



HELSINKI COMMISSION

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Conference on Security and Cooperation in Europe and Organization for Security and Cooperation in Europe (OSCE) Commitments Regarding Freedom of Religion or Belief

The 57 participating States of the Organization for Security and Cooperation in Europe have repeatedly committed to recognizing and respecting freedom of religion or belief. The 35 participating States of the Conference on Security and Cooperation in Europe—the forerunner of the OSCE—signed the Helsinki Final Act of 1975, which included: “The participating States will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.”

The OSCE’s Office of Democratic Institutions and Human Rights has staff dedicated to freedom of religion or belief, led by a senior advisor. ODIHR legal reviews to help participating States comply with their OSCE commitments have included existing law and draft legislation on freedom of religion or belief. ODIHR only conducts such reviews after receiving a formal invitation from a participating State. A panel of OSCE/ODIHR experts on freedom of religion or belief assists OSCE/ODIHR, and the ODIHR director appoints the panel’s 14 members every three years.

This compilation, developed by Helsinki Commission staff, covers CSCE/OSCE commitments on freedom of religion or belief in 16 documents from the Final Act to the OSCE Ministerial Council in 2015. It includes the document title, excerpted text, and links to the original document. Participating States have also made commitments relating to discrimination or hate crimes based on religion or belief.” Some examples are in “[OSCE Human Dimension Commitments: Thematic Compilation](#).” This Helsinki Commission compilation only includes commitments on freedom of religion or belief. The Commission will update the compilation when new commitments on freedom of religion or belief are made.

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Conference on Security and Co-operation in Europe Final Act | Helsinki, Finland | August 1, 1975

1. a. VII.

The High Representatives of the participating States have solemnly adopted the following:

[...]

The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

Within this framework the participating States will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.

The participating States recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and wellbeing necessary to ensure the development of friendly relations and co-operation among themselves as among all States.

They will constantly respect these rights and freedoms in their mutual relations and will endeavour jointly and separately, including in co-operation with the United Nations, to promote universal and effective respect for them.

They confirm the right of the individual to know and act upon his rights and duties in this field.

In the field of human rights and fundamental freedoms, the participating States will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights. They will also fulfil their obligations as set forth in the international declarations and agreements in this field, including inter alia the International Covenants on Human Rights, by which they may be bound.

Co-operation in Humanitarian and Other Fields

1. Human Contacts. The participating States confirm that religious faiths, institutions and organizations, practising within the constitutional framework of the participating States, and their representatives can, in the field of their activities, have contacts and meetings among themselves and exchange information.

Concluding Document of the 1983 Madrid Meeting of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, held on the basis of the provisions of the Final Act relating to the follow-up of the Conference | Madrid, Spain | September 9, 1983

Questions relating to Security in Europe – Principles.

[...] The participating States reaffirm that they will recognize, respect and furthermore agree to take the action necessary to ensure the freedom of the individual to profess and practise, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

In this context, they will consult, whenever necessary, the religious faiths, institutions and organizations, which act within the constitutional framework of their respective countries.

They will favourably consider applications by religious communities of believers practising or prepared to practise their faith within the constitutional framework of their States, to be granted the status provided for in their respective countries for religious faiths, institutions and organizations.

[...]

Co-operation in Humanitarian and other Fields – Human Contacts.

[...]

They will further implement the relevant provisions of the Final Act, so that religious faiths, institutions, organizations and their representatives can, in the field of their activity, develop contacts and meetings among themselves and exchange information.

Concluding Document of the 1986 Vienna Meeting of Representatives of the Participating States of the Conference on Security and Co-Operation in Europe, held on the basis of the provisions of the Final Act relating to the follow-up to the Conference | Vienna, Austria | January 19, 1989

QUESTIONS RELATING TO SECURITY IN EUROPE – Principles.

(11). The [participating States] confirm that they will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion. They also confirm the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and security necessary to ensure the development of friendly relations and cooperation among themselves, as among all States.

[...]

