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## Countering discrimination based on religion and protecting freedom of religion or belief in Europe

### Report<sup>1</sup>

Committee on Equality and Non-Discrimination

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1. Reference to committee: [Doc. 15700](#), Reference 4726 of 28 April 2023.



## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly notes that freedom of religion or belief, which includes the right not to hold a religious belief or affiliation, is not only a fundamental right but also a vital element of any democratic system. By fostering pluralism, it promotes peaceful living together as equals in Europe's culturally diverse societies. Freedom of thought, conscience and religion as protected under Article 9 of the European Convention on Human Rights (ETS No. 5, "the Convention") is a cornerstone of the Council of Europe's human rights protection system.
2. Equality and the absence of discrimination are essential preconditions for the effective enjoyment of the right to freedom of religion or belief. Member States should guarantee the effective enjoyment of this right by everyone, without discrimination based on religious affiliation or on any other ground.
3. Growing manifestations of exclusion and intolerance on grounds of religion across Europe are a reason for serious concern. Referring to its [Resolution 2447 \(2022\)](#) "Preventing and combating antisemitism in Europe", [Resolution 2457 \(2022\)](#) "Raising awareness of and countering Islamophobia, or anti-Muslim racism, in Europe", and [Resolution 2069 \(2015\)](#) "Recognising and preventing neo-racism", the Assembly considers that member States should step up efforts to prevent and counter all forms of racism and intolerance, that misrepresent cultural differences, notably religious affiliation, as a cause of supposed incompatibility between minority groups and European societies.
4. The Assembly notes that manifestations of religious intolerance in Europe often appear to be linked to conflicts occurring in other regions and to reflect heightened tensions there. In the wake of the terrorist attack of 7 October 2023 and the conflict in Gaza, there has been a significant resurgence of anti-Semitism and many European countries have recorded an increase in antisemitic incidents with an exponential increase not only in acts of violence and physical attacks but also in hate speech on social media, as noted by international bodies including the European Commission against Racism and Intolerance (ECRI). The same international bodies have recorded an increase in Islamophobic incidents. The Assembly affirms that no individual shall be held responsible, on the basis of their actual or perceived religious or belief affiliation, for acts committed by others purportedly in the name of that religion or belief.
5. The Assembly highly values and supports the work of ECRI, which is instrumental in promoting equality and inclusion in today's diverse Europe. ECRI's recommendations should be fully implemented by public authorities across Council of Europe member States. The Assembly further supports the action of all the bodies that operate to prevent and counter discrimination, and the mandate of the Special Representative of the Council of Europe Secretary General on antisemitism, anti-Muslim hatred and all forms of religious intolerance, in view of the importance of promoting peaceful living together to respond to the challenges that Europe is facing today. It recommends that actions in this area take into account the full diversity of religious beliefs and communities.
6. Referring to its [Resolution 2076 \(2015\)](#) "Freedom of religion and living together in a democratic society", the Assembly reiterates that member States should ensure that religious communities and their members are able to exercise their right to freedom of religion without impediment or discrimination, in accordance with Article 9 of the Convention, as well as the right to freedom of expression and freedom of peaceful assembly. This includes the possibility to practise their faith publicly and freely, in places of worship designed for that purpose or in other places accessible to the public, and to make their opinion publicly known without being subjected to censorship or intimidation.
7. The Assembly also reiterates that education is key to combating ignorance, breaking down stereotypes and bias, building trust and mutual respect, and that school should promote constructive dialogue between individuals of different beliefs, whether religious or secular, as a basis for building and strengthening a democratic society.
8. The Assembly refers to the activities carried out by the Council of Europe in the area of religious education, which argues for an integrated approach to spiritual, religious, moral and civic values. It reiterates that religious education can be a powerful tool for preventing and countering religious intolerance and discrimination, and for promoting peaceful living together and social cohesion. To this end, religious education must be inspired by pluralism and be objective and non-confessional.

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2. Draft resolution adopted unanimously by the committee on 20 March 2026.

9. Referring to [Resolution 2036 \(2015\)](#) “Tackling intolerance and discrimination in Europe with a special focus on Christians”, the Assembly notes that intolerance and discrimination on grounds of religion or belief affect both majority and minority religious groups in Europe; it observes that the expression of faith is sometimes unduly limited by national legislation and policies; and it highlights the need to identify practical ways to make religious observance possible in the workplace and other settings. This constitutes a pragmatic means of ensuring the effective and full enjoyment of freedom of religion, allowing all religious groups to live in harmony.

10. The Assembly highlights the special responsibility of public figures to speak out against religious hatred and all other forms of intolerance. It stresses that political leaders and representatives should refrain from any instrumentalisation, manipulation, misrepresentation or other misuse of religion or belief, whether to stigmatise or exclude individuals or groups or to obtain electoral or other advantage.

11. The Assembly also notes with particular concern that violations of freedom of religion or belief may be linked to situations of armed conflict and foreign occupation, including in the context of the war of aggression by the Russian Federation against Ukraine, where reports indicate the suppression of religious pluralism, restrictions on non-aligned religious communities and the misuse of religion for political purposes by occupation authorities.

