

The Challenge of protecting Fundamental Human Rights in the 21st Century

**Laicity and Freedom of Belief in Italy: Reports, Suggestions, Evidence
Organized by FOB (European Federation for Freedom of Belief)**

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Distinguished Ladies and Gentlemen,

First of all, thank you for allowing me to have the privilege of speaking to you at this prestigious hall of the Italian parliament. I would like to cordially congratulate the *FOB* for making this conference possible. The approach of my presentation will focus on the centrality of freedom of religion and belief among fundamental human rights. I will then discuss five major challenges of protecting HR in the 21st century and the meaning of authentic tolerance.

Before we speak about the challenge of defending fundamental human rights, we should clarify the question: What do we mean by „human rights“? Never before in human history have people been talking about HR to such great extent as today. It has become a very urgent issue.

When we speak about human rights we usually refer to the Universal Declaration of Human

Rights, a document that was drafted in 1948 at the UN General Assembly in Paris.



Even though „Universal Human Rights” should be valid everywhere in the world, their „universality“ in truth remains a myth! Many politicians are not aware that there are in fact two sets of Human Rights Declarations: First, the UDHR from 1948 that was just mentioned; and secondly, the Cairo Declaration of Human Right in Islam (CDHRI) from 1990, which is based on Sharia Law and was signed by the member states of the Organization of Islamic Cooperation (OIC). These two are very different declarations and they protect very different rights. [This map shows the 57 member states of the Organization of Islamic Cooperation

that have signed the Cairo Declaration.] Now, it is no coincidence that many of these countries belong to the worst violators of universal HR, especially religious freedom.

Let us talk about the central value of religious freedom among the long list of human rights. Article 18 of the UDHR states: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, alone or in community with others, and, in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” Many human rights advocates are convinced that Art. 18 should be considered the „mother of freedom rights“. So, the guarantee of religious freedom is very crucial. If you take out religious freedom, other fundamental rights are affected as well. However, religious freedom does not mean freedom to force others to follow your religion. Also, religious freedom entails that is your right to discontinue membership in a religious group („apostasy“).

Beside Art. 18 there are also other articles among the UDHR that are directly related to the freedom of religion, namely Art. 19 and Art. 20 which cover the freedom of opinion and expression and the freedom of peaceful assembly and association, respectively. These three articles [Art. 18, 19 and 20] constitute the basic framework for the international standard of religious freedom. So far we have covered the ideal standard of religious freedom as outlined in the UDHR. Now let us turn to five major challenges of protecting HR that the world is facing today.

The first challenge is to **preserve respect for freedom of religion or belief regardless of the political influence, size or age of a certain faith community.** This



map shows the dominant religions in Europe [Roman-Catholicism, Protestant Christianity, Orthodox Christianity and Islam]. In some European countries the dominant religions still persecute or stigmatize religious minorities or *New Religious Movements* (NRM). In countries with a state religion or a big majority of a particular religion the challenge for the government and the people is to inhibit the oppression of smaller religions, often labeled as „sects” or “cults“. However, in Russia for example, crackdowns on NRM, including the Jehova’s Witnesses, are still very common. Another example

is the global issue with blasphemy and apostasy laws in Islamic countries. Christian groups still belong to one of the most heavily persecuted religious minorities worldwide.

The next challenge is **to preserve respect for privacy and civil liberties such as the freedom of association and assembly**. Very often, governments sacrifice privacy sphere of its citizens under the pretext of terrorist threats. For this reason data-protection in the internet or phone communication is increasingly being curtailed. Also the idea of abolishing cash has to do with monitoring and controlling the movements of innocent private citizens who are being considered as potential terrorist suspects. Nobody addressed this problem as well as Edward Snowden who stated: "I can't allow the US to destroy basic liberties." [The whistle blower has remarked that since 9/11 the US government has continuously curtailed right to privacy and other basic freedoms of its citizens. Unfortunately Europe seems to emulate the US in the successive reduction of or freedom rights in the name of „protection from terrorism“]

Our third challenge is **to preserve the freedom of expression against pressure from governments and groups promoting “tolerance” or “PC“ (political correctness)**. Now this is a very important point that is often not understood: There is no human right that says we are not to be offended! Free speech also includes to a certain degree what some people would regard as “hate speech”. For example, it must be allowed for faith based companies, churches and NGO’s to criticize the controversial LGBT agenda. No bakery should be forced to make cakes for gay wedding parties. However, this has already become a big legal issue in the US and even in some European countries. Let me be clear: There exists no human right that says you must have a wedding cake.