(16). In order to ensure the freedom of the individual to profess and practise religion or belief, the participating States will, inter alia,

- take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life, and to ensure the effective equality between believers and non-believers (16.1);
- foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers (16.2);
- grant upon their request to communities of believers, practising or prepared to practise their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries (16.3);
- respect the right of these religious communities to establish and maintain freely accessible places of worship or assembly, organize themselves according to their own hierarchical and institutional structure, select, appoint and replace their personnel in accordance with their respective requirements and standards as well as with any freely accepted arrangement between them and their State, solicit and receive voluntary financial and other contributions (16.4);
- engage in consultations with religious faiths, institutions and organizations in order to achieve a better understanding of the requirements of religious freedom (16.5);
- respect the right of everyone to give and receive religious education in the language of his choice, whether individually or in association with others (16.6);
- in this context respect, inter alia, the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions (16.7);
- respect the right of individual believers and communities of believers to acquire, possess, and use sacred books, religious publications in the language of their choice and other articles and materials related to the practice of religion or belief (16.9);

- allow religious faiths, institutions and organizations to produce, import and disseminate religious publications and materials (16.10);
- favourably consider the interest of religious communities to participate in public dialogue, including through the mass media (16.11).

(17). The participating States recognize that the exercise of the above-mentioned rights relating to the freedom of religion or belief may be subject only to such limitations as are provided by law and consistent with their obligations under international law and with their international commitments. They will ensure in their laws and regulations and in their application the full and effective exercise of the freedom of thought, conscience, religion or belief,

[...]

(32). They will allow believers, religious faiths and their representatives, in groups or on an individual basis, to establish and maintain direct personal contacts and communication with each other, in their own and other countries, inter alia through travel, pilgrimages and participation in assemblies and other religious events. In this context and commensurate with such contacts and events, those concerned will be allowed to acquire, receive and carry with them religious publications and objects related to the practice of their religion or belief.

[...]

(68). They will ensure that persons belonging to national minorities or regional cultures on their territories can give and receive instruction on their own culture, including instruction through parental transmission of language, religion and cultural identity to their children.

Document of the Copenhagen Meeting of the Conference on the Human Dimension of the OSCE | Copenhagen, Denmark | June 29, 1990

II. (9.4). The participating States reaffirm that [...] 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;

[...]

(32). To belong to a national minority is a matter of a person's individual choice and no disadvantage may arise from the exercise of such choice. Persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will. In particular, they have the right:

[...]

- to profess and practise their religion, including the acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue (32.3)

(33). The participating States will protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity. They will take the necessary measures to that effect after due consultations, including contacts with organizations or associations of such minorities, in accordance with the decision-making procedures of each State. [...]

The participating States note the efforts undertaken to protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of certain national minorities by establishing, as one of the possible means to achieve these aims, appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of such minorities and in accordance with the policies of the State concerned.

[...]

(40). The participating States clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds. In this context, they also recognize the particular problems of Roma (gypsies). [...]

Charter of Paris for a New Europe | Paris, France | November 21, 1990

A new Era of Democracy, Peace, and Unity.

[...]

Human Rights, Democracy and Rule of Law. We [the participating States of the Conference on Security and Co-operation in Europe] affirm that, without discrimination, every individual has the right to freedom of thought, conscience and religion or belief, freedom of expression, freedom of association and peaceful assembly, freedom of movement.

CSCE Budapest Document towards a genuine partnership in a new era | **Budapest, Hungary | December 6, 1994**

Budapest Summit Declaration.

(7). The CSCE will be a forum where concerns of participating States are discussed, their security interests are heard and acted upon. We will further enhance its role as an instrument for the integration of these States in resolving security problems. Through the CSCE, we will build a genuine security partnership among all participating States, whether or not they are members of other security organizations. In doing so, we will be guided by the CSCE's comprehensive concept of security and its indivisibility, as well as by our commitment not to pursue national security interests at the expense of others. The CSCE's democratic values are fundamental to our goal of a community of nations with no divisions, old or new, in which the sovereign equality and the independence of all States are fully respected, there are no spheres of influence and the human rights and fundamental freedoms of all individuals, regardless of race, colour, sex, language, religion, social origin or of belonging to a minority, are vigorously protected.

[...]

IV – Code of Conduct on Politico-Military aspects of Security.

(37). The participating States will not use armed forces to limit the peaceful and lawful exercise of their human and civil rights by persons as individuals or as representatives of groups nor to deprive them of their national, religious, cultural, linguistic or ethnic identity.

[...]

VIII – The Human Dimension.

[...]

(27). Reaffirming their commitment to ensure freedom of conscience and religion [...] and to foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers, they [participating States] expressed their concern about the exploitation of religion for aggressive nationalist ends.