12. In the light of these considerations, the Assembly calls on Council of Europe member States, observers and partners for democracy:

12.1. with regard to research and data collection, to:

12.1.1. collect data on intolerance and discrimination on the grounds of religion, disaggregated by characteristics such as gender, ethnicity, nationality and religious affiliation of the victims;

12.2. with regard to education, information and awareness raising, to:

12.2.1. provide religious literacy training for public officials, law enforcement officers and the judiciary, in order to facilitate the identification of cases of discrimination on the grounds of religion and the consistent enforcement of freedom of religion or belief;

12.2.2. provide teachers in schools with training and guidance on religion, based on a pluralist and inclusive approach with a view to fostering respect, mutual understanding and preventing conflicts;

12.2.3. strengthen co-operation with media organisations to promote fair and accurate representation of religious beliefs and lifestyles in the media and to counter negative stereotyping and stigmatisation based on religion or belief, without encroaching on the independence of the media;

12.3. with regard to co-operation with civil society and religious organisations, to:

12.3.1. ensure fair and equal treatment of religious communities and organisations in all administrative formalities, in particular by establishing clear, transparent and non-discriminatory procedures for recognition, based on objective criteria, applied within reasonable time limits and subject to effective review;

12.3.2. strengthen consultation and communication with religious communities and civil society organisations in the drafting of legislation that could directly or indirectly affect the freedom of religion of any individual or group;

12.4. with regard to harmful language in public and political discourse, to:

12.4.1. urge legislators and political leaders to abstain from using stigmatising and discriminatory language or from making a political use of religion, and to consider adopting effective tools to prevent and counter these practices;

12.5. with regard to the protection of freedom of religion or belief in situations of armed conflict, to:

12.5.1. ensure that violations of freedom of religion or belief linked to situations of armed conflict and foreign occupation are effectively monitored, documented and addressed at national and international level.

13. The Assembly welcomes the action of the No Hate Parliamentary Alliance and reiterates its call on national parliaments to establish parliamentary groups dedicated to preventing and countering racism, intolerance and hatred.

14. The Assembly calls on political parties to sign the Charter of European political parties for a non-racist and inclusive society as endorsed in its [Resolution 2443 \(2022\)](#) "The role of political parties in fostering diversity and inclusion: a new charter for a non-racist society", and to enforce it in their internal functioning and their public action.

## B. Explanatory memorandum by Mr Francesco Verducci, rapporteur<sup>3</sup>

### 1. Introduction

1. This report aims to investigate two distinct but interconnected realities: freedom of religion or belief, which is one of the fundamental freedoms protected under the European Convention on Human Rights (ETS No.5, “the Convention”) and other international human rights standards, and discrimination on grounds of religion. Widespread in Council of Europe member States, discrimination based on religion has a wide range of manifestations. In addition, religion may be combined with other prohibited grounds, particularly gender, ethnic origin, nationality, and migrant status, leading to intersectional forms of discrimination, and, ultimately, to marginalisation and exclusion.

2. At the hearing held by the Committee on Equality and Non-Discrimination in Tirana on 6 June 2024, Ms Susan Kerr, Senior Adviser on Freedom of Religion or Belief at the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe’s (OSCE), explained that freedom of religion or belief is clearly defined in international law and case law. Everyone is entitled to have a religious faith, or not to have one, and to peacefully express their religion or belief in public. In addition, as all human rights are interconnected, freedom of religion or belief does not stand alone: it is linked to freedom of expression, freedom of association and other fundamental rights and freedoms.

3. Discrimination based on religion has a variety of root causes, which include long-standing historical conflicts and prejudices between different religious groups. Rival religions, under the banners of sovereigns invested with what was generally accepted as divine right, have sought to conquer peoples and territories, using strategies ranging from misinformation about opposing beliefs and practices, scapegoating of specific religious minorities, to attrition and outright wars of religion. These historical animosities can be deeply ingrained in society, passed down through generations, and, ultimately, have a negative impact on current societal attitudes.

4. Anti-religious bias is also part of the elements that constitute forms of racism such as antisemitism and Islamophobia (also referred to as anti-Muslim racism). In this case, prejudice against a given religion is combined with a process of “racialisation”, a severe form of “othering” that targets certain groups such as Jewish people or Muslims. Aggression with the same intent and motivation takes new forms, as hate speech and hate crimes are disseminated online, and artificial intelligence may increase stereotyping and incitements to violence. The motion for a resolution<sup>4</sup> at the origin of the present report names religious oppression as “the most common violation of human rights worldwide”: history shows us that it is at least one of the oldest. This report will, I hope, bring home the absolute need to banish all use of religion which runs counter to the principles of democracy and human rights.

5. This report does not aim to compare human rights violations to establish which group is most targeted. Rather it seeks to analyse the current situation in Council of Europe member States and partner countries and to review relevant existing national and international instruments and their effectiveness, with a view to assessing whether progress in combating all forms of discrimination on grounds of religion has been achieved, and whether new instruments to counter it are needed.

6. I undertook a fact-finding visit to London on 29 and 30 April 2025, during which I engaged with a wide range of stakeholders on issues related to freedom of religion or belief, equality and non-discrimination, and online safety. I met with Members of Parliament, international experts, academics, legal experts working for the Parliament of the United Kingdom, and representatives of civil society organisations. These meetings provided valuable insights for the work of the Committee on Equality and Non-Discrimination and for this report.

7. Throughout the preparation of this report, several organisations active in the areas of freedom of religion or non-discrimination, as well as representatives of organised religions, have shared with me their views and concerns. While the time was too limited to engage in exchanges with representatives of all denominations, I have endeavoured to listen to all those who reached out to me, and to reflect, insofar as possible their needs and concerns in this text.

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3. This explanatory memorandum is drawn up under the responsibility of the rapporteur.

4. See “Global rules to eliminate all forms of religious oppression” (Doc 15700).

## 2. Discrimination on grounds of religion: manifestations and targets

8. In the last few years, the Parliamentary Assembly has tackled discrimination on grounds of religion in [Resolution 2447 \(2022\)](#) “Preventing and combating antisemitism in Europe” and [Resolution 2457 \(2022\)](#) “Raising awareness of and countering Islamophobia, or anti-Muslim racism, in Europe”.<sup>5</sup>

9. Antisemitism has permeated European history for centuries, writing terrible and indelible pages that culminated in discriminatory legislation in several European countries, and the abomination that was the Holocaust (“Shoah”) perpetrated by the Nazi regime and its collaborators. Pseudoscientific racial theories portraying Jewish persons as a distinct racial or ethnic group, inherently different and inferior, contributed to this scourge.