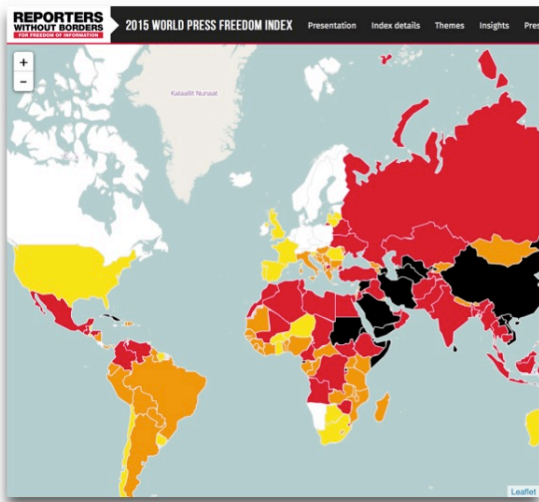
Another more tragic example is Asia Bibi, a young Christian woman from Pakistan who has been on a death row because of blasphemy charges. It was claimed that she has been insulting Islam. Her death sentence and imprisonment has caused a worldwide outcry and her life was spared until now.

According to *Human Rights Without Frontiers* (HRWF), over 1000 blasphemy charges were filed in Pakistan in 2014. In the same year there was another famous case: The Saudi-Arabian blogger Raif Badawi was sentenced to 10 years jail and 1000 lashes. His „crime“? Blogging about secularism and criticizing the corrupt Saudian authorities on his website. But what is even more strange is that Badawi’s lawyer was sentenced to 15 years prison. What was his crime? He was defending his client in court. This case is simply outrageous. Here you see a picture of Badawi’s wife Ensaf Haidar who has received the Sakharov Prize (50.000 €) from the European Parliament in 2015. She and their 3 children currently live in exile in Canada.



What is intimately connected with freedom of expression is the freedom of press. As a fact to be a journalist is regarded as one of the most dangerous and unhealthy professions in certain countries, such as Russia, Turkey, etc. By the way, as a journalist I am also a member of the international human rights NGO *Reporters Without Borders*.

This chart shows the Press Freedom Index 2015 published by that organization:



Examples: #1 Finland #2 Norway #3 Denmark #7 Austria #12 Germany #13 Czech Republic #14 Slovakia #15 Belgium #38 France #73 Italy #179 North Korea, #180 Eritrea

Even though Germany is ranking high in the international evaluation of freedom of speech, there have been some serious issues recently. In 2014 one activist has organized street rallies against the building of a mosque in Munich, Bavaria. What happened is that he was fined several €1000,- for „hate speech“ and defamation. Dr. Aaron Rhodes, who is the president of FOREF, says, that would be the wrong way to go, because there is no human right which says we are

not to be insulted. It is a human right to build a mosque just as it is a human right to criticize Islam, or any other religion. This is the meaning of freedom of speech. His Appeal ist that both freedom of religion and the freedom to criticize religion must be respected. As you see, political correctness is in fact very damaging to human rights and fundamental freedoms. Dr. Rhodes, who gained a lot of experience with fighting for human rights in Eastern Europe as he served as the head of the International Helsinki Federation, is currently writing his new book, titled *Authentic Human Rights*. There he quoted a colleague who stated: „They had plenty of PC in the CP (communist party).“



What is the fourth challenge of protecting HR? **To prevent discrimination while societies are becoming more diverse as a result of immigration, refugees and other social changes.** This is especially true in homogeneous societies like the Hungary, Slovakia, Czech Republic, Poland, etc. One major issue in European countries that is often debated is the question whether religious clothing such as the burqa, head scarves, or even religious symbols

on necklaces should be banned in public. France, Switzerland and some other countries have already introduced a ban on wearing burqas. It is important to understand that from the viewpoint of fundamental rights, there is nothing offensive about the Islamic dress code concerning hijab (headscarf). Dr. Rhodes emphasized, “It is against human rights to ban the head scarf just as it is to force a woman to wear it.”

