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## **EU: An OSCE/ ODIHR point of view of the EU Guidelines on FoRB**

*Photo credit: EU Brussels FoRB Roundtable – THIX Photo. – 10th Anniversary of the EU Guidelines on FoRB co-organized by the Eu Parliament Intergroup on FoRB&RT, with HRWF, EU Brussels FoRB Roundtable and Netherlands FoRB Roundtable.*

**EU: An OSCE/ ODIHR point of view of the EU Guidelines on FoRB**

***Paper presented at the conference held on 29 June at the European Parliament to commemorate the 10<sup>th</sup> anniversary of the EU Guidelines on Freedom of Religion or Belief. The FORB Roundtables Brussels-EU and Netherlands as well as HRWF contributed to this event hosted by MEPs Peter van Dalen and Carlo Fidanza.***

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## **Introduction**

**Countering hate crime based on religion or belief**

**Interfaith and interreligious dialogue and partnerships**

## **Introduction**

The European Union's (EU) Guidelines' inclusive understanding of the multi-dimensional nature of freedom of religion or belief, grounded in the key principles of universality, dignity, freedom, equality and non-discrimination, is in line with how freedom of religion or belief is framed in the political commitments agreed consensually by OSCE participating States.

Further, these 57 countries have also committed to combat anti-Semitism, intolerance and discrimination against Muslims, Christians, and members of other religions, and on preventing and responding to hate crime based on religion or belief. In pursuance of the mandate given to it by the participating States, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the principal human rights institution of the

OSCE, helps States implement these two distinct yet overlapping and mutually reinforcing commitments, namely to advance freedom of religion or belief for everyone and to advance tolerance and non-discrimination.

The EU Guidelines identify “Promotion of respect for diversity and tolerance” as a priority area of action in relation to creating environments conducive to the promotion and protection of freedom of religion or belief for everyone. In light of ODIHR’s experience in helping to advance tolerance and non-discrimination in the OSCE region, I would like to share some thoughts on two areas that are integral to efforts to promote respect for religious diversity and tolerance, namely countering hate crime based on religion or belief, and promoting interfaith and interreligious dialogue and partnerships.

### **Countering hate crime based on religion or belief**

Hate crimes – including acts of violence, threats and property damage – threaten the security of the individuals and communities affected. Hate crimes are message crimes. The message is of inequality and rejection. They also carry wider security challenges because of their potential to undermine social cohesion, create divisions, and foment discord; if left unchecked, they can lead to wider conflict.

Hate crimes based on religion or belief are serious obstacles to the enjoyment by all persons of the right to freedom of religion or belief. The fear and anxiety they instil among individuals can also affect the manifestation of their religion or belief, eg wearing religious attire, attending

places of worship, and celebrating religious holidays and festivals.

According to ODIHR's 2021 Hate Crime Report, 56% of all incidents reported to it by civil society or intergovernmental organizations (3605 out of 6391 incidents) constituted anti-religious hate crimes, be they anti-Semitic, anti-Christian, anti-Muslim, or hate crimes based on other religions or beliefs. While most of these incidents have targeted property, such as places of worship, community centres or facilities, or cemeteries, 475 were violent attacks against individuals or threats. What we know is just a tip of the iceberg since the vast majority of hate crimes are never reported to State authorities or to any other third party. Research has shown that it is the lack of trust towards the State authorities and their capacities to respond to hate crimes effectively that partly explains such under-reporting.

It is therefore important that States take hate crime based on religion or belief seriously. A comprehensive approach is required to effectively tackle this problem. States should enact and enforce hate crime legislation that recognizes different grounds of religious intolerance as prohibited bias motivations and that is clear, concrete and easy to understand. Because religious intolerance is often expressed through coded expressions, particularly in the case of anti-Semitic and anti-Muslim hate crimes, it is recommended that a clear set of indicators for identifying bias motivation be employed by law enforcement; this should be kept under constant review in light of the nature of the incidents reported. States should also put in place systems, routines and training to ensure that relevant officials recognize religion or belief-related hate crimes and record them as such.

There are, of course, other practical steps that States, particularly through their law enforcement agencies, can take to meet the security needs of at-risk religious or belief communities, including in relation to their places of worship and religious sites. In so doing, it is important law enforcement invest in building trust on the part of religious or belief communities targeted by hate crime.

ODIHR has found that creating regular spaces for dialogue and exchange between communities and law enforcement where security needs can be identified and appropriate measures discussed helps build this trust as does the selection of dedicated liaisons or focal points for religious community engagement within law enforcement and enhancing religious literacy among law enforcement officials. It is also important that communities are treated as respected partners in the provision of their own security and that security measures are designed, implemented and reviewed in close consultation with the communities themselves. This will hopefully ensure adequate protection for individuals and communities but also mitigate against the potential risk of over-securitizing religious spaces, particularly places of worship and sites, with the adverse impact this may have on the overall enjoyment of freedom of religion or belief.

