2010)

[Resolution 1580 \(2007\)](#) – The dangers of creationism in education (adopted on 4 October 2007)

[Recommendation 1804 \(2007\)](#) – State, religion, secularity and human rights (adopted on 29 June 2007)

[Recommendation 1805 \(2007\)](#) – Blasphemy, religious insults and hate speech against persons on grounds of their religion (adopted on 29 June 2007)

[Resolution 1510 \(2006\)](#) – Freedom of expression and respect for religious beliefs (adopted on 28 June 2006)

[Recommendation 1751 \(2006\)](#) – Cultural diversity of the North Caucasus (adopted on 29 May 2006)

[Recommendation 1720 \(2005\)](#) – Education and religion (adopted on 4 October 2005)

[Resolution 1464 \(2005\)](#) – Women and religion in Europe (adopted on 4 October 2005)

[Recommendation 1556 \(2002\)](#) – Religion and change in central and eastern Europe (adopted on 24 April 2002)

[Recommendation 1396 \(1999\)](#) – Religion and democracy (adopted on 27 January 1999)

[Recommendation 1202 \(1993\)](#) – Religious tolerance in a democratic society (adopted on 2 February 1993)

[Recommendation 1162 \(1991\)](#) – The contribution of the Islamic civilisation to European culture (adopted on 19 September 1991)

[Resolution 885 \(1987\)](#) – The Jewish contribution to European culture (adopted on 5 October 1987)

Reports

Islam, Islamism and Islamophobia in Europe

[Doc. 12266](#), report by the Committee on Culture, Science and Education, rapporteur: Mr Jensen

State, religion, secularity and human rights

[Doc. 11298](#), report by the Committee on Culture, Science and Education, rapporteur: Mr de Puig

Freedom of expression and respect for religious beliefs

[Doc. 10970](#), by the Committee on Culture, Science and Education, rapporteur: Ms Hurskainen

Education and religion

[Doc. 10673](#), by the Committee on Culture, Science and Education, rapporteur: Mr Schneider

Women and religion in Europe

[Doc. 10670](#), by the Committee on Equal Opportunities for Women and Men, rapporteur: Ms Zapfl-Helbling

Religion and democracy

[Doc. 8270](#), by the Committee on Culture and Education, rapporteur: Mr de Puig

Religious tolerance in a democratic society

[Doc. 6732](#), by the Committee on Culture and Education, rapporteur: Mrs Fischer