A fifth crucial challenge in the protection of HR is **to uphold international human rights standards in the UN, under pressure from authoritarian states.** Here we’re talking about countries such as China, Russia, and the members of the OIC who all seek to weaken the system of human rights. Sadly, the efficiency of the UN Human Rights Council (HRC) has been paralyzed due to the fact that a large percentage of the council members represent countries that are notorious violators of human rights. Let’s take a look at the members of the UN HRC of this year. Do you see red highlighted countries? Among the members are rogue nations such as Saudi Arabia, the Russian Federation, China, Cuba or Algeria. Frankly speaking, this is madness.



Saudi-Arabia has been elected chair of the HRC of the UN, even though the country operates under Sharia Law and is worldwide one of the worst HR violators. The executive director of *UN Watch*, Hillel Neuer, stated last year: “It is scandalous that the UN chose a country that has beheaded more people this year than ISIS to be head of a key human rights panel. Petro-dollars and politics have trumped human rights.” [In Saudi Arabia, people cannot practice their religion in private if they are not Sunni Muslims.]

Let us now take a look at some more issues concerning the global threats against freedom of religion and belief and the challenge of establishing a culture of *authentic* tolerance. Here you see a chart of the nations where Christians are being persecuted the most. According to the data of the NGO Open Doors, Christians are the most persecuted religious group worldwide. The five countries that most heavily persecute Christians are North Korea, Somalia, Iraq, Syria and Afghanistan. Saudi Arabia is the 12th worst country for Christians to live in.

Since two years the EU has been forming a strategy for religious freedom, called FoRB (freedom of religion and belief). In June 2013 the European Union issued guidelines in order to monitor religious freedom outside its borders. These recommendations thus inform the EU Foreign Policy. [The EU’s guidelines on FoRB state that “In line with universal and European human rights standards, the EU and its Member States are committed to respecting, protecting and promoting FoRB within their borders... [and] to promote and protect FoRB in the EU’s external action.”]

The problem in Europe, however, is the difference between theory and practice. The European Union is demanding commitment to human rights standards which it fails to implement within its own borders. In reality, the EU is not very committed/effective in implementing religious freedom within it’s own member states. To give an example, in 2011 after gaining a 2/3 majority in the parliament, Hungary’s PM **Victor Orbán** de-registered smaller churches and curtailed media freedom for media outlets that are critical of his government.



Another example: In October 2015 PM David Cameron said: “I’m clear that the UK is China’s best partner in the west.” But the problem is that Western nations such as Britain are compromising on HR in order to improve business relations with China. Thus, most European governments are extremely reluctant to challenge the Chinese head of state on the issue of extreme human rights violations against minorities such as the Uigurs, the Tibetans, Falun Gong, or Christians. [Some pictures of the demonstrations that took place during Xi Jinping’s recent state visit to the UK.]

In my home country there has been a remarkable proliferation of anti-sect bureaucracies: **Austria**, with a population of 8.4 million has no less than 29 anti-sect offices operating in the country. Proportionally, this marks an unmatched record in Europe and even on a global scale.

Including the FSO (Federal Sect Office), there are four (4) state sponsored sect observation offices;

Ten (10) Catholic sect offices; seven (7) Protestant sect offices; one (1) private sect office; and seven (7) offices for family counseling with special emphasis on “sectarian issues.”

In 1998 Austria established a „Federal Sect-Observatory Office“ with six (6) employees and an annual budget of 500 000 € (from the taxpayers money).

The Austrian law on religion is three-tiered:

1. Religions with full status of privilege (17 religious communities)
2. Confessional communities (8 so far)
3. ca. 600 religious associations („sects“) who’s corporate religious freedom is not guaranteed by the state.

During the 17 years since the implementation of the two laws on religion (1998: Federal Sect Office & the law on Confessional Communities) there are signs of improvement in the way, how the government treats religious minority groups.