10. As rapporteur Petra Bayr (Austria, SOC) clarifies in her explanatory memorandum to [Resolution 2447 \(2022\)](#), antisemitism has historically been often expressed through negative stereotyping that links Jewish persons to finance and power in conspiratorial ways, paving the way for their scapegoating and exclusion. More recently, antisemitic conspiracy narratives have accused Jewish people or Jewish-owned companies of creating or spreading the Covid-19 virus, or of profiting from the pandemic. Today, antisemitism is systematically disseminated online, particularly through social media. It also manifests in attacks against individuals and property, as well as in the desecration of places of worship and cemeteries. It is essential to recall the importance of historical memory and the teaching of history as tools for raising awareness and preventing discrimination. It is crucial that new generations learn about the origins and development of the tragedy and the crime against humanity that was the Shoah— a tragedy that did not occur overnight but was the culmination of a process of discrimination, exclusion, stigmatisation, and dehumanisation that made the unthinkable possible. In this context, I would like to pay a special tribute to those survivors of the Holocaust who for decades have courageously shared their testimony, especially with younger generations. Figures such as Lord Alf Dubs, who addressed the Assembly on Holocaust Remembrance Day in January 2026, and my fellow Senator Liliana Segre, with whom I have had the honour of working for years within the Committee of the Italian Senate against intolerance, racism, antisemitism and incitement to hatred and violence, deserve our deepest respect and gratitude.

11. Islamophobia manifests itself in relatively new ways, such as the depiction of Islam and Muslim people as a threat to so-called European values. This harmful misrepresentation is widespread in the public discourse. In addition to the sources quoted by the Assembly Resolution 2457 (2022), a report published in November 2025 by French Defender of Rights (*Défenseur des droits*) highlights a sharp rise in cases of discrimination on grounds of religion (respondents to the survey<sup>6</sup> are either direct victims of discrimination or witnesses). The report also indicates that Muslims are particularly affected, especially Muslim women, probably due to their being more visible and identifiable as part of this group.

12. [Resolution 2457 \(2022\)](#) points out that Islamophobia cannot be reduced to discrimination on grounds of religion, as it results from a process of “racialisation” based on multiple markers that include ethnic or national origin, physical appearance and cultural characteristics, and because it overlaps with anti-immigrant sentiment, xenophobia and social class bias. It is thus commonplace for people at risk of persecution on grounds of religion to face multiple and intersecting forms of discrimination on account of their race, colour, culture and gender.

13. Christianity is rarely the target of negative bias in Council of Europe member States. However, this risk should not be dismissed, and cases of discrimination against Christians also merit attention. The Assembly addressed this issue in [Resolution 2036 \(2015\)](#) “Tackling intolerance and discrimination in Europe with a special focus on Christians”, which aimed to prevent indirect discrimination against Christians and promote reasonable accommodation for religious needs. The text noted that intolerance and discrimination on grounds of religion or belief affect both minority religious groups and people belonging to majority religious groups. It indicated that numerous acts of hostility, violence and vandalism had been recorded against Christians and their places of worship. It observed that the expression of faith is sometimes unduly limited by national legislation and policies which do not allow the accommodation of religious beliefs and practices. Crucially, it indicated that the reasonable accommodation of religious beliefs and practices constitutes a pragmatic means of ensuring the effective and full enjoyment of freedom of religion, and that when it is applied in a spirit of tolerance, pragmatic accommodation of practices allows all religious groups to live in harmony with respect for and acceptance of their diversity.

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5. The term “anti-Muslim racism” is explained by the ECRI in its “[General Policy Recommendation No. 5 \(revised\) on combating anti-Muslim racism and discrimination](#)”, adopted on 8 December 2021.

6. Report “[Les discriminations fondées sur la religion – Constats et analyses du Défenseur des droits](#)” (‘Discrimination Based on Religion: Findings and Analysis’ by the Defender of Rights, available in French only), Paris, 4 December 2025.

14. In the explanatory memorandum to Resolution 2036 (2015), rapporteur Valeriu Ghilechi (Republic of Moldova, EPP) pointed out that the concept of reasonable accommodation provided a “common sense” approach to many of the challenges that Christians and other religious groups face in the workplace. “Reasonable accommodation places the onus on the employer to accommodate the religious practice of an employee, providing it does not cause the employer an undue burden”. In Europe, this concept has been used in disability discrimination for many years, while in North America it has been successfully applied to religion or belief as well. A core message emanating from the text adopted by the Assembly is that there should not be a hierarchy of importance or priority between religious beliefs and groups, that individuals may face religious discrimination and intolerance irrespective of the numerical size of their groups, and that practical measures should be taken to ensure the possibility to practise their religion freely. That applies to Christians and to people with other religious affiliations alike.

15. Monsignor Marco Ganci, the Holy See's Permanent Observer at the Council of Europe, considers it important to avoid any risk of unduly restricting freedom of religion. Indeed, reconciling competing fundamental freedoms and avoiding conflicts is a key priority in human rights standard-setting, and it may prove difficult. This is a matter of great significance. The sphere of legislation must remain distinct from that of religious precepts. Consequently, the Assembly's texts on inequalities and discrimination should always be interpreted within their own autonomous framework, separate from religious doctrine.