### **Interfaith and interreligious dialogue and partnerships**

Paragraph 34 of the Guidelines stipulate that the EU will “encourage state and other influential actors, whether religious or non-religious ... to support pertinent initiatives to promote an atmosphere of respect and tolerance between all

persons regardless of their religion or belief”.

Although not explicitly spelt out in the Guidelines, it is only reasonable to assume that interfaith and interreligious dialogue and partnerships would be included in this category of “pertinent initiatives”.

Interfaith and interreligious dialogue activities at all levels have emerged in many countries. In light of these and ODIHR’s own experience of contributing to efforts to initiate and strengthen interfaith and interreligious dialogue and partnerships in the OSCE region, I suggest that the following points should be borne in mind when we consider how State and other actors can best support such efforts.

**One**, the reciprocal, potentially mutually reinforcing relationship between interfaith dialogue and freedom of religion or belief. Greater respect for freedom of religion or belief creates the conditions for interfaith and interreligious dialogue, and such initiatives, in turn, can facilitate greater respect for freedom of religion or belief and other human rights. Allow me to develop both these points.

Dialogue across religious and belief boundaries– basically, any interreligious communication – falls within the scope of freedom of religion or belief (as well as freedom of expression).

Dialogue initiatives should therefore be approached and carried out in a human rights perspective and guided by

principles of inclusiveness and non-discrimination. Lesson learned from a diverse range of efforts suggest that regular encounters between individual and groups belonging to different religions and beliefs, if broad-based, inclusive, and conducted on equal footing, foster greater levels of understanding and tend to endure.

Open encounter and dialogue are of crucial importance for creating understanding, combating intolerance and negative stereotypes based on religion or belief, establishing common ground, and building relationships of trust and productive co-operation between people of different religions and beliefs. These conditions are conducive to the advancement of freedom of religion or belief. Even where partnership initiatives between people of different religions and beliefs do not explicitly focus on promoting freedom of religion or belief, they will do so anyway by promoting the mutual respect and understanding needed to sustain it.

**Two**, the role of the State. States do not have a monopoly on organizing or sponsoring interfaith and interreligious dialogue processes. Interfaith and interreligious initiatives can and should flourish outside state control or involvement. What States certainly can and should do is to create the conditions for meaningful interfaith efforts to take place by ensuring that the human rights of all are safeguarded, to promote such initiatives, and to support them through an adequate and sustained allocation of resources.

If dialogue is organized or otherwise facilitated by the State, then attention should be carefully paid to accommodating the full diversity of religious and belief communities, including non-believers, in society, not only

those which are long-established, numerically large, or well-known. At the same time, States should scrupulously respect the voluntary nature of participation by religious or belief communities in interfaith and interreligious processes.

**Three**, there is no set format for interfaith and interreligious initiatives. They can take place in a range of settings and levels within a country (local, regional, national), be formal or informal in nature, time-limited or open-ended in duration. While formal interfaith dialogue initiatives taking place at the level of religious leadership or involving community representatives are quite numerous and well-established in many parts of the world, the role of grassroots, informal dialogue in promoting religious diversity and tolerance and respect for freedom of religion or belief has been less systematically explored.

By informal dialogue is meant communication across different groups or involving people that is not organized explicitly along religious or belief lines; this may include, for example, informal settings in multi-cultural and multi-religious neighbourhoods, schools, and clubs. Relevant actors – State, civil society, religious or belief communities – should consider how best they can support and strengthen spaces for informal dialogue and encounter across religious and belief boundaries (the so-called “dialogue of life”) so that they have a realistic chance of achieving a sufficient depth of conversations and relationships favourable to fostering religious tolerance and understanding.

**Four**, in light of their potential to make a distinctive and important contribution to interfaith and interreligious dialogue processes, the active participation of women and



youth must be a priority for the organizers of such initiatives.

Women from various backgrounds are often involved in interfaith dialogue efforts at the local or community level; however, they face various obstacles in accessing and being a part of more formal activities at the national level, where participants are usually senior religious leaders who are predominantly men.

Young persons of faith, regardless of whether they occupy leadership roles, have a critical contribution to make to interfaith dialogue efforts; they are often very credible and effective communicators with their peers in local communities.

Clearly, the autonomy of religious or belief communities to choose their representatives in formal dialogue activities must be respected. However, as pointed out, these are not the only spaces in which meaningful interreligious communication and encounter take place. Therefore, when organizing informal dialogue efforts careful attention should be paid to engaging the equal participation of men and women.

Creative efforts also need to be made to systematically engage youth in interfaith and interreligious work; religious and belief communities and other relevant stakeholders should actively invest in developing the confidence and capacity of young people to participate meaningfully in such initiatives, whether in activities alongside older individuals or in spaces specifically created for young people from different religious and belief backgrounds, including non-believers.

## Further reading about FORB in the EU on HRWF website

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