



Association internationale
POUR LA DÉFENSE DE LA LIBERTÉ RELIGIEUSE
International Association
FOR THE DEFENSE OF RELIGIOUS LIBERTY

UNITED NATIONS PERMANENT REPRESENTATIVE IN GENEVA, NEW YORK & VIENNA
In Participatory Status with the COUNCIL OF EUROPE in Strasbourg,
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Att. APPEAL AND QUESTIONS TO THE PRESIDENT OF THE EUROPEAN COMMISSION, ON:

(1) Continuing of the EU Mandate on FoRB - Dr. JAN FIGEL; What place has the religious freedom in the agenda of European Commission? (2) What measures do the European Commission takes against the countries that use or abuse the laws of National Security and State of Emergency? (3) What measures the EU propose to face risks on the impact of Covid-19 for the most vulnerable categories such as: Women and Children, Medical Workers, Refugees, Migrants and Religious Minorities (that are inside or outside the European territory)?

Dear President,

I would like to thank you again for your answer to my first letter addressed to you at the beginning of this year, and for all efforts you are doing in behalf of Europeans and beyond.

I appreciated your "political guidelines for the new Commission that is based on *rule of law*." You stated: "Threats to the rule of law challenge the legal, political and economic basis of how our Union works" and "Lady Justice is blind – she will defend the rule of law wherever and by whomever it is attacked".

I write you with my deep consideration and respect I have for your leadership as the highest Office in the EU, hoping that your vision and influence will bear fruits for all European citizen, and for humanity too; but please accept to listen to one more 'adviser' on how European influence could be consolidated in the benefit of lives of hundreds of millions of people.

HER EXCELLENCY Ms. URSULA VON DER LEYEN

President of the European Commission

Brussels Belgium

Your Excellency,

The idea behind a human rights approach is to protect every single person independently of his or her “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”, recognizing they have equal and inalienable rights; being this protection not a *privilege* given by a state but based on the inherent human *dignity*, and on the need to promote his or her development free from fear and want, the freedom of thought, conscience and religion is a *neutral* freedom not attached to an idea or object.

Accordingly, no predominant or ‘superior’ ideology or ‘truth’, including religions or beliefs, should be imposed on anyone, history already shown the impacts of totalitarianism. Problems arise all over the world, may arise in countries where there is a state official religion, where there is not a clear division between the political and spiritual aspects, and repressive and arbitrary laws or jurisprudence may be applied. But also problems arise in secular countries, if different religious expressions or signs may be restricted, or where there is a “resistance towards reasonable accommodation” – many times religious faith, and religious minorities, are pushed to exist only in *forum internum* by not enjoying the status that large churches have - without a clear public interest justification, and end up negatively affecting the enjoyment of other fundamental rights as well. HEINER BIELEFELDT, former UN Special Rapporteur on FoRB stated: “the purpose of reasonable accommodation is not to “privilege” members of religious minorities at the expense of the principle of equality. In fact, the opposite is true. What reasonable accommodation encourages is the implementation of *substantive equality*”. Apart from straightforward expressions of religious intolerance and direct discrimination against religious minorities, intolerance and discrimination can also occur in more concealed or indirect forms... They often remain hidden by seemingly “neutral” rules which, although on the surface applying to everyone equally, can have disproportionately negative effects on some people. For instance, the management of holidays at the workplace typically reflects the dominant religious and cultural tradition in a country.” (U.N. General Assembly - A/69/261)

Being a person is what gives humans a peculiar dignity, which cannot be exchanged for a price. Problems and changes in our world affect all of us, even though often we see more symptoms than causes. I quote what I wrote years ago for my doctoral dissertation in law on ‘Diplomacy for Religious Liberty’: “I share Peter Berger’s point of view: **“Those who do not take *religion* into account in their analysis of contemporary affairs, assume a great danger”.** Religion should be brought back into the study and praxis of international diplomacy and policy not just because religion is a causal factor in many international conflicts but also because it can play and has played a key part in fostering positive change nonviolently and in preventing or resolving conflict. “The governments that ignore the religious liberty of the minorities or discriminate against them, cannot obtain security for the majority”, stated too ROBERT SEIPLE the first American Ambassador-At-Large on Religious Freedom.

