

International Religious Freedom Advocacy
A Guide to Organizations, Law, and NGOs

H. Knox Thames
Chris Seiple
Amy Rowe

BAYLOR UNIVERSITY PRESS

EUROPEAN UNION

The European Union is probably the best-known regional organization. Casual observers are familiar with the EU's currency (the Euro) and its internal visa-free travel (the Schengen Agreement). However, the EU is much more than currency and customs agreements—the European Union is a supranational and intergovernmental organization bringing together twenty-seven member countries from across Europe. With over five hundred million citizens living across roughly 1.6 million square miles and speaking twenty-three languages, the European Union is becoming more and more of an international force.

Headquartered in Brussels, Belgium, the EU is built around the principles of human rights, democracy, and rule of law, and it is often referred to as the United States of Europe. While similarities exist with the U.S. system, it is a unique actor on the international stage, sharing some characteristics of a federation of states and some of an international organization comprised of sovereign countries. EU member states have freely agreed to relinquish their sovereignty in certain areas, such as international trade, while agreeing only to cooperate in others, like security and defense.

European Union members

Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

As is generally true with many facets of the international system, the origins of the EU stem from post-World War II politics. With European economies in shambles and struggling to recover, Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands agreed to establish the European Coal and Steel Community in 1951 to streamline and promote the sharing of raw materials. It was a resounding success, and two more international bodies were established a few years later—the European Atomic Energy

Community Treaty and the European Economic Community Treaty. Over time, these three agreements and their participating countries become known as the European Communities.

From this, the European Union emerged and was formally established in 1993 by the Maastricht Treaty. The treaty established EU policies on monetary issues and foreign policy matters, dividing them between three “pillars” of focus, within which the main EU bodies operate. The first pillar concerns economic, social, and environmental policies, but religious freedom matters can fall under the second and third pillars—either the Common Foreign and Security Policy or Freedom, Security and Justice.

- The first pillar reflects the areas of the three foundational agreements that established the European Communities—economic, social, and environmental policies. As a result, member states have relinquished their sovereignty and the EU has complete “competency” to govern issues falling into these categories.
- The second pillar established the Common Foreign and Security Policy (CFSP) and empowered the EU to take joint action in foreign and security matters. Unlike with the first pillar, the EU is not delegated full authority and CFSP is an area of intergovernmental cooperation. Many countries believed foreign policy and military matters to be too sensitive to surrender completely to the EU. Reforms in 1999 now enable the member states to act on behalf of the EU if two-thirds agree to take action. Promoting respect for human rights (which includes religious freedom) is considered to be a general CFSP objective.
- The third pillar focuses on freedom, security and justice, which individual countries also deemed too important to be controlled completely by the EU. The focus is intra-EU, and issues falling under this pillar include asylum, immigration, criminal matters, police cooperation, drug trafficking, trafficking in persons, the fight against terrorism, and human rights (and therefore also religious freedom in EU countries).

Nongovernmental Involvement

The European Union has a policy of working with NGOs and welcomes the involvement of nongovernmental organizations in deliberations and consultations. Neither the Council of the European Union nor the European Commission maintains an accreditation process, and anyone can meet with EU officials willing to speak with them. Advocacy groups wishing

regularly to approach the European Parliament should obtain a lobbyist parliamentary pass. Valid for a maximum of one year, the pass gains advocates entry into Parliament buildings and the ability to attend most committee meetings. Applicants will need to demonstrate that they will regularly attend Parliament sessions and that they have residency in an EU country, and they must provide a copy of their identification and an attestation of good conduct from the police or other local authority. A reference from a Member of the European Parliament might also be requested. Advocates not needing regular access to the Parliament can still request meetings with individual parliamentarians, who can sign them in for individual meetings.

Advocates should also consider joining one of the human rights-focused NGO coalitions that operate in Brussels, such as the Human Rights and Democracy Network (HRDN) or the European Platform on Religious Intolerance and Discrimination (EPRID). They are known entities to EU officials and parliamentarians and so can help facilitate meetings to raise issues of concern.