16. In addition to the work of the Pew Research Center, based in the United States, which appears to be an objective source of information and data with a particular focus on the Americas, detailed information about the situation in other areas of the world is made available by Aid to the Church in Need (ACN), a Catholic pastoral aid organisation. This organisation carries out regular research on freedom of religion and publishes annual reports on the state of this freedom globally, as well as country-specific information notes. These notes present the main legal regulations, new developments in legislation related to freedom of religion and relevant judgments of the European Court of Human Rights. They also mention specific cases of discrimination and provide recommendations.

17. At a global level, research indicates that the three major religions cited are the main targets of violent repression. However, others are not exempt. The Pew Research Center collates cases of religious persecution and measures the harassment faced by religious groups. This phenomenon was reported in more than 90% of the 198 countries surveyed in 2018, a rather stable figure over the previous decade. Harassment of religious groups originated from governments or from social groups or individuals, measured respectively by the Government Restrictions Index (GRI) and the Social Hostilities Index (SHI). It includes actions ranging from verbal abuse to physical violence and killings – motivated at least in part by the target's religious identity.

18. The study also refers to harassment of religiously unaffiliated persons, including atheists, agnostics and humanists. Restrictions on religious gatherings during the Covid-19 pandemic were also taken into account.

19. Violence and discrimination targeting religious groups outside Council of Europe member States are indirectly part of the scope of this report, as they may have an impact on our member States in various ways, for instance by inspiring solidarity for victims and champions of religious freedom such as Nadia Murad, the Iraqi Yazidi human rights activist and co-recipient of the 2018 Nobel Peace Prize, for her efforts to end the use of sexual violence as a weapon of war.

20. During the preparation of this report, the European Organisation of Jehovah's Witnesses reached out to me. Mr Marc Hansen and other representatives of this denomination shared with me their concern about the restrictions that their community faces in several Council of Europe member States. They denounce in particular the difficulties in obtaining the registration as a recognised religion. This means that their ministers are not authorised to perform legally recognised weddings and that the organisation loses certain tax benefits or prison visitation rights, which are granted to other religious groups. While it is left to the authorities of each member State to regulate the forms and conditions for registration, and investigating further into each specific situation falls out of the scope of this report, it is important to ensure that administrative procedures and rules are clear, and that they are enforced impartially with respect to all religious communities.

21. Several of my interlocutors stressed the importance of ensuring that no hierarchy is established among different religious or non-religious beliefs. Ms Gabriela Frey, representative of the European Buddhist Union in the Council of Europe's Conference of International Non-Governmental Organisations (INGOs), is also a Co-Chair of the Committee for interreligious & interconvictional Dialogue. This committee brings together more than 23 faith-based European INGOs with participatory status at the Conference, along with numerous partners. Ms Frey emphasised the importance of ensuring the participation of a wide range of denominations in interfaith dialogue activities. The main objective of this committee is to establish a permanent, stable and formally recognised platform for interreligious, interconvictional, democratic and equality-based dialogue within

the Council of Europe. The committee's reasoning is compelling: "In a world where fears are reinforced by conspiracy theories and fake news, anti-democratic propaganda, prejudices, discrimination, and growing hatred towards ethnic and religious minorities...constructive cooperation between people of different religions and beliefs, religious representatives, and civil society is more necessary than ever." As highlighted by the committee, this dialogue must be genuine and inclusive.

22. In January 2026, in Strasbourg, I had the opportunity to meet Mr Alfonso Zardi, also a member of the Committee on interreligious & interconvictional Dialogue as a representative of Christian organisation Pax Christi, and of the Conference of Justice and Peace Commissions of Europe. Stressing the importance of interreligious and intercultural dialogue to promote peaceful and harmonious societies, Mr Zardi explained that both movements recognise the fundamental contribution of religions to democracy. He believed that a permanent platform for dialogue with religions and the philosophical and ethical convictions prevalent in Europe would strengthen the Council of Europe's efforts to bolster democracy in its member States. This was in line with [Recommendation 2080 \(2015\)](#) of the Assembly entitled "Freedom of religion and living together in a democratic society".

23. In January 2026, I also met with the new Special Representative of the Council of Europe Secretary General on antisemitism, anti-Muslim hatred and all forms of religious intolerance, Ms Irene Kitsou-Milonas, who took up her functions on 1 December 2025. The Special Representative noted that for the Secretary General, this work is key to safeguarding the peace project embodied by the Council of Europe. Her focus will be to define effective strategies to counter antisemitism, anti-Muslim hatred, and all forms of religious intolerance, to strengthen synergies with her national and international counterparts, and to build bridges. Dialogue between religious leaders and the memory of the Holocaust are also priorities for her office. These issues are essential for the Council of Europe's process towards the New Democratic Pact for Europe.

24. Internal co-ordination of all major relevant administrative entities of the Council of Europe concerning all related activities and close co-ordination with the institutions, bodies and mechanisms of the organisation, including the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) and the European Commission against racism and intolerance (ECRI) are also the focus of the Special Representative's Office.

25. The appointment of a new Special Representative provides an opportunity to relaunch the activities of this office at a time when efforts to strengthen mutual respect between communities and promote peaceful coexistence are more necessary than ever. The Assembly should co-operate regularly and provide its political support to this action. Given the great variety of religious confessions present in all the countries of today's Europe, and the forms of intolerance they face — as I had the opportunity to observe once again while preparing this report — I consider it important that the activities of the Special Representative take into account the full spectrum of this diversity and the challenges encountered by even the smallest or more recently established communities in Europe.

