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OSCE COMMITMENTS: OSCE MEETING ON FREEDOM OF RELIGION - A REGIONAL SURVEY

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Before the OSCE Supplementary Human Dimension Meeting on Freedom of Religion or Belief on 17-18 July 2003, Forum 18 News Service <http://www.forum18.org/surveys> some of the more serious abuses of religious freedom that persist in some countries of the 55-member OSCE. Despite their binding OSCE commitments to religious freedom, in some OSCE member states believers are still fined, imprisoned for the peaceful exercise of their faith, religious services are broken up, places of worship confiscated and even destroyed, religious literature censored and religious communities denied registration.

The Organisation for Security and Co-operation in Europe (OSCE), which has as members all the states of Europe, Central Asia and North America, does not work by coercion but by consensus and persuasion. Membership is not compulsory: states have the free choice whether to accept the binding OSCE commitments by joining or not. The commitment of all OSCE states to respect freedom of religion is clear. The 1990 OSCE human dimension conference declared "everyone will have the right to freedom of thought, conscience and religion. This right includes freedom to change one's religion or belief and freedom to manifest one's religion or belief, either alone or in community with others, in public or in private, through worship, teaching, practice and observance. The exercise of these rights may be subject only to such restrictions as are prescribed by law and are consistent with international standards."

As delegates assemble for the OSCE Supplementary Human Dimension Meeting on Freedom of Religion or Belief, on 17-18 July 2003, many ask how violators of these fundamental commitments - especially Turkmenistan, Uzbekistan, Belarus, Azerbaijan and Armenia - can be allowed to continue as members of an organisation whose fundamental principles they blatantly flout. OSCE officials argue off the record that it is better to keep violators in, with the hope that they can be persuaded to mend their ways, rather than expel them, abandoning local people to the clutches of their governments. The result is that persecuted believers Forum 18 News Service www.forum18.org has spoken to in a number of states now have little faith in what the OSCE can and will do for them to protect their right to religious freedom.

Forum 18 News Service www.forum18.org surveys here some, but not all, of the continuing abuses in the eastern half of the OSCE region. This is not a comprehensive survey of abuses in the countries covered, due to lack of space. The Forum 18 website www.forum18.org documents abuses in detail. Abuses also occur in other OSCE countries (such as the About-Picard law in France or restrictions on newer religious communities in Belgium).

RELIGIOUS WORSHIP: An alarming number of states raid religious meetings to close down services and punish those who take part. Turkmenistan is the worst offender: it treats all non-Muslim and non-Russian Orthodox worship as illegal. Uzbekistan and Belarus specifically ban unregistered religious services. In Belarus, numerous Protestant congregations - some numbering more than a thousand members - cannot meet because they cannot get a registered place to worship. Officials in Uzbekistan, Kazakhstan and Azerbaijan also raid places where worship is being conducted.

PLACES OF WORSHIP: Opening a place of worship is impossible in some states. In Turkmenistan it is impossible to open a place of worship for non-Muslim and non-Russian Orthodox communities, and those that existed before the mid-1990s were confiscated or bulldozed. Uzbekistan has closed down thousands of mosques since 1996 and often denies Christian groups' requests to open churches. Azerbaijan also obstructs the opening of Christian churches and tries to close down some of those already open. Belarus makes it almost impossible for religious communities without their own building already or substantial funds to rent one to find a legal place to worship. An Autocephalous Orthodox church (which attracted the anger of the government and the Russian Orthodox Church) was bulldozed in 2002.

REGISTRATION: Where registration is compulsory before any religious activity can start (Belarus and Uzbekistan) or where officials claim that it is (Turkmenistan, Kazakhstan, Azerbaijan), life is made difficult for communities that either choose not to register (such as one community of Baptists in the former Soviet republics) or are denied registration (the majority of religious communities in Azerbaijan and Turkmenistan). Registration in Turkmenistan is all but impossible (the 1996 religion law requires each community to have 500 adult citizen members), but even in countries such as Azerbaijan or Uzbekistan with less onerous

hurdles, registration for disfavoured communities is often made impossible - officials in the sanitary/epidemiological service are among those with the power of veto in Uzbekistan. Belarus, Azerbaijan, Slovenia, Slovakia and Russia are also among states which to widely varying degrees make registration of some groups impossible or very difficult.

RELIGIOUS LITERATURE: Belarus and Azerbaijan require compulsory prior censorship of all religious literature produced or imported into the country. Azerbaijani customs routinely confiscate religious literature, releasing it only when the State Committee for Work with Religious Organisations grants explicit written approval for each title and the number of copies authorised. Forbidden books are sent back or destroyed (thousands of Hare Krishna books held by customs for seven years were recently destroyed). Even countries without formal religious censorship – eg. Uzbekistan and Turkmenistan – routinely confiscate imported religious literature (Russian-language Baptist magazines were recently burnt by Uzbekistan) or found during raids on homes. Uzbekistan routinely bars access to websites it dislikes, such as foreign Muslim sites.

