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EU: Religious freedom in the European Union, a USCIRF report

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Muslims, Jews, Christians, and groups unfairly stigmatized as “cults” are increasingly victims of secularism and of a widespread hostility to religion.

by Massimo Introvigne

Bitter Winter (26.07.2023) – “The European Union (EU) and many of its member states are active in the promotion of religious

freedom abroad, yet some EU countries have maintained or implemented laws and policies that restrict the rights of religious minority groups or impact them in a discriminatory manner. These unduly restrictive policies have the secondary effect of encouraging discrimination at the societal level.”

These are the opening words of a new excellent report by the United States Commission on International Religious Freedom (USCIRF), published in July 2023. The USCIRF is an independent, bipartisan U.S. federal government commission created by the 1998 International Religious Freedom Act (IRFA). Its Commissioners are appointed by the President and by Congressional leaders of both political parties.

All European Union member states proclaim their support for religious liberty, the report notes, yet many do not respect it in practice, regarding it as a lesser right with respect to national security, the rights of certain non-religious minorities, a misguided notion of individual freedom, and some states’ idea that citizens should not create “separatist” communities whose values are different from those of the majority. While France is often quoted in the report as a typical example of these problems, other countries are mentioned as well.

Different religious minorities are targeted. Both Jews and Muslims suffer because of prohibitions to wear distinctive clothing such as the Islamic hijab and the Jewish yarmulke in public places (some states also target the Sikh turban). Also, “Animal rights activists and politicians, albeit for different reasons, often advocate for ritual or religious slaughter restrictions throughout the EU. These restrictions systematically exclude Jews and Muslims from European society by complicating their ability to comply with religious dietary laws, forcing individuals to abandon deeply held religious doctrine.”

The Jewish and Muslim practice of circumcision is also under

attack, particularly in Scandinavian countries. “Children’s rights activists contend that circumcision violates the rights of children, while certain politicians consider circumcision an imported, ‘foreign’ practice. Yet, circumcision is a fundamental Jewish ritual and campaigns to ban this practice negatively impact Jewish life.”

In France, the so-called law against “separatism” denies Muslims the right to self-organize their communities according to their own values, the report notes, and also impacts negatively on other groups, including those stigmatized as “cults” (in French, “sectes”).

With respect to the latter groups, the report adds “Several governments in the EU have supported or facilitated the propagation of harmful information about certain religious groups. For example, the French government has funded the European Federation of Centres of Research and Information on Cults and Sects (FECRIS), a French non-profit created in 1994 that has pejoratively labeled some religious associations as ‘sectes’ or ‘cults.’ Similarly, an official body under the French Ministry of the Interior—the Inter-Ministerial Mission in the Vigilance and Combat against Sectarian Derivatives (MIVILUDES)—releases an annual report that regularly disparages groups including Jehovah’s Witnesses and the Church of Scientology. The organization has partnered with government agencies, religious organizations, and civil society to inform them about so-called ‘cults’ and has generated largely positive reactions from French media outlets, which has in turn negatively impacted societal respect for those associated with religious organizations that MIVILUDES labels as sects or cults. MIVILUDES has also funded various NGOs that target religious organizations considered harmful ‘sectes,’ including the National Union of Associations in Defense of Families and Individual Victims of Sects (UNADFI) and the Centre Against Mental Manipulation (CCMM).”

Worse still, the report continues, “In January 2023, France

passed a law, which, under Article 29, section 3.1.2., empowers authorities to use special techniques outlined in the criminal code to investigate 'sects,' including through the impersonation of a delivery person, remote access to electronic communications, and the installation of recording devices in private or public places or vehicles."

Quoting "Bitter Winter," the report also mentions the discriminatory effect of German campaigns against "cults" ("Sekten" in German). "In some regions of Germany, potential employees or the recipients of government grants must sign statements commonly referred to as 'sect filters' to prove they have no connection to the Church of Scientology. In one case, a man was fired from a long-held official position for his affiliation with the Church of Scientology."

Blasphemy laws are still in force in various European countries, and they may affect the right of atheists to criticize religion. Both laws against blasphemy and against hate speech serve the legitimate purpose of protecting religious communities and other minorities, the report notes. However, "legislation is often too broad, criminalizing speech that does not amount to incitement to violence and thereby encompassing expression protected under international human rights standards, including the rights to freedom of religion or belief and freedom of expression."

Christians may thus be targeted for maintaining and propagating their traditional doctrines on family issues. "From a religious freedom perspective, over-broad hate speech laws are particularly concerning when used against individuals for peacefully sharing religious beliefs that others find offensive or controversial. In one such case, in Finland, state prosecutors are appealing a case against Finnish Member of Parliament Päivi Räsänen and Evangelical Lutheran Bishop Jhana Pohjola, who were acquitted of hate speech charges for tweets that expressed religious beliefs about LGBTQ+ issues."

Not surprisingly, official statutes and actions against religious minorities exposes them to hate crimes and private violence as well. "Despite official efforts to combat antisemitism and anti-Muslim hatred, both forms of hatred continue to rise. Meanwhile, the EU has yet to take commensurate steps to address other forms of religious discrimination that are also prevalent throughout Europe."

The report argues that it should be "possible to guarantee freedom of religion or belief while balancing other concerns, such as national security". It concludes that "While European Union countries generally have in place constitutional and legal protections for freedom of religion or belief, some have also enacted laws and pursued policies that systematically violate religious freedom and have a serious and disproportionate impact on the ability of religious minorities to live in accordance with their beliefs. Importantly, the continuation of such policies at an official level likewise encourages discrimination at a societal level and contributes to an environment that has seen continued violent attacks on places of worship and members of religious minority communities, encouraging increased emigration from Europe."

While the European Union commendably protests when religious liberty is violated outside its borders, it is now great time for it to put its own house in order. The European institutions' own credibility is at stake.

Massimo Introvigne (born June 14, 1955 in Rome) is an Italian sociologist of religions. He is the founder and managing director of the Center for Studies on New Religions (CESNUR), an international network of scholars who study new religious movements. Introvigne is the author of some 70 books and more than 100 articles in the field of sociology of religion. He was the main author of the *Enciclopedia delle religioni in Italia* (Encyclopedia of Religions in Italy). He is a member of the editorial board for the *Interdisciplinary Journal of Research on Religion* and of the executive board of University

of California Press' Nova Religio. From January 5 to December 31, 2011, he has served as the "Representative on combating racism, xenophobia and discrimination, with a special focus on discrimination against Christians and members of other religions" of the Organization for Security and Co-operation in Europe (OSCE). From 2012 to 2015 he served as chairperson of the Observatory of Religious Liberty, instituted by the Italian Ministry of Foreign Affairs in order to monitor problems of religious liberty on a worldwide scale.

Further reading about FORB in the EU on HRWF website

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