CONTACT INFORMATION

Human Rights and Democracy Network (HRDN)
<http://www.act4europe.org/code/en/about.asp?Page=41>

RELIGIOUS FREEDOM COMMITMENTS

The Charter of Fundamental Rights outlines the political rights of all EU citizens. While speaking to a variety of issues not all universally recognized as human rights, its language on religious freedom is consistent with international norms. Article 10 parallels what is found in the Universal Declaration and the International Covenant, while also expressly providing for the right to change one's religion. It guarantees individual and communal religious freedom, as well as the right to manifest those beliefs. Article 10 does not provide a limitations clause, but one is contained in Article 52 concerning all the rights enumerated in the Charter. Other relevant articles would be Article 11 on freedom of expression, which would protect religious expression, and Article 12, which prohibits religiously based discrimination. Unique to the Charter is Article 22, which requires that the EU respect religious diversity.

Article 10—Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.
2. The right to conscientious objection is recognised, in accordance with the national laws governing the exercise of this right.

Article 22—Cultural, religious and linguistic diversity

The Union shall respect cultural, religious and linguistic diversity.

Charter of Fundamental Rights of the European Union

The Charter's status is unique, as it is not considered a treaty or legally binding document, but rather a proclamation of human rights that all EU member states should uphold. It has not been directly approved by EU countries, but rather by the leaders of the three main EU organs—the Presidents of the European Parliament, the Council of the European Union, and the European Commission—obligating these entities (described below) to uphold these standards.

Member states will only become legally obligated to the Charter upon ratification of the European Constitution. Formally known as the European Constitutional Treaty, the text was approved in 2004 by all EU heads of state, but it will not enter into force until each member state ratifies. While 18 nations have done so already, both France and the Netherlands voted against ratification in 2005. After the “no” votes, a less ambitious and scaled-back version, the Lisbon Treaty, was put forward for unanimous approval, but Ireland voted it down in 2008. Consequently, the future of ratification efforts is unclear. If ratification ever occurs, Article I-9 of the draft European Constitution declares that the “rights, freedoms and principles” set forth shall be recognized by the entire Union. During the 2007 EU summit, the member states agreed to discuss creating a watered-down version of the Constitution, in hopes of passing some type of agreement. However, until all twenty-seven states agree on the form of the Constitution, the Charter will remain an important nonbinding agreement on states that reflects European standards on human rights and religious freedom.

In addition to the Charter, the EU has developed Guidelines on specific human rights issues to provide direction for EU activities. The Guidelines

currently cover the death penalty, torture and other forms of ill-treatment, human rights dialogues with third countries, children affected by armed conflicts, human rights defenders, and international humanitarian law. Notably, religious freedom has not been selected.

ORGANS OF THE EUROPEAN UNION

The three main bodies of the European Union that are of interest to religious freedom advocates are the European Parliament, the European Commission, and the Council of the European Union. Representing different branches of the EU, a variety of checks and balances have been instituted between the three bodies. The EU does maintain a court, the Court of Justice of the European Communities (usually referred to as the European Court of Justice), but as of now it does not have jurisdiction over human rights violations. A fourth independent agency, the European Union Agency for Fundamental Rights (FRA), monitors EU members regarding their fulfillment of human rights obligations.

EUROPEAN PARLIAMENT

Polymakers

The European Union maintains a parliamentary body, with representatives elected every five years from their home countries in nationwide referenda. Of the international parliamentary systems, the European Parliament acts the most like a national congress. Its members are tasked with representing their constituents' interests at the EU level. As the EU has expanded, so has the body. It currently comprises 785 Members of the European Parliament (MEPs). Elected from all twenty-seven countries, members do not sit in national blocs, but rather in EU-wide political groups representing every part of the political spectrum. The Parliament is led by a president elected for a term of two and a half years.

The Parliament also has two seats—the official seat in Strasbourg, France, and another in Brussels, Belgium, with the rest of the EU institutions. With offices and committees based in Brussels, much of the work of the Parliament is conducted there, and that is where most human rights lobbyists concentrate their activities. However, all 785 MEPs will travel to Strasbourg, France, every month for a week-long plenary session. EU officials and MEPs have repeatedly discussed making Brussels the official seat, but it is unclear whether these discussions will progress any further (and unlikely that France would agree).

In addition to MEPs, permanent staff support the committee structure, as well as being assigned to a regional or country desk. The political groups will often have staffers focusing on human rights as well. The European People's Party has gone further, assigning individuals to focus specifically on religion and politics.