(28). The participating States reconfirm that human rights are universal and indivisible. They recognized that the protection and promotion of the rights of migrant workers have their human dimension. They underline the right of migrant workers to express freely their ethnic, cultural, religious and linguistic characteristics. The exercise of such rights may be subject to such restrictions as are prescribed by law and consistent with international standards.

Istanbul Document | Istanbul, Turkey | November 19, 1999

III. Our Common Response.

[...]

The Human Dimension. (19). [The participating States] reaffirm that respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE's comprehensive concept of security. We commit ourselves to counter such threats to security as violations of human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief and manifestations of intolerance, aggressive nationalism, racism, xenophobia and anti-semitism.

Astana Commemorative Declaration towards a Security Community | Astana, Kazakhstan | December 3, 2010

[...]

(7). Serious threats and challenges remain. Mistrust and divergent security perceptions must be overcome. Our commitments in the politico-military, economic and environmental, and human dimensions need to be fully implemented. Respect for human rights, fundamental freedoms, democracy and the rule of law must be safeguarded and strengthened. Greater efforts must be made to promote freedom of religion or belief and to combat intolerance and discrimination. [...]

**Eleventh Meeting of the Ministerial Council | Maastricht, The Netherlands |
December 1-2, 2003**

DECISION No. 4/04 – TOLERANCE AND NON-DISCRIMINATION

The Ministerial Council,

[...]

(9). Affirms the importance of freedom of thought, conscience, religion or belief, and condemns all discrimination and violence, including against any religious group or individual believer. Commits to ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies. Encourages the participating States to seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief. [...]

Twelfth Meeting of the Ministerial Council | Sofia, Bulgaria | December 6-7, 2004

DECISION No. 12/04 – TOLERANCE AND NON-DISCRIMINATION

The Ministerial Council,

[...]

(3). Further decides to intensify efforts for the implementation of these three decisions, which include commitments in the fields of, inter alia, education, media, legislation, law enforcement, migration and religious freedom.

[...]

PERMANENT COUNCIL DECISION No. 621 TOLERANCE AND THE FIGHT AGAINST RACISM, XENOPHOBIA AND DISCRIMINATION

The Permanent Council [...] decides,

(1). The participating States commit to:

[...]

- Promote and facilitate open and transparent interfaith and intercultural dialogue and partnerships towards tolerance, respect and mutual understanding and ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, including through transparent and non-discriminatory laws, regulations, practices and policies.

Thirteenth Meeting of the Ministerial Council | Ljubljana, Slovenia | December 5-6, 2005

DECISION No. 10/05 – TOLERANCE AND NON-DISCRIMINATION: PROMOTING MUTUAL RESPECT AND UNDERSTANDING

The Ministerial Council,

[...]

Reaffirm[s] its determination to implement the existing OSCE commitments in the fields of tolerance and non-discrimination and freedom of thought, conscience, religion or belief, and recalling other relevant international obligations,

[...]

(6). Tasks the ODIHR to:

- **(6.3).** Through its Advisory Panel of Experts on Freedom of Religion or Belief, to continue providing support to the participating States, upon their request, in their efforts to promote freedom of religion or belief, and to share the Panel's conclusions and opinions with OSCE participating States, both bilaterally and at relevant OSCE conferences and events;

Fourteenth Meeting of the Ministerial Council | Brussels, Belgium | December 4-5, 2006

DECISION No. 13/06 – COMBATING INTOLERANCE AND DISCRIMINATION AND PROMOTING MUTUAL RESPECT AND UNDERSTANDING

The Ministerial Council,

[...]

(14). Encourages the Office for Democratic Institutions and Human Rights (ODIHR), based on existing commitments, including through co-operation with relevant OSCE executive structures:

- To further strengthen the work of the work of the ODIHR’s Advisory Panel of Experts on Freedom of Religion or Belief in providing support and expert assistance to participating States;

Sixteenth Meeting of the Ministerial Council | Helsinki, Finland | December 4-5, 2008

MINISTERIAL DECLARATION ON THE OCCASION OF THE 60th ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

We, the members of the Ministerial Council of the OSCE,

[...]

reiterate that everyone has the right to freedom of thought, conscience, religion or belief; freedom of opinion and expression, freedom of peaceful assembly and association. The exercise of these rights may be subject to only such limitations as are provided by law and consistent with our obligations under international law and with our international commitments.

[...]

Twentieth Meeting of the Ministerial Council | Kyiv, Ukraine | December 5-6, 2013

[...]