26. In addition to referring to the full variety of religions and beliefs currently present in Europe, I wish to clearly recall that freedom of religion or belief also includes the freedom not to have a religious belief and not to belong to any confession. This is confirmed by numerous judgments of the European Court of Human Rights. The right to identify as humanists, atheists, or to profess other non-religious beliefs is therefore protected. Furthermore, as pointed out by Mr Jonas Skorzak of Humanists International, with whom I have exchanged correspondence, a parallel can be drawn with discrimination, referring to discrimination based on religion "or belief" to cover all cases where discrimination is linked not to professing a religious belief but rather to a non-religious belief or the absence of religion.

### **3. International legal standards for religious freedom and the prohibition of discrimination on the grounds of religion.**

27. Most international documents, including the [Universal Declaration of Human Rights](#) and the [European Convention on Human Rights \(ETS No.5\)](#), enshrine the right of freedom of religion in similar terms and stipulate that these rights must be exercised without discrimination on grounds such as "sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status" (Articles 9 and 14 of the Convention and Articles 18, 19 and 20 of the Universal Declaration of Human Rights).

28. The United Nations (UN) Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief was adopted on 25 November 1981 by General Assembly [Resolution 36/55](#).<sup>7</sup> The declaration defines the expression "intolerance and discrimination based on religion or belief" as meaning "any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human

rights and fundamental freedoms on an equal basis.” Although it sets out definitions, the declaration does not provide guidelines for combating intolerance and discrimination based on religion, or on sanctions to be imposed in the case of violations, nor is it the vocation of this type of text to do so.

29. 24 years later, the UN Commission on Human Rights [Resolution 2005/40](#)<sup>8</sup> on the Elimination of all forms of intolerance and of discrimination based on religion or belief asks the UN Special Rapporteur on freedom of religion or belief to address the rise of religious extremism affecting religions in all parts of the world, recognising “with deep concern the overall rise in instances of intolerance and violence directed against members of many religious communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia”. It also asks the Special Rapporteur to address the issue of the exploitation of religion or belief for purposes inconsistent with the UN Charter and other relevant UN instruments. The UN has also declared 22 August each year as the [International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief](#).

30. The resolution also warns against equating any religion with terrorism, as this can lead to violations of the right to freedom of religion or belief of all the members of the religious communities concerned. From this perspective, I deem it important for the report to explore the dangers of amalgamating extremist acts and the religions they claim to follow, as well as the red line between the necessary supervision of the religious practices and State-led policies and rules that may easily become forms of oppression.

31. From the outset, the ECRI has worked tirelessly to combat religious intolerance. Its 1996 General Policy Recommendation No. 1 is entitled “Combating racism, xenophobia, antisemitism and intolerance”,<sup>9</sup> and its General Policy Recommendation No. 6, adopted as early as 2000, addresses “Combating the dissemination of racist, xenophobic and antisemitic material via the Internet”.<sup>10</sup> In 2021 ECRI revised its General Policy [Recommendation No. 9](#) entitled “Preventing and combating Antisemitism”<sup>11</sup> and General Policy [Recommendation No. 5](#) entitled “Preventing and combating anti-Muslim racism and discrimination, respectively”.<sup>12</sup>

32. Another reference text of the Council of Europe is the 2008 report of the European Commission for Democracy through Law (Venice Commission) entitled “The relationship between freedom of expression and freedom of religion: the issue of regulation and prosecution of blasphemy, religious insult and incitement to religious hatred”.<sup>13</sup> The report concludes that incitement to hatred, including religious hatred, should be the object of criminal sanctions. It also concludes that it is neither necessary nor desirable to create an offence of religious insult without the incitement to hatred as an essential component, and that the offence of blasphemy should be abolished from European law and not reintroduced. These texts have contributed to shaping the content of this report. The work carried out by various Council of Europe bodies represents a wealth of analysis and indications for concrete measures that member States should implement effectively. The Assembly is best placed to reiterate this call.

#### 4. Discrimination on grounds of religion: main challenges

33. The issue of discrimination on grounds of religion continues to pose complex challenges across Europe and it is important to learn more about a variety of issues, and to use various sources. I will highlight here some of them.

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7. UN Commission on Human Rights, “[Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief](#), [General Assembly resolution 36/55](#)”, Office of the High Commission for Human Rights, 25 November 1981.

8. UN Commission on Human Rights, “[Elimination of all forms of intolerance and of discrimination based on religion or belief Human Rights Resolution 2005/40](#)”, Office of the High Commission for Human Rights, 20 April 2005.

9. ECRI, “[General Policy Recommendation No. 1 on combating racism, xenophobia, antisemitism and intolerance](#)”, adopted on 4 October 1996.

10. ECRI, “[General Policy Recommendation No. 6 on combating racism, xenophobia, antisemitism and intolerance](#)”, adopted on 15 December 2000.

11. ECRI, “[General Policy Recommendation No. 9 \(revised\) on preventing and combating Antisemitism](#)”, adopted on 25 June 2004 and revised on 1 July 2021.

12. ECRI, “[General Policy Recommendation No. 5 \(revised\) on preventing and combating anti-Muslim racism and discrimination](#)”, adopted on 16 March 2020 and revised on 8 December 2021.

13. Venice Commission, “[The Relationship between Freedom of Expression and Freedom of Religion: the Issue of Regulation and Prosecution of Blasphemy, Religious Insult and Incitement to Religious Hatred](#)”, CDL-AD(2008)026, 23 October 2008.

34. Legal framework and indirect discrimination: legislation and policies may indirectly lead to discrimination on grounds of religion. The rulings of the European Court of Human Rights and the case law of Council of Europe member States provide useful guidance to identify ways to address indirect discrimination.