INDIVIDUAL RIGHTS: Believers in institutions such as prisons, hospitals or the army may face difficulties obtaining and keeping religious literature, praying in private and receiving visits from spiritual leaders and fellow-believers. Muslim prisoners in Uzbekistan have been punished for praying and fasting during Ramadan. Death-row prisoners wanting visits from Muslim imams and Russian Orthodox priests have had requests denied, even for final confession before execution.

DISCRIMINATION: Turkmenistan has dismissed from state jobs hundreds of active Protestants, Jehovah's Witnesses and other religious minorities. Turkmen and Azeri officials try to persuade people to abandon their faith and "return" to their ancestral faith (Islam). Armenia has ordered local police chiefs to persuade police who were members of faiths other than the Armenian Apostolic Church to abandon their faith. If persuasion failed, such employees were to be sacked. Belarus has subjected leaders of independent Orthodox Churches and Hindus to pressure - including fines, threats and inducements - to abandon their faith or emigrate. Officials in Azerbaijan, Armenia and Belarus repeatedly attack disfavoured religious minorities in the media, insulting their beliefs, accusing them falsely of illegal or "destructive" activities, as well as inciting popular hostility to them.

GOVERNMENT INTERFERENCE: Many governments meddle in the internal affairs of religious communities. Central Asian governments insist on choosing national and local Muslim leaders. Turkmenistan ousted the chief mufti in January. Tajikistan has conducted "attestation tests" of imams, ousting those who failed. Islamic schools are tightly controlled (in Turkmenistan and Uzbekistan, schools have either been closed or access to them restricted). Turkmenistan obstructs those seeking religious education abroad. Some countries with large Orthodox communities (but not Russia or Ukraine), try to bolster the largest Orthodox Church and obstruct rival jurisdictions (Belarus, Bulgaria, Georgia, Moldova). Russia has prevented communities from choosing their leadership, expelling a Catholic bishop, several priests, and dozens of Protestant and other leaders.

PROTECTION FROM VIOLENCE: Law enforcement agencies fail to give religious minorities the same protection as major groups. Georgia has had violence by Orthodox vigilantes, with over 100 attacks in the past four years on True Orthodox, Catholics, Baptists, Pentecostals and Jehovah's Witnesses, who have been physically attacked, places of worship blockaded and religious events disrupted. The authorities - who know the attackers identity - have sentenced no-one. In some cases, police have cooperated with attacks or failed to investigate them. In Kosovo the Nato-led peacekeeping force and United Nations police repeatedly fail to protect Serbian Orthodox churches in use and graveyards. No-one has been arrested or prosecuted, despite over 100 attacks which have destroyed or badly-damaged churches.

LACK OF TRANSPARENCY: Major laws and decrees affecting religious life are drawn up without public knowledge or discussion. Examples are the restrictive laws on religion of Belarus and Bulgaria in 2002, and planned new laws in Georgia, Azerbaijan and Moldova. International organisations, such as the OSCE or the Council of Europe may be consulted but governments often refuse to allow their comments to be published or ignore them. Many countries retain openly partisan and secretive government religious affairs offices. Slovenia's religious affairs office has refused to register any new religious communities in the past three years. Azerbaijan's has stated which communities it will refuse to register and what changes other communities will have to make to their statutes and activities to gain registration.

RELIGIOUS FREEDOM REPORTING: Those reporting on religious freedom such as Forum 18 News Service www.forum18.org and groups campaigning on the issue face lack of cooperation, obstruction and harassment. Those suspected of passing on news of violations have been threatened in Turkmenistan and Azerbaijan, with the aim of forcing silence. In a region without much government transparency or a genuinely free media, officials involved in harassing religious communities often refuse to explain to journalists what they have done and why. Local campaigning groups are denied registration or kept waiting. Demonstrators protesting in Belarus against the restrictive new religion law were fined. Government reports on religious freedom issues to bodies such as the OSCE or Council of Europe are often confidential and closed to public scrutiny.

CONCLUSION: Many of these restrictions predate the 11 September 2001 terrorist attacks – and 1999 Islamic-inspired incursions into Central Asia – so governments cannot validly argue that such restrictions are necessary to ensure public security. The comprehensive nature of many of these measures shows the hostility of some OSCE member states to the right to exercise the faith of one's choice freely, something described by the European Court of Human Rights in 1993 as "one of the foundations of a

democratic society".

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