Process

While similar to a national congress, the European Parliament does not maintain the same level of power. It cannot initiate legislation and must share its legislative role with the Council of the European Union. The Parliament can recommend through a report that the European Commission present a specific legislative proposal to the Council. It can only jointly approve legislation, directives, and regulations relating to the first pillar, where the EU enjoys full competency. The Parliament also shares a role with the Council in the budgetary process, deciding revenues and approving expenditures.

The Parliament can, however, approve nonbinding resolutions on any topic. These can be quite lengthy and speak to a whole range of issues. Those speaking to human rights situations are referred to as urgency resolutions. To pass, no direct vote is taken, but political groups reach an agreement beforehand at a working group meeting. Approved texts become a part of the permanent record. More importantly, approved resolutions represent the opinion of a majority of parliamentarians on the issue in question, which can send a powerful signal and increase the value of the nonbinding statement.

The Parliament regularly investigates and reports on issues of concern, often focusing on human rights. An MEP will be appointed to lead the investigation as a rapporteur and draft the report. Advocates can seek to meet with the MEP and provide background information and recommendations. Advocates can also request that other MEPs introduce amendments to the report at a later stage. In addition to discreet reports, the Parliament prepares an annual report on human rights, and a different rapporteur is nominated every year.

Like national congresses, the Parliament does play an important oversight role with EU institutions, especially the European Commission. The Parliament is responsible for approving each new slate of twenty-seven Commissioners for the European Commission. Its supervisory role is also made manifest through its power to submit parliamentary questions to the Commission and the Council, which they are obligated to answer.

The parliamentarians, much like members of the U.S. Congress, will often take up specific issues of individual interest and work within the parliamen-

tary structures to highlight supported causes. MEPs can meet independently with ambassadors and government representatives, as well as send letters to heads of state raising their concerns about religious freedom violations. They can also use parliamentary mechanisms, such as resolutions or declarations, to effectively raise an issue.

MEP activism can also be conducted through the twenty standing committees and thirty-five informal caucuses. Of the various committees, three are of most interest to religious freedom advocates. While the European Parliament cannot create law or policies directing the foreign affairs of the member states, the Committee on Foreign Affairs does play a consultative role in the formation of the Common Foreign and Security Policy. Part of its jurisdiction specifically concerns human rights issues outside of the EU. Its jurisdiction consequently overlaps with the Committee on Human Rights, which is the main forum for addressing violations of fundamental freedoms and religious freedom outside the EU. For matters within the EU space, the Committee on Civil Liberties, Justice and Home Affairs is responsible for ensuring the human rights of EU citizens under the Charter of Fundamental Rights. All can convene hearings to investigate and examine reports of human rights abuses.

Lastly, parliamentarians also maintain more informal caucuses called “delegations” that focus on individual countries or groups of countries. Any of the thirty-five delegations can convene roundtables to discuss issues of interest and undertake country visits.

Delegations

EU-Croatia; EU-Former Yugoslav Republic of Macedonia; EU-Turkey; EU-Mexico; EU-Chile; Switzerland; Iceland and Norway and European Economic Area (EEA); Russia; South-East Europe; Ukraine; Moldova; Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan and Mongolia; Armenia, Azerbaijan and Georgia; Belarus; Israel; Palestinian Legislative Council; Maghreb; Mashreq; Gulf States, Yemen; Iran; United States; Canada; Central America; Andean Community; Mercosur; Japan; People’s Republic of China; Southeast Asia, ASEAN; Korean Peninsula; Australia and New Zealand; South Africa; NATO; South Asia; India; Afghanistan

Advocacy Actions

Lobbying MEPs on issues regarding religious freedom can prove fruitful when attempting to influence policy, either on specific religious freedom cases or more systematic abuses. MEPs can ask written questions and introduce urgency resolutions, as well as raise concerns in their committee

meetings and when questioning representatives from the European Commission or Council of the European Union. They can also meet with embassy officials from governments with problematic religious freedom records and write heads of state about their concerns. Advocates can send information about issues of concern to relevant committee and delegation MEPs and staff. In addition, advocates can ask relevant committees and delegations to arrange hearings on situations.