35. I believe that it would be a good idea to introduce a systematic, pre-emptive assessment of the potential discriminatory impact of legislation, as part of the legislative process. This would apply to all regulations that may have a disproportionate impact on certain individuals or groups, thus affecting equality and fundamental freedoms, including freedom of religion or belief. In this specific area, the analysis should cover aspects including which types of religious practices may be limited and which religious groups may be disproportionately affected.

36. Hate speech and religious discrimination: hate speech and violence directed at religious communities remain prevalent issues across Europe. The rise of antisemitic and Islamophobic hate speech, for instance, is highly concerning. The Assembly has constantly worked on hate speech, including of racist, LGBTI-phobic and sexist nature. Hate speech related to religion should also be addressed effectively. In the light of the considerable increase of this phenomenon over the last years, and considering how it tends to pave the way for forms of actual discrimination, and to escalate into hate crimes, preventing and countering it should be viewed as a high priority.

37. Religious education in schools: discrimination in the educational system, particularly regarding religious instruction, requires attention. The Council of Europe has conducted significant work in this area for over two decades and indicated the features that religious education should have, to be in line with the principles regulating an inclusive, non-discriminatory democratic system. Religious education should not favour one religion over another. To this end, it should be objective, pluralist and non-confessional.

38. Among the issues that remain open in the public debate are school calendars and whether they respect religious holidays of different faiths, the allocation of State funding to religiously affiliated schools, and whether this creates an imbalance.

39. Places of worship: access to them, particularly for minority religious groups, is a significant issue. In some Council of Europe member States, local resistance or regulatory barriers prevent or limit excessively the construction of official places of worship. It goes without saying that for many organised religions and for their believers, officially recognised places of worship are crucial to the enjoyment of the right to practise. Allowing everyone to pray and conduct religious ceremonies collectively should be high in the list of priorities of legislators and policy makers. Local authorities also have an important role to play in this respect, particularly by mediating conflicts surrounding the construction and usage of religious buildings.

40. Religious radicalisation and counter-terrorism measures: the risk of radicalisation has led to the adoption of measures that may limit freedom of religion and prove problematic in some cases. Austria's "Islam map", for instance, has sparked controversy. [Resolution 2457 \(2022\)](#) "Raising awareness of and countering Islamophobia, or anti-Muslim racism, in Europe", which I have already mentioned, provided several indications in this respect, calling on member States to "ensure that counter-terrorism legislation and policies are sufficiently circumscribed to avoid them being used in arbitrary and discriminatory ways"; to "refrain from applying unclear or overly broad definitions of "terrorism" and ensure that each constituent element of terrorism-related offences is precisely defined, in accordance with the principle of legality"; and to "refrain from the dissolution of any institution, including Muslim civil society organisations, unless demonstrably necessary and proportionate, and ensure that judicial procedures are available to appeal dissolution decisions". Amnesty International's 2021 "Human rights guide for researching racial and religious discrimination in counter-terrorism in Europe" provided valuable information and guidance in this area.

41. An important part of this matter is the increasing use of predictive artificial intelligence in the context of counter-terrorism. Considerable work is currently being conducted by human rights organisations to identify ways of preventing and countering a negative effect in the use of artificial intelligence technology on both privacy and on freedom of religion or belief.

## 5. Political instrumentalisation of religion

42. The political instrumentalisation of religion represents a serious abuse of freedom of religion or belief. In severe cases, this amounts to transforming religious institutions into tools of coercion, exclusion and discrimination. As recognised by the Assembly in its [Resolution 2540 \(2024\)](#) and [Resolution 2567 \(2024\)](#), the hierarchy of the Moscow Patriarchate of the Russian Orthodox Church has acted as an enabler of State ideology, promoting the *Russkiy Mir* concept and functioning as an instrument of State influence and

propaganda, including in the context of Russia's war of aggression against Ukraine. This institutional alignment between religious hierarchy and State power illustrates how religion may be weaponised to suppress dissent, marginalise alternative religious voices and undermine freedom of conscience.

43. Ms Yevheniia Kravchuk (Ukraine, ALDE), member of the Committee on Equality and Non-Discrimination, highlighted that the situation in the temporarily occupied territories of Ukraine further demonstrates the discriminatory consequences of such practices. Since 2014, religious pluralism in parts of the Donetsk and Luhansk regions has been severely reduced, with hundreds of religious communities closed or forced to operate underground, and large-scale destruction of places of worship. Independent denominations including Orthodox communities not affiliated with the Moscow Patriarchate, Greek Catholic, Protestant, Muslim and Jewish communities have faced systematic restrictions, coercive re-registration procedures and the seizure of places of worship, while structures linked to the Moscow Patriarchate have been granted preferential treatment. These developments have resulted in the effective suppression of religious diversity and have created a climate of fear, control and discrimination, incompatible with the principles of freedom of religion or belief and non-discrimination.

44. The political use of religion can take many forms. Beyond the manipulation carried out through an organised religion over its own followers — as seen with the Russian Orthodox Church in relation to Ukraine — one can point to the stigmatisation of entire groups through negative stereotyping — as seen, for example, with Muslims in the aftermath of the fatal Newport attack (described in greater detail in the following section on my exchanges in the United Kingdom), or in all contexts where tensions between communities within a country are fuelled by exploiting citizens' affiliation to different religious denominations.

45. In connection with these phenomena, a global campaign has been launched to enact an International Treaty to Ban the Political Abuse of Religion. This campaign, known as BPUR International, with the representatives of which I have held several exchanges of views during the preparation of this report, proposes such a ban “as a fundamental foundation to disarm extremism and eliminate the root causes of religious conflicts and discrimination worldwide”. This is a timely and interesting proposal, which a number of experts and political bodies are currently considering.