We must look ‘back in the history’ to avoid doing future mistakes. Since thousands of years, the history of religion has been marked by intolerance and religious persecution. Also, ‘religion’ and ‘freedom’ have not been natural allies. Moving closer to our present, it is also observed that there is so much evidence that the history of our times is characterized as a succession of *emergencies*. The problem of freedom of religion or belief, despite its long historicity - which has never enjoyed the respect of majority - is now under the threat of new challenges. The defense of human being and freedom of religion or belief, must be based on a new approach, using the best instruments and practices, such as *preventive diplomacy* and *education*, and where education and diplomacy for religious freedom must be a priority for public policy in every state. Diplomacy and education are the best tools to confront and solve the international issues concerned”.

Dear President,

I do not belong to any political party, but I'm expressing you as a European researcher, academic and activist for human rights and religious liberty. The organization that I'm honored to represent - the AIDLR - aims to defend the dignity of every human being, and not a religion *per se*, but a Principle, the principle of freedom of conscience and religious freedom for all, fostering human rights, democracy, and rule of law, everywhere.

The Europe authored and benefitted by one of its most necessary and efficient instruments named the EU SPECIAL ENVOY on the PROMOTION OF FREEDOM OF RELIGION OR BELIEF (FoRB) OUTSIDE THE EU, mandate managed by Dr. JAN FIGEL who developed it with wisdom, diplomacy, competency, excellent leadership and practice, recognized internationally for its results in behalf of the EU' influence, and serving the needs of millions of discriminated and persecuted people from all the world. Unfortunately, the Covid-19 pandemic, opened globally a large door for intolerance and discrimination against the most vulnerable people, affecting especially religious liberty and the religious minorities, in entire world. The influence that the EU can have on the world after Covid-19 is an important issue that needs to be addressed!

In these unusual times, there is a great risk that the EU's influence will be lost by not using the powerful internationally consolidated instrument' of the EU's mandate on freedom of religion'. I believe the mandate of the EU Special Envoy for FoRB, can get in our times a greater power, with a strong apparatus – acting not only outside the EU, but within the EU too. **To this end, I propose the appointment of the mandate holder as “the EU Special Commissioner on FoRB for the EU and entire world”**; in turn, not continuing the EU FoRB approach, would make it more difficult for the EU to develop a united and coherent European influence and strategy towards the countries which not respect human rights and especially the fundamental right of religious freedom; we have evidences of Governments that discriminate and persecute hundreds of millions of people belonging to religious communities, and especially the Christians, but also Jews and Muslims are affected globally. Fear, extremism and terrorism, creates suspicion of *religion* that can affect specially religious minorities and other categories of people. Due to COVID-19 pandemic, I warn of the danger of *hate speech pandemic* and growing harassment, violence, discrimination and persecution of Christians, Jews and Muslims; and growing the risk of social insecurity, terrorism and famine in many parts of the world. “For hundreds of millions around the globe, who suffer religious persecution and violence, simply because they *believe differently*, extremists and governments persecute, imprison and kill people of faith on a daily basis”, stated Tina RAMIREZ. INTROVIGNE reminds us too: “Often, these scapegoats are identified with unpopular religious minorities”.