CONTACT INFORMATION

European Parliament

<http://www.europarl.europa.eu/>

Rue Wiertz

1047 Brussels

Belgium

Tel: +32 2 284 21 11

Fax: +32 2 284 69 74

EUROPEAN COMMISSION

Policymakers

The European Commission constitutes something akin to an executive branch of a national government. It acts independently and represents the entity of the European Union and the common interests of all member states, and maintains a significant focus on human rights. Only the Commission can propose new legislation at the EU level, which the European Parliament and Council of the European Union can reject or adopt. It is often referred to as the “guardian of the treaties,” as it ensures the proper application by member states of the various EU agreements and institutional decisions. The Commission is fully involved in the formulation of the Common Foreign and Security Policy with the Council of the EU. The Commission can also focus on issues of particular interest—for instance, in 2006 it held a meeting with Christian, Jewish, Muslim, and Buddhist leaders to discuss ways to promote inter-religious tolerance.

Process

The Commission is led by a President, usually a former head of state, who is nominated by the Council of the European Union and elected by the Parliament for a five-year term. The current President is José Manuel Barroso of

Portugal. The Commission is accountable to the Parliament, so Commissioners meet regularly with the Parliament to explain and justify its policies, as well as to respond to written and oral questions from MEPs.

There are twenty-seven Commissioners, one from each EU member, with each having a distinct issue portfolio. Appointed for a five-year term, the present Commission will work through October 2009. Commissioners do not represent their countries but are responsible for different thematic areas of policy, ensuring proper treaty application or representing the EU abroad. Before a slate of Commissioners is put before the European Parliament and the Council of the European Union for approval, the portfolios responsible for the more high-profile topics are the subject of intense negotiations between EU states and with the Commission President.

Commissioner portfolios of interest to advocates would be:

- Freedom, Security and Justice—most recently held by former Italian Foreign Minister Franco Frattini, and the position oversees the monitoring of the fundamental rights of EU citizens
- External Relations and European Neighbourhood Policy—currently held by former Austrian Foreign Minister Benita Ferrero-Waldner, who engages with non-EU countries
- Enlargement—currently held by former Finnish MEP Olli Rehn, who supervises the possible expansion of the EU into the Western Balkans and Turkey

Commissioners oversee Directorate-Generals (DGs), which are the departments responsible for different policy portfolios. Acting like government agencies, DGs are the main bureaucracy of the European Union. Commissioners can be responsible for more than one DG, and DGs can cross more than one Commissioner's area of responsibility. For instance, the Directorate-General for the External Relations (DG RELEX) covers external relations and enlargement, while the Directorate-General for Justice, Freedom and Security is solely under that one Commissioner's purview. Within DG RELEX there is a Human Rights and Democracy Unit, with one official specifically assigned to follow religious freedom matters. The Commission has also established the European Instrument for Democracy and Human Rights (EIDHR), which funds a range of projects with nongovernmental organizations to promote human rights.

The formation of the current Commission was not a smooth process. Italy originally designated Dr. Rocco Buttiglione for the Freedom, Security and Justice portfolio. However, his candidacy came under intense scrutiny by

CONTACT INFORMATION

European Union

<http://europa.eu>
<http://europa.eu/pol/rights>
http://europa.eu/geninfo/mailbox/inst_en.htm

European Commission

<http://ec.europa.eu/>
<http://ec.europa.eu/staffdir/index.htm> (staff directory)
 Tel: + 32 2 299 11 11
oib-info@ec.europa.eu

José Manuel Barroso, President of the European Commission

http://ec.europa.eu/commission_barroso/president
 European Commission
 1049 Brussels
 Belgium
 Tel: + 32 2 298 81 50
sg-web-president@ec.europa.eu

Commissioner for Freedom, Security and Justice

http://ec.europa.eu/commission_barroso
 European Commission
 B-1049 Brussels
 Belgium
 Tel: +32 2 299 11 11
 Fax: +32 2 292 13 49

Directorate-General for Justice, Freedom and Security

http://ec.europa.eu/justice_home
 European Commission
 B-1049 Brussels
 Belgium
 Tel: +32 2 299 11 11

Benita Ferrero-Waldner, Commissioner for External Relations and**European Neighbourhood Policy**

http://ec.europa.eu/commission_barroso/ferrero-waldner
 Tel: +32 2 299 49 00

Directorate-General for External Relations (DG RELEX)

http://ec.europa.eu/external_relations
 European Commission
 Rue de la Loi 170 (CHAR 13/03)
 B-1049 Brussels
 Belgium
 Tel: +32 2 299 90 44
 Fax: +32 2 299 92 88

Olli Rehn, Commissioner for Enlargement

http://ec.europa.eu/commission_barroso/rehn
olli.rehn@ec.europa.eu
 Tel: +32 2 295 79 57
 Fax: +32 2 295 85 61