46. In this context, I wish to underline the importance of ensuring the consistent and effective implementation of the instruments that already exist to combat the various forms of discrimination and to protect fundamental freedoms, including freedom of religion or belief. The system developed by the Council of Europe around the European Convention on Human Rights (ETS No. 5) and its additional protocols, together with the above-mentioned standards of the United Nations, are the primary references for this endeavour.

## **6. Key themes and issues raised during the fact-finding visit to the United Kingdom**

47. The meetings I held in London highlighted a wide range of issues relevant to freedom of religion or belief, equality and non-discrimination, and online safety.

48. Several interlocutors recalled that the United Kingdom has a long and complex history of religious tensions, notably between Catholics and Protestants in Northern Ireland, and of a peace process that achieved lasting success. Nowadays, religious intolerance targets other communities, including Muslims. The most dramatic manifestation of this trend was the series of protests and violent incidents in late July and early August 2024, beginning in Southport. Following the murder of three girls, far-right groups spread false information that the perpetrator was a Muslim asylum seeker. By 1 September 1 280 arrests had been made, and 800 criminal proceedings had been initiated in relation to these events.

49. Antisemitism has also seen a resurgence in the context of the recent conflict in the Middle East and is often expressed through online hate speech.

50. Nowadays, discrimination is rarely based solely on religious affiliation, and it rather intersects with other factors such as nationality, migrant or refugee status, and social class.

51. I raised with several interlocutors the issue of the political use of religion in today's Europe, marked by increasing polarisation of public debate and the presence of intolerant and xenophobic forces. Religion is now at the centre of various “culture wars” dividing our societies – for example, over homeschooling, education and the status of women.

52. The various forms of intolerance identified during the visit have different targets but often share common roots and actors. Minority groups tend to be the target of scapegoating, often orchestrated by far-right subjects and movements that use misinformation.

53. I gathered information on the civil and criminal law framework, notably the Equality Act (prohibiting discrimination on various grounds including religion) and the Online Safety Act, which, although not limited to religious issues, can be applied to online hate speech and other forms of abuse. I noted that the UK's Online Safety Act is based on a co-regulation model similar to the European Union's Digital Services Act. In criminal law, there is no longer an offence of blasphemy, but religious hatred may constitute an aggravating circumstance or an element of specific offences, such as incitement to hatred.

54. The visit also offered the opportunity to meet with representatives of the BPUR campaign I have mentioned. Over the past few years, the campaign has gained the support of many prominent figures. Its representatives, whom I met in London – including the former Archbishop of Canterbury, Lord Rowan Williams – have effectively argued in favour of renewed momentum to strengthen protection against discrimination and to promote freedom of religion.

55. In London I also held a series of very informative meetings with Members of Parliament. These exchanges offered valuable insights into the way the United Kingdom has addressed issues relating to freedom of religion or belief, community cohesion and equality.

56. I first met with Lord Alton of Liverpool. He underlined the long-standing contribution of British legal scholars to the development of the Council of Europe's instruments, including the European Convention on Human Rights, and the Convention on the Prevention and Punishment of the Crime of Genocide. Drawing on his own family and political experience, he reflected on the reconciliation process in Northern Ireland and the role of religious leaders in fostering dialogue between Catholic and Protestant communities. He also shared examples from his work on freedom of religion or belief – from the plight of Siberian Protestants in Moscow to the protection of Yazidi communities – and stressed the importance of political leadership in promoting peaceful coexistence and respect. Our discussion touched on the balance between freedom of expression and the need to combat hate speech, the role of citizenship education in schools, and the link between discrimination, social exclusion and the risk of crimes against minorities.

57. In a separate meeting, I exchanged with Sarah Owen MP, Chair of the House of Commons Women and Equalities Committee. She described the committee's current work on issues such as gendered Islamophobia and the impact of disinformation-fuelled unrest, including recent attacks on mosques. She emphasised that women visibly identified with a faith often face additional barriers, and that there is still no universally accepted definition of Islamophobia in the UK. Ms Owen also highlighted the consequences of cuts in language courses and youth services on community cohesion, and the need for more consistent education about religion and equality in schools. The online hate generated by the sexist rhetoric of figures such as Andrew Tate, and the phenomenon of "incels" — involuntarily celibate men who harbour resentment against women — was also mentioned. On the day of our exchange, Ms Owen's committee was also scheduled to meet the authors of the Netflix series *Adolescence*, which has sparked debate in the United Kingdom and beyond about youth and violence. The work that this committee carries out is particularly interesting and timely, given the close link between tackling religious discrimination and social inequalities.

58. David Smith MP is the UK Prime Minister's Special Envoy for Freedom of Religion or Belief. Mr Smith explained that his mandate focuses primarily on engaging with other countries, but also involves raising awareness and promoting religious literacy at home. He noted the rise of anti-Muslim hatred and antisemitism, and the growing uncertainty of governments in Western Europe on how to approach religion. He stressed the importance of better religious education in schools and closer co-operation between parliamentarians and civil society. He also encouraged Council of Europe member States to consider creating positions similar to his own and to join the Article 18 Alliance, which brings together countries committed to promoting freedom of religion or belief worldwide.

59. It was also a great pleasure to exchange views with Baroness Sayeeda Warsi, a member of the House of Lords and, formerly, the first Muslim person to serve in a British Government. For many years, Baroness Warsi has been at the forefront of efforts to raise awareness of the barriers faced by British Muslims in public and private life. She has published several books which draw both on her personal experience and that of other members of the Muslim community, combining insight with, at times, a sharp sense of humour about stereotypes and prejudice. Baroness Warsi has also co-hosted the podcast "A Muslim and a Jew Go There" with comedian David Baddiel: a contribution, once again only seemingly light-hearted, to fostering understanding between the diverse communities that enrich British society, but still, at times, face misunderstanding and discrimination.

