Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2163 (2017)[1]

The protection of the rights of parents and children belonging to religious minorities

Parliamentary Assembly

1. The Parliamentary Assembly notes that the population of the member States of the Council of Europe is more ethnically, culturally and religiously diverse than ever before. The landscape of religious communities in Europe is complex and evolving, with traditional beliefs spreading beyond their historical territory and new denominations emerging. Such an environment has the potential to ostracise families belonging to religious minorities for their views and values in contexts where there is a dominant majority that holds divergent views.

2. In this context, the Assembly recalls its staunch commitment to supporting peaceful coexistence between people of different religious and ethnic affiliations, and building a tolerant, respectful and democratic community for all, as outlined in the adoption of several Assembly texts, including: Resolution 1904 (2012) on the right to freedom of choice in education in Europe, Resolution 1928 (2013) on safeguarding human rights in relation to religion and belief and protecting religious communities from violence, Resolution 2036 (2015) on tackling intolerance and discrimination in Europe with a special focus on Christians, and Resolution 2076 (2015) on freedom of religion and living together in a democratic society.

3. The Assembly underlines its commitment to protecting the fundamental rights enshrined in the European Convention on Human Rights (ETS No. 5, "the Convention"), in particular the right to freedom of thought, conscience and religion under Article 9, and the right of parents to provide their children with an education in conformity with their own religious and philosophical convictions under Article 2 of Protocol No. 1 to the Convention (ETS No. 9). The Assembly reiterates the fundamental right of children to education in a pluralistic environment that fosters critical thinking, in accordance with the Convention, its protocols and the case law of the European Court of Human Rights.

4. The Assembly considers that particular difficulties can arise with regard to respecting the beliefs and convictions of minority religious communities in the context of the registration of religious organisations, State-provided education and social services. The Assembly considers that it is not the role of member States to regulate or validate the beliefs and world views of its population, but to accommodate different perspectives and convictions, and allow individuals to thrive together within the boundaries of public order, health and morality. It considers that the genuine recognition of, and respect for, diversity and the dynamics of cultural traditions and identities and religious convictions are essential in order to achieve social cohesion.

5. The Assembly therefore calls on all member States of the Council of Europe to protect the rights of parents and children belonging to religious minorities by taking practical steps, legislative or otherwise, to:

5.1. affirm the right to freedom of thought, conscience and religion for all individuals, including the right not to adhere to any religion, and protect the right of all not to be compelled to perform actions that go against their deeply held moral or religious beliefs, while ensuring that access to services provided in accordance to the law is maintained and the right of others to be free from discrimination is protected;

1. *Assembly debate* on 27 April 2017 (17th Sitting) (see Doc. 14260, report of the Committee on Equality and Non-Discrimination, rapporteur: Mr Valeriu Ghiletchi). *Text adopted by the Assembly* on 27 April 2017 (17th Sitting).
See also Recommendation 2101 (2017).

5.2. promote reasonable accommodation for the deeply held moral or religious beliefs of all individuals in cases of serious conflict to enable citizens to freely manifest their religion or belief in private or in public, within the limits defined by legislation and provided that this is not detrimental to the rights of others;

5.3. repeal any law or rule which establishes a discriminatory distinction between religious minorities and majority beliefs;

5.4. ensure easy-to-implement procedures for children or parents to obtain exemptions from compulsory State religious education programmes that are in conflict with their deeply held moral or religious beliefs; the options may include non-confessional teaching of religion, providing information on a plurality of religions and ethics programmes.