Directorate-General for Enlargement

<http://ec.europa.eu/dgs/enlargement>
 European Commission
 Rue de la Loi 200 (CHAR 04/145)
 B-1049 Brussels
 Belgium
elarg-02@ec.europa.eu

European Instrument for Democracy and Human Rights (EIDHR)

http://ec.europa.eu/europeaid/where/worldwide/eidhr/index_en.htm
EuropeAid-EIDHR-Mailing-List@ec.europa.eu
EuropeAid-EIDHR@ec.europa.eu

the European Parliament after he referred to homosexuality as a “sin.” The Parliament cannot reject individual candidates, but only the entire slate of proposed Commissioners, and it threatened to do just that. To resolve the conflict, the Commission President withdrew Buttiglione’s name, despite the devout Catholic’s pledge that his personal moral views would not impede his efforts to ensure the rights of all EU citizens.

Advocacy Actions

The European Commission is the institutional center of the European Union and therefore can influence EU policies on religious freedom, both inside and outside the EU. Advocates should try to contact Commissioners with relevant portfolios and ask for assistance with specific situations. Requested actions could include having the EU raise concerns bilaterally or begin monitoring a situation through one of their missions. Advocates should also meet with staff in DG RELEX or DG Justice, Freedom and Security concerning problematic countries inside and outside the EU space and provide information. The Commission does not maintain any general registration or accreditation requirements for activists.

COUNCIL OF THE EUROPEAN UNION

Policymakers

The Council represents the twenty-seven member states and is considered the main decision-making body of the EU. Ministers from each EU country sit on the various committees of the Council that relate to their expertise (e.g., the Minister of Agriculture sits on the Agriculture and Fisheries Committee), which is why the Council is sometimes referred to as the Council of Ministers. The Council is led by the office of President, which rotates to a different country every six months. The President’s work is supported by the General Secretariat, which is led by the Secretary General. The work of the Council is assisted by a group of twenty-seven ambassadors composing the Committee of Permanent Representatives (COREPER), which prepares Council agendas. Council responsibilities include approving the EU budget and laws with the Parliament, as well as matters arising from the first pillar, where the EU has full competence.

Process

The Council develops the EU’s Common Foreign and Security Policies, mainly through its General Affairs and External Relations Council. The General Affairs and External Relations Council deals with foreign affairs and

is composed of foreign ministers. It regularly issues “Council Conclusions” on a variety of subjects (often related to human rights and sometimes religious freedom), expressing the opinion of the Council of the European Union about a specific issue of concern. For these conclusions and CFSP decisions, unanimity is required. Two-thirds can decide to act together on behalf of the EU, but it would not reflect a consensus EU position.

The High Representative for the Common Foreign and Security Policy coordinates and aids in the development of CFSP and can speak on behalf of the EU when a common position has been unanimously approved. The High Representative also works with the European Commission’s Commissioner on External Affairs, which can cause confusion about who is speaking on behalf of the EU. The position is held by the Council’s Secretary General, Javier Solana of Spain, who was previously the Secretary General of NATO.

The High Representative’s office does have a concentration on human rights issues, as human rights promotion is a CFSP position, and the High Representative has also appointed a Personal Representative for Human Rights. The High Representative is also assisted by ten EU Special Representatives who focus generally on specific countries or regions. The EU Special Representatives currently cover the following: Afghanistan, the African Great Lakes Region, Bosnia and Herzegovina, Central Asia, the former Yugoslav Republic of Macedonia, Kosovo, the Middle East, Moldova, the South Caucasus, and Sudan.

Should the European Constitution ever be approved, the Council would experience many changes. The six-month rotating presidency would be replaced with a five-year term. The High Representative would be upgraded to the position of EU Foreign Minister.

Lastly, the Council of the European Union should not be confused with the European Council. The European Council convenes four times a year between all twenty-seven heads of state and the President of the European Commission. The purpose of the European Council is to establish the general political trajectory of the EU and to settle disputes that their ministers could not resolve. If issues of religious freedom arise during their discussions, the venue is very difficult for religious freedom advocates to access.