Excellency, for all these reasons and many others, the Europe has to be *the actor* who influences governments and others on religious freedom as a fundamental human right for all. I believe that not only it is possible, but I consider necessary the re-accreditation of Dr. JAN FIGEL as the mandate holder of the EU on FoRB. During the last years, I coincided joining and cooperating together with Dr. Figel at many international conferences, where I saw him as a committed diplomat and prudent international expert on education for human rights and religious freedom. Dr. Figel has been and he's a wise and active defender of the EU values, opening 'doors' of tolerance and respect for religious freedom in so many parts of the world. I met him in Brussels, Geneva, Vienna, New York, Tokyo, Dubai, Jakarta, etc.; at the European Parliament, at the UN, during the G-20 Interfaith Summit, at the World Tolerance Summit, at the OSCE, etc., and I know him from working closely in Brussels, or during at First UN Global Summit on Religion, Peace and Security hosted at Palais des Nations in Geneva which the AIDLR co-organized with the UN in Geneva. On these occasions I saw Jan Figel a gifted expert, contributing with his message and diplomacy, at the change of public policy, and helping many persecuted people.

APPEAL:

We urge Your Excellency to **recall Dr. FIGEL** to continue his mandate and consolidate the prestige and influence of our continent in the world, and to contribute in the best way to the respect of human rights and freedom of religion or belief worldwide.

QUESTION 1.

What 'place' has the religious freedom – is it a priority on public policy - in the agenda of European Commission?

It is written, that until today “no fewer than 84 Governments from all the world have enacted emergency laws vesting extra authority in the executive. In some cases these powers are necessary to fight the pandemic and will be relinquished when it is over. But *in many* cases they are not, and won't be. Unscrupulous autocrats are exploiting the pandemic to do what they always do: grab power at the expense of people they govern”. Unfortunately, under “state of emergency” “national security” and “antiterrorist laws”, some governments, populists and extremists abuse, prejudice, manipulate and spread fake news, affecting some specific categories. A significant problem arises regarding the morality of an inadequate state response, or if the state acts outside of any law.

I'm an European citizen who has grown up, studied and lived in two different 'Europe(s)': the Europe guided by “rule of leader” (dictatorial), and the Europe guided by “rule of law”. Based on the Covid-19 pandemic and the reactions of governments to this challenge, I pose the second question :

QUESTION 2.

In the context of the Covid-19 pandemic, what measures will the European Commission take against countries (in the EU family or elsewhere) that use or abuse National Security and State of Emergency laws, affecting fundamental freedoms and rule of law, and the life and work of journalists, human rights defenders, political opponents, religious followers and other people, through sanctions, harassment, surveillance and arrests?

Now when the world lives a 'new normal' and is preparing a new international order, more than ever, I wonder how Europe can be strengthened as an influential international actor. Surely, during the future period, the EU will be much more challenged, by States and populists. Timothy GARTON ASH, British Professor of European Studies at Oxford University and Senior Researcher at the Hoover Institution, Stanford University, stated recently: “The recovery of the southern EU will be especially slow and painful, which, among other consequences, would give China more opportunities to “divide and beat” the Twenty-seven. The pandemic demonstrates the need for more globalized collective action, and the result is likely to be the opposite. It is already plunging us further into a new Cold War between the United States and China”. And Garton Ash continued: “Europe *should lead* the way towards greater international cooperation, the highest example of which is precisely the European Union. Because the pandemic, which has put national and international institutions to the test, has also done so with the EU” and due to it, the European institutions must focus on “the necessary degree of solidarity among European peoples”.

QUESTION 3.

Which measures is the EU taking to increase its global influence, and also to face specific risks on the impact of Covid-19 for the most vulnerable categories such as: women and children, medical workers, refugees, migrants, and religious minorities ?

Let the EU leading globally by FoRB diplomacy !

Your Excellency, you may know that you have in the International Association for the Defense of Religious Freedom (AIDLR) a strong partner in the defense of religious freedom and human rights, the rule of law and democracy for all people.

I would be grateful for your comments and answer at our Appeal and Questions directed to Your Excellency in this Open Letter that will be published in the journal Ambassadors for Liberty, Hope and Peace we prepare for the 75th Anniversary (1946-2021) of the International Association for the Defense of Religious Liberty.

I congratulate you again desiring you a good health and good results in front of the big challenges you are facing daily, and blessings for your important mission in behalf of the EU and beyond.

Thank you, Excellency.

Yours sincerely,

Dr. Liviu Olteanu
Secretary General