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

Amendment¹ No. 5

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In the draft resolution, after paragraph 1, insert the following paragraph:

"The Assembly recalls that freedom of thought, conscience and religion, as protected under Article 9 of the European Convention on Human Rights, is not an absolute right. In accordance with the Convention and the established case law of the European Court of Human Rights, member States enjoy a margin of appreciation to adopt proportionate and legally prescribed measures aimed at safeguarding public safety, social cohesion and the rights and freedoms of others, including preventive legislation to counter radicalisation, extremism, coercion and harmful social practices, where such measures are necessary in a democratic society."

Explanatory note

While the report rightly emphasises freedom of religion and non-discrimination, it gives limited attention to States' legitimate responsibility to prevent radicalisation and harmful practices. This amendment recalls the need for sufficient legislative space within Article 9 of the Convention.

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