Advocacy Actions

The EU has three mechanisms at its disposal to express concern about human rights and religious freedom violations—declarations by the President or High Representative, *démarche*, or sanctions. Religious freedom advocates

should forward information about religious freedom abuses occurring outside the EU to the Council for consideration in their Council Conclusions and other decisions. In addition to meeting with Council representatives, advocates should also contact the office of the High Representative for the Common Foreign and Security Policy. The High Representative and office staff, the Personal Representative for Human Rights, and the Special Representatives follow religious freedom issues through the prism of human rights

CONTACT INFORMATION

Council of the European Union

<http://www.consilium.europa.eu/>

Rue de la Loi 175

B-1048 Brussels

Belgium

Tel: +32 2 281 61 11

Fax: +32 2 281 69 34

Javier Solana, High Representative for Common Foreign and Security Policy

<http://www.consilium.europa.eu/App/Solana>

Rue de la Loi 175

B-1048 Brussels

Belgium

Tel: +32 2 281 56 60

Fax: +32 2 281 56 94

presse.cabinet@consilium.europa.eu

Personal Representative of the High Representative for Human Rights

[http://www.consilium.europa.eu/cms3_fo/showPage.](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=849&clang=EN)

[asp?id=849&clang=EN](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=849&clang=EN)

Rue de la Loi 175

B-1048 Brussels

Belgium

Tel: +32 2 281 61 11

Fax: +32 2 281 69 34

EU Special Representatives

[http://www.consilium.europa.eu/cms3_fo/showPage.](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=263&clang=EN)

[asp?id=263&clang=EN](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=263&clang=EN)

and would be interested in violations occurring outside the EU. Advocates can request that the concerns be raised bilaterally or through declarations. Advocates should maintain contact with the permanent representatives of EU member states assigned to the Committee of Permanent Representatives. Diplomats at COREPER meet regularly to discuss human rights and country situations. Advocates should also work to establish contact with diplomats representing the upcoming EU presidency.

EU ENLARGEMENT AND OTHER PROGRAMS

Policymakers

While not directly concerning religious freedom, the EU enlargement process has proven effective in moving governments to change problematic policies. Respect for human rights, and also religious freedom, is a prerequisite for interested applicants. Since 2004, the Union has grown from fifteen to twenty-seven members. The most recent entrants, Bulgaria and Romania, had to undertake many reforms to bring their laws and policies into conformity with European Union standards. The current candidate countries are Turkey, Croatia, and Macedonia. The European Commission maintains offices in each capital to liaise with the government about reform efforts.

The standards for entry are high and are referred to as the “Copenhagen Criteria”:

1. democracy, the rule of law, human rights;
2. functioning market economy;
3. application of the EU’s rules and policies (known as the *acquis communautaire*).

The lure of joining the EU and having unhindered access to its market is an incredibly powerful incentive for reform. For instance, the negotiations with Turkey have resulted in religious freedom improvements, with several reforms of Turkish law improving the ability of non-Muslim religious communities to obtain legal status and operate more freely. While many limitations on religious freedom remain unaddressed, these initial religious reforms only came to pass because of EU accession pressure.

Another program that works with the accession process is the Stabilization and Association Process (SAP), which aids the countries of Southeast Europe in developing and strengthening their commitment to democrati-

zation and human rights. If these criteria are met, this engagement could lead to a future candidacy for full EU membership. Six Balkan countries currently participate—Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, and Serbia. The SAP has also resulted in important governmental reforms.

The European Neighbourhood Policy (ENP) focuses on countries not seeking EU membership. Initiated in 2004, it provides financial and technical support to promote democracy and human rights in countries neighboring the European Union. Countries participating in the ENP include Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia, and Ukraine. However, human rights reforms are not as likely through the ENP process as through other programs, since the leverage of EU membership is not present.

The EU also maintains Partnership and Cooperation Agreements (PCAs) that assist Eastern European and Central Asian governments with their transition from authoritarian systems to functioning democracies that respect human rights. These agreements span ten years and establish the political, economic, and trade relationships between the country in question and the EU. PCAs are in effect with Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. While also lacking the lure of EU membership to spur reforms, the EU will threaten to revoke PCAs to encourage human rights improvements. For instance, the PCA with Uzbekistan was temporarily suspended in 2005 after the government indiscriminately fired into a crowd of protesters. PCAs have never been enacted with Belarus and Turkmenistan due to their poor human rights records.

Advocacy Actions

Considering the influence of the EU enlargement process, advocates should work with the Commissioner for Enlargement and the offices in candidate countries to provide information about policies and/or laws limiting religious freedom, as well as provide recommendations for reform. Similar information can be offered regarding SAP countries. Religious freedom advocates should also provide information to the Commissioner for External Relations and European Neighbourhood Policy regarding countries in the ENP or PCA programs, urging increased EU attention on matters of concern.

