

EU Guidelines on Freedom of Religion or Belief: the road ahead

HRWF (11.09.2013) - Freedom of Religion or Belief (FORB) is a universal human right which is protected under Article 18 of the International Convention on Civil and Political Rights (ICCPR). By adopting guidelines for FORB in June of this year, the EU has committed itself to mainstream these principles in its external policies and sets a standard for its foreign relations.

The Guidelines will be an important reference for EU officials as they promote FORB in third countries, seek to prevent FORB violations and respond to situations where such violations have occurred. The Guidelines also set out actions and measures which the EU can take toward countries that violate FORB.

The efficacy of this instrument highly depends on the EU's readiness to implement the principles and actions contained therein. At the heart of these efforts, particularly in the beginning, will be **training**. It is fair to say that most EU officials, whether in Brussels or serving as EU representatives in third countries, have little or no knowledge of FORB. COHOM and its Task Force on Freedom of religion or belief must be proactive in disseminating the Guidelines as widely as possible. It must also ensure that all EU personnel are properly oriented in terms of their promotion, implementation and mainstreaming potential.

Monitoring and reporting will likewise be vital to the success of the FORB Guidelines. For monitoring to be effective there must be a culture of transparency and the sharing of information. It is clear that discretion is necessary in certain situations where people's safety is at stake; on the other hand, a steady stream of updates, good practices and lessons learnt would keep all actors on board and foster an environment of collegiality and cooperation.

Human Rights Without Frontiers welcomed the inclusion of civil society in consultation and development of the FORB Guidelines. EU authorities who are charged with FORB implementation would do well to continue this policy and engage civil society on a regular basis in FORB promotion, training and consultation. Specifically, the Guidelines call for an evaluation after three years which includes multi-level consultation with civil society. However, the creation of mechanisms that ensure **early and regular consultation with civil society** would also be a prudent action to take. Civil society consultation could help ensure accountability and timely follow-up at every phase of the initial three-year period.

Certain **procedural elements** of the FORB Guidelines will require more clarity over the coming months. EU missions will need more guidance on FORB implementation in specific situations and on what actions to take. This implies training on identifying volatile situations where violations are likely to occur. For instance, some violations are more easily detected than others, such as the enactment of discriminatory laws, the confiscation of property used for religious purposes or evident acts of violence against a religious or belief minority. Other violations are more difficult to gauge, such as social hostility and general intolerance. Informational materials and training opportunities designed to address such matters would go a long way toward awareness and mainstreaming of FORB understanding within the EU and its representatives.

Finally, the Guidelines also call for a **regular exchange of views** with relevant bodies within the European Parliament as well as political dialogues with partner countries and regional organisations. Such actions, when carried out with serious intent, will have a positive influence on the recognition of FORB standards on a wider scale internationally. They will also help prevent and respond to FORB violations "in a timely, consistent and coherent manner" (par B.6). Such a commitment on the part of the European Union can contribute to fostering greater respect for human rights not only in third countries but within Europe as well.