60. I also had the opportunity to engage with leading academics and experts on freedom of religion or belief and related issues, complementing the institutional perspectives with research-based insights and comparative experiences.

61. Nazila Ghanea, Professor of International Human Rights Law at the University of Oxford, is also the UN Special Rapporteur on Freedom of Religion or Belief. Professor Ghanea's UN mandate gives her a global perspective on freedom of religion or belief that made our exchange particularly interesting. She highlighted the relevance of indirect and intersectional discrimination, recommending that these concepts be taken into account alongside direct discrimination. Drawing on recent country visits, including to Hungary and Sweden, she noted that issues, such as the funding of religious schools, chaplaincy schemes and the accommodation of religious dress or food, all illustrate how rights can be upheld or undermined in practice. She also pointed to "violations committed in the name of religion", such as restrictions on access to abortion or divorce justified by religious norms, and underlined the need for proactive steps by States, such as dialogue and engagement with religious communities, to pre-empt discrimination. Finally, she emphasised the importance of incorporating international standards on freedom of religion or belief into domestic law. Even countries with strong human rights commitments are often less abiding in this respect. In this connection, fellow Assembly member Susanna Vela (Andorra, SOC) drew my attention to the special place that religion occupies in her country's constitutional system, and how this contributes to shaping legislation and policies in a variety of areas, including education and sexual and reproductive health and rights. This, in turn, has an impact on gender equality and on the interpretation of human rights standards. Once again, striking a balance between freedom of religion and other fundamental rights is highly significant. Relevant texts adopted by the Assembly in recent years provide useful guidance in this respect.

62. Professor Sir Malcolm Evans KCMG OBE, Principal of Regent's Park College, University of Oxford, reflected on how the landscape of religion has changed over recent decades while core challenges in combating discrimination remain. Unlike other rights, the normative content of freedom of religion or belief remains difficult to pin down: practices acceptable in one country (for instance banning religious attire) may be unthinkable in another, yet both can be compatible with human rights standards. He underlined UK's relatively broad and permissive framework – notably the Equality Act 2010 – but also highlighted the lack of religious literacy among public officials. Better teaching about religions in schools and greater openness to religion in the public space, he suggested, would improve mutual understanding.

63. Fabio Petito, Professor of Religion & International Affairs, University of Sussex, and Professor Andrew Davies, Director of the Edward Cadbury Centre, examined the resurgence of nationalism and the political instrumentalisation of religion, which fuel online hatred and "culture wars" in Europe. Professor Petito stressed that freedom of religion or belief should be seen as a core European value protected under diverse constitutional systems. Professor Davies warned against importing narratives from the United States about the "persecution" of Christians there, noting that in the United Kingdom such claims were largely unfounded. Both experts underlined the importance of balancing freedom of religion or belief with other rights, such as gender equality and animal welfare, and of reaching consensus through dialogue. They also stressed the positive role that inter-religious co-operation, particularly among young people, can play in strengthening citizenship and social cohesion, and the need for public authorities to view religious groups not only as victims or perpetrators but also as partners in combating discrimination.

## 7. Conclusions

64. Discrimination on the grounds of religion or belief remains a challenge across Council of Europe member States. While the legal framework protecting freedom of religion or belief is well established at the international and European levels, it is not always implemented consistently. Shortcomings often arise from indirect measures, administrative practices or policies that disproportionately affect certain religious communities.

65. Preparing this report has highlighted the increasing intersectional nature of religious discrimination, which complicates both identifying and addressing discrimination, calling for policy responses that go beyond single-ground discrimination. The experience of women who are visibly identified with a faith illustrates very clearly how religious discrimination may intersect with other inequalities.

66. The growing political instrumentalisation of religion in Europe is another pressing issue. Religion is increasingly being drawn into polarised public debates and so-called "culture wars", which are often fuelled by misinformation and online hate speech. In this context, minority religious groups are frequently scapegoated, with evident consequences for social cohesion and public safety. The incidents discussed during the visit to the United Kingdom demonstrate how quickly such dynamics can escalate into violence, even in countries with robust equality legislation.

67. Striking a balance between freedom of religion or belief and other fundamental rights, such as freedom of expression, gender equality, privacy or security, is not an easy task. Counter-terrorism measures, the regulation of online spaces, restrictions on religious symbols and the use of new technologies such as predictive artificial intelligence all raise complex questions about proportionality, necessity and non-discrimination.

68. The risk of conflating extremists with the religions they claim to represent is a reason for serious concern, as it tends to affect the perception of individuals and groups belonging to certain religious communities. No one should be held responsible for the actions of others, committed in the name of a religion or belief.

69. Exchanges with parliamentarians, academics and experts have also highlighted that legal protections alone are insufficient. Religious literacy, education, dialogue and engagement with religious communities are crucial in preventing exclusion and discrimination. The same applies to the attitude of political leaders, who should rigorously refrain from using stigmatising language.

70. Public authorities should consult religious actors when designing and implementing anti-discrimination policies. They may also play an important role in promoting democratic values and peaceful coexistence and should be encouraged to do so.

71. Protecting freedom of religion or belief and combating discrimination based on religion are not merely obligations arising from international and constitutional human rights standards. They are also essential prerequisites for ensuring everyone's participation in the life of the community; for safeguarding the personal freedom of those who hold religious beliefs and of those who hold none; for preserving social cohesion and ensuring the harmonious and peaceful coexistence of the entire population. Ultimately, they are about fostering the personal development of individuals and the well being of society as a whole. Such ambitious objectives justify significant investment in terms of policy coherence and the measures to be adopted. Measures which I have sought to put forward in the draft resolution contained in this report.