CONTACT INFORMATION

Olli Rehn, Commissioner for Enlargement
http://ec.europa.eu/commission_barroso/rehn/
olli.rehn@ec.europa.eu

Directorate-General for Enlargement
<http://ec.europa.eu/dgs/enlargement/>
European Commission
Rue de la Loi 200 (CHAR 04/145)
B-1049 Brussels
Belgium
elarg-02@ec.europa.eu

EUROPEAN UNION ANNUAL REPORT ON HUMAN RIGHTS

Monitoring Body

In 1999, the European Union began issuing a report on human rights. Jointly prepared by the EU Presidency, the European Commission, and the Council Secretariat, the annual report covers the work of the EU in encouraging respect for human rights for a twelve-month period from July to June. Unlike the human rights report issued by the U.S. Department of State, the EU report does not document the human rights record of every country in the world. Instead, it reviews EU activities generally and addresses specific countries in the context of the various EU engagement programs, providing only the briefest of statements about the human rights situation there. If religious freedom is referenced, it will occur in this context. Also of interest is the annex, which lists the projects funded under EIDHR and the recipient organizations.

CONTACT INFORMATION

Council of the European Union
<http://www.consilium.europa.eu/>
Rue de la Loi 175
B-1048 Brussels
Belgium
Tel: +32 2 281 61 11
Fax: +32 2 281 69 34

European Commission

http://ec.europa.eu/commission_barroso/president/

European Commission

1049 Brussels

Belgium

Tel: +32 2 298 81 55

sg-web-president@ec.europa.eu

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

Monitoring Body

In March 2007, the European Monitoring Centre on Racism and Xenophobia (EUMC) was upgraded to a human rights agency and became the EU Agency for Fundamental Rights (FRA). Based in Vienna, Austria, the FRA monitors human rights in all twenty-seven EU member states but does not investigate individual complaints. The FRA is led by a Director, who is selected and supervised by a Management Board comprised of independent experts from each member state.

Process

The FRA is tasked with assisting member states with the implementation of the provisions of the European Charter of Human Rights. While following all human rights, the FRA pays particular attention to the “phenomena of racism, xenophobia and anti-Semitism,” as well as the protection of minorities and gender equality. To fulfill its monitoring activities, the FRA collects data from each country, analyzes the information, and publishes an annual report on fundamental freedoms in the EU, as well as periodic thematic reports. For instance, it has published separate reports on anti-Semitism and Islamophobia in the EU. The FRA is also empowered to provide unsolicited reports to member states about compliance.

The former EUMC, to facilitate its monitoring activities, established the European Information Network on Racism and Xenophobia (RAXEN), composed of National Focal Points in each member state. The National Focal Points gathered information at the local level and shared it through the network with the EUMC, and also disseminated EUMC and EU materials locally. RAXEN was the backbone of the EUMC’s monitoring activities, and the new FRA will maintain this valuable network.

FRA's new Fundamental Rights Platform displays an increased commitment to working closely with nongovernmental organizations and civil society on human rights issues, beyond what was done by the former EUMC. The Platform is intended to be a "mechanism for the exchange of information and pooling of knowledge" between the FRA and NGOs (FRA Web site). Participants will be encouraged to provide suggestions for action and information about violations. Notably, churches and religious organizations are specifically mentioned among the enumerated list of groups able to participate with the Platform.

Advocacy Actions

With the recent reconstitution, it is too soon to evaluate whether the Agency for Fundamental Rights will continue its predecessor's full monitoring activities. The FRA Web site notes that the new founding statute places more emphasis on working with civil society and public education than the regulations for the EUMC, which may signal a reduction in its level of monitoring. Regardless, religious freedom advocates should submit information to FRA and to the National Focal Points in the RAXEN network about violations of religious freedom under the Charter and situations of religious discrimination. European advocates should also apply for membership in the Fundamental Rights Platform.

CONTACT INFORMATION

European Union Agency for Fundamental Rights (FRA)

<http://fra.europa.eu/>
Schwarzenbergplatz 11
AT-1040 Vienna
Austria
Tel: +43 1 580 30 60
Fax: +43 1 580 30 699
information@fra.europa.eu