DECISION No. 3/13 – FREEDOM OF THOUGHT, CONSCIENCE, RELIGION OR BELIEF

The Ministerial Council,

Reaffirming past CSCE/OSCE decisions on the freedom of thought, conscience, religion or belief, in particular as recognized by the 1975 Helsinki Final Act, the 1983 Madrid Document, the 1989 Vienna Document, the 1990 Copenhagen Document, the 1994 Budapest Document and the 2003 Maastricht Document,

Recalling the international human rights provisions contained in the Universal Declaration of Human Rights and international obligations of States Parties to the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms and other international human rights instruments relevant to the freedom of thought, conscience, religion or belief,

Committed to ensuring respect for and enjoyment of the freedom of thought, conscience, religion or belief for all,

Emphasizing that every individual has the right to freedom of thought, conscience, religion or belief, which includes the freedom to have or to adopt a religion or belief of one's choice, as well as not to have or profess any religion, to change one's religion or belief, and the freedom to manifest one's religion or belief, either alone or in community with others, and in public or in private, through teaching, practice, worship and observance. The freedom to manifest one's religion or beliefs may be subject only to such restrictions as are prescribed by law and are consistent with international standards,

Reaffirming the commitments of participating States to respect, protect, and ensure the right of everyone to freedom of thought, conscience, religion or belief,

Emphasizing the link between security and full respect for the freedom of thought, conscience, religion or belief,

Deeply concerned by continuing acts of intolerance and violence against individuals and religious or belief communities on the basis of thought, conscience, religion or belief around the world,

Emphasizing that freedom of thought, conscience, religion or belief and all other human rights and fundamental freedoms are interdependent, interrelated and mutually reinforcing,

Stressing the importance of fostering a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers,

Calls on participating States to:

- Fully implement OSCE commitments on the freedom of thought, conscience, religion or belief;
- Fully implement their commitments to ensure the right of all individuals to profess and practice religion or belief, either alone or in community with others, and in public or private, and to manifest

their religion or belief through teaching, practice, worship and observance, including through transparent and non-discriminatory laws, regulations, practices and policies;

- Refrain from imposing restrictions inconsistent with OSCE commitments and international obligations on the practice of religion or belief by individuals and religious communities;
- Promote and facilitate open and transparent interfaith and interreligious dialogue and partnerships;
- Aim to prevent intolerance, violence and discrimination on the basis of religion or belief, including against Christians, Jews, Muslims and members of other religions, as well as against non-believers, condemn violence and discrimination on religious grounds and endeavour to prevent and protect against attacks directed at persons or groups based on thought, conscience, religion or belief;
- Encourage the inclusion of religious and belief communities, in a timely fashion, in public discussions of pertinent legislative initiatives;
- Promote dialogue between religious or belief communities and governmental bodies, including, where necessary, on issues related to the use of places of worship and religious property;
- Take effective measures to prevent and eliminate discrimination against individuals or religious or belief communities on the basis of religion or belief, including against non-believers, by public officials in the conduct of their public duties;
- Adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction.

**Twenty-First Meeting of the Ministerial Council | Basel, Switzerland |
December 4-5, 2014**

DECLARATION ON ENHANCING EFFORTS TO COMBAT ANTI-SEMITISM

(11.6). We, the members of the Ministerial Council of the Organization for Security and Co-operation in Europe,

[...]

DECLARATION ON CO-OPERATION WITH THE MEDITERRANEAN PARTNERS

(4). We also call for strengthened dialogue and co-operation with Mediterranean Partners for Co-operation with regard to ensuring the right to freedom of thought, conscience, religion or belief, preventing intolerance, xenophobia, violence and discrimination on the basis of religion or belief, including against Christians, Muslims, Jews and members of other religions, as well as against non-believers, promoting interfaith and intercultural dialogue, combating intolerance and discrimination against individuals or religious or belief communities, and promoting respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines, against vandalism and destruction.

**Twenty-Second Meeting of the Ministerial Council | Belgrade, Serbia |
December 2-4, 2015**

**MINISTERIAL DECLARATION ON PREVENTING AND COUNTERING VIOLENT
EXTREMISM AND RADICALIZATION THAT LEAD TO TERRORISM**

We, the Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe,

[...]

reaffirming our commitment to promote and protect human rights and fundamental freedoms, including freedom of expression and freedom of thought, conscience, religion or belief,

[...]