A recent case in point: The Unification Church of Austria has - after 40 years of state sanctioned persecution - become the 8th registered confessional community.

[In Austria a new federal law on Islam (March 2015) has put 600,000 members of the Muslim community under general suspicion. The government has largely ignored the nearly 200 critical assessments of the law (by NGO’s, academics and experts). On the other side, a big scandal has been recently exposed when our integration minister Sebastian Kurz launched an investigation of 150 Islamic Kindergartens in Vienna. It came to light that many institutions that receive public funding are actually offering Qur’anic education – that likely leads to the radicalization of children and aim at preparing for “jihad”. The City of Vienna which is governed by the socialist and green parties subsidizes private Kindergartens with 700 Million Euros per year. Basically, they were paying for a “jihadist” radicalization with tax payers’ money. Therefore, Austria has some serious inconsistencies in dealing with Islam from a FoRB perspective.]

As we have seen so far, the violators of HR are very often state actors. For this reason it is important to have a strong civil society. Human rights organization such as FOREF are grateful that the *Organization for Security and Cooperation in Europe* (OSCE) exists. The OSCE has 57 member states and is a very good platform for numerous NGOs representing civil society.



Within the OSCE the world’s largest HR Conference is organized annually in Warsaw, which is called the *Human Dimension Implementation Meeting* (HDIM). Since 2002 FOREF has been regularly highlighting HR issues in the framework of the OSCE. [Picture: Dr. David Baer (FOREF Europe) delivering his statement on Hungary to the 57 country delegations and representatives from over 200 NGOs.] Last year in September, FOREF Europe held a side event at the OSCE and presented an analysis of religious freedom violations by state actors in France, Austria, Hungary and Germany.

Lastly, I would like to touch upon the issue of authentic tolerance, because very often religious freedom issues are connected to the question of tolerance. The famous freedom-fighter Mahatma

Gandhi once said, „*Each civilization should be judged by the way it treats her minorities.*“

The founder of the Red Cross, Jean Henri Dunant, declared: „*We are all brothers!*“ By the way, he was the first one to win the Peace-Nobel Prize (1901).

Martin Luther King Jr., the champion of the civil rights movement in mid 20th century, put it best when he said: „*We have to live together as brothers or perish together as fools.*“

Precisely the notion of universal brotherhood has also been the original spirit of the UDHR. Its first article forms the basis of all other articles of the declaration which states, “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Let us summarize. The five major challenges we are facing in the context of universal HR today are

- to preserve respect for freedom of religion and belief;
- to preserve respect for privacy and civil liberties;
- to preserve the freedom of expression against a growing culture of political correctness;
- to prevent discrimination in pluralistic societies;
- and to uphold international HR standards;

... in the spirit of one human family. Thank you for your attention.



The Forum for Religious Freedom Europe (FOREF Europe) is an independent, secular, civil society formation dedicated to defending the freedom of religion in accordance with international law. **FOREF Europe** has been founded as an international NGO based in Vienna, Austria in 2005 by the constitutional expert **Prof. Dr. Christian Br nner** and the human rights activist and freelance journalist Peter Zoehrer.

FOREF Europe regularly reports to the media, OSCE, US-State Department, and various other human rights organizations on religious freedom violations in the OSCE-region and other countries. **FOREF Europe** has established an international scientific board of experts as well as an interdenominational religious board. Since its establishment, FOREF Europe has achieved a number of important victories in helping victims of religious intolerance to gain respect for their rights and be vindicated from injustice, discrimination or persecution. FOREF Europe’s Facebook community numbers over 2000 members.

In 2014, FOREF Europe named international human rights activist **Dr. Aaron Rhodes** president.

The mandate of FOREF Europe is:

- The protection of the right of freedom of thought, conscience, and religion or belief.
- The promotion of basic democratic principles and the Rule of Law.
- The monitoring and documentation of official and public intolerance against religious minorities and advancing public awareness.
- Advocacy with local, national, and international authorities and civil society.
- The promotion of objective approaches to understanding the emergence of new religious movements.
- Supporting the civil society’s ability to pro-actively find solutions to inter-religious conflicts.