THE RUSSIAN ORTHODOX CHURCH
Department for External Church Relations

Supplementary Human Dimension Meeting on Freedom of Religion or Belief

Session I: OSCE Commitments on Freedom of Religion or Belief: Emerging Issues and Challenges

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Introduction.

For Churches in Eastern and Central Europe, just as for the Russian Orthodox Church, which survived the era of atheist ideology, legal and political implications of religious freedom continue to be a subject of theological discourse and practical agenda. As we see now, the collapse of the antireligious regime has not made the problems related to religious freedom less actual than they used to be. Therefore, the role of religious communities representing a considerable part of the civil society is to evaluate the tendencies and tenets that emerge on the basis on freedom of religion and belief.

On June 28, 2008 the Bishops' Council of the Russian Orthodox Church adopted a comprehensive document on human rights. It's called "The Basic Teaching on Human Dignity, Freedom and Rights" (BTHDFR). This document reflects the Church's view on the conception of religious freedom. The principle of freedom of conscience, as the document states, "protects the individual against any arbitrary treatment of his inner world, against any forcible imposition of particular convictions upon him". It …"enables the Church to preserve her identity and independence from people of other convictions and gives her a legal ground both for the immunity of her internal life and public witness to the Truth". But the recognition of the value of religious freedom is conditional. Further the Basic Teaching stresses that "the freedom of conscience is sometimes treated as prescribing religious neutrality or indifference of a state and society".

Religious neutrality and secularism.

Therefore, I consider the concept of the religious neutrality of a state to be the most disputable issue in the OSCE area. Attempts to establish a model religiously-neutral state in Europe have many negative implications. The most recent example of this is the case of Lautsi vs. Italy, which is still being reviewed by the Grand Chamber at the request of a group of European states including Armenia, Bulgaria, Cyprus, Greece, Lithuania, Malta, Monaco, San-Marino, Romania, and the Russian Federation. Previously the Chamber of Court decided that crucifixes displayed in Italian public schools violated the

European Convention on Human Rights.

The idea to make the public space free from religious symbols has always been questioned by the Russian Orthodox Church. Actually, the religiously neutral public space will only mean a space intolerant to all the adherents of any beliefs. European culture is closely interlinked with religion and the links are different in each country. So, any state fighting against manifestations of religion in public undermines in fact the European civilization as a whole. If the logic of the European Court of Human Rights is to be followed, then we should demolish cathedrals topped with crucifixes in European cities and erase crosses from National Flags.

This approach to the religious diversity in Europe could be reasonably called Christianophobia. Strangely enough, most international organizations including the OSCE have achieved much success in protecting minorities, but nobody has ever thought that a majority could also prove to be the most vulnerable group.

It is evident that the concept of religiously neutral state should be reconsidered from the viewpoint of ideology. A secularist ideology is what is going to be on Europe's horizon if we fail to avoid dogmatizing religious neutrality.

Freedom of religion and beliefs and moral responsibility.

Freedom of religion and beliefs is a cornerstone of the whole human rights system. That is why the overall trend in which the whole human rights system develops involves this freedom as well.

In its Basic Teaching the Russian Orthodox Church states that the human rights concept could lose its meaning if separated from morality. This concept, as evident from the European Convention on Human Rights and other documents, implies that human rights should be realized in close link with morals. The idea to separate human rights from the moral dimension of human freedom is very fashionable but unreasonable. As a Church working on the grassroots level, we can testify that very many people who have lost moral guidelines abuse their own freedom. That does not mean that morals should be imposed by force, but society is expected to draw a line between good and evil. If we fail to do so, both in public and private, we will establish a morally indifferent society. But the problem is that a fragmented society, a union of people who treat their neighbors as means to satisfy their own needs, will not survive. To prove that one should see how the freedom of conscience is abused by the individual will. Take, for instance, leaders of quasi-religious movements who immorally exploit the religious feelings of their adherents, making them mental slaves, suicides, beggars or prostitutes. The problem is that the victims

are convinced that they do all this by their own free will. And the law alone can do nothing about it.

The Basic Teaching on Human Dignity, Freedom and Rights considers the concept of dignity crucial for reviving the moral dimension in human rights doctrine. Human dignity combines freedom and morality. Relying on the human dignity, society as a whole can find a way to decide when freedom is used for the destruction of human personality. One's dignity is revealed in one's ability to act morally. It is much broader than "considerations for the rights of others". The contribution of religion here is to present its moral experience for public legislative usage.

Discussion on traditional values in the UN Human Rights Council.

On 4 October 2010, the Office of the High Commissioner for Human Rights organized a seminar on Traditional Values and Human Rights. The seminar was a follow-up of a resolution initiated by the Russian Federation and adopted last year at the Human Rights Council's September session. The seminar's purpose was to discuss how traditional values can contribute to the promotion and protection of human rights. The representatives of the Russian Orthodox Church participated in the event at all its stages.

The seminar perceived dignity, freedom and responsibility as traditional values of humankind. Human dignity was considered to be the basis of human rights, as confirmed by the Universal Declaration on Human Rights. At the same time, dignity is a moral, ethical and religious value. The category of dignity is universal by nature. In the absence of a legal definition of dignity, religious traditions should be evoked to define it. For example, "in Orthodoxy the dignity and ultimate worth of every human person are derived from the image of God, but a human being preserves his God-given dignity … if he lives in accordance with moral norms" (BTHDFR).

The first step made by the Office of the High Commissioner for Human Rights to launch a discussion on the role of traditional values in promoting human rights opens up a space for dialogue between religious communities and international organizations.

Final remarks.

The freedom of religion and beliefs tends to gain an increasingly collective dimension in the OSCE region. Most challenges posed by the development of religious freedom are connected with communities rather than individuals. This refutes the assumption that religion is a point of private concern.

The common public space determining the modus vivendi of contemporary globalized world should be organized to give space for peaceful coexistence of diverse religious ideas. The concept of secularism as a universal approach for the public at large will not be accepted by most of the traditional religious communities in Europe as equally unfriendly to all of them.

The human rights concept is not self-sufficient without human dignity as it reflects not only the free nature of the individual but individual moral responsibility. The necessity to act with dignity is most demanded in the sphere of religious freedom.

The OSCE could benefit from establishing dialogue with traditional religious communities in Europe. Such dialogue would help the Organization to move from working on the problems of religious minorities to working out a model of multicultural coexistence in public sphere that could be applicable to all the OSCE member states.

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