



OIDAC EUROPE
2022/23
ANNUAL
REPORT



OBSERVATORY ON
INTOLERANCE AND DISCRIMINATION
AGAINST CHRISTIANS IN EUROPE

Vienna, October 2023

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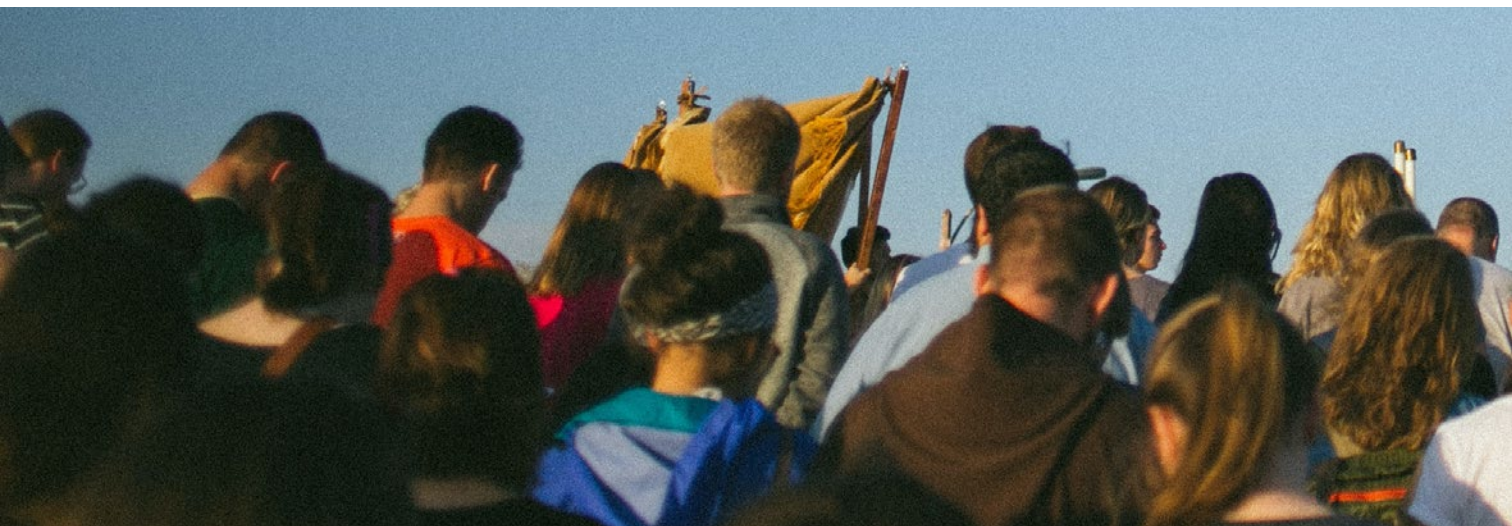
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INTRODUCTION

The human right to **freedom of thought, conscience, and religion**, as enshrined in international and European human rights law, has been described by human rights experts and scholars as a **"precious asset"**¹ and even as the **"most precious of all human rights"**² as it protects the very core of personal freedom of human beings. As this right points to the conscience of the human person, which is often referred to as foundational to human dignity, it can be seen as a philosophical basis of human rights.³ Freedom of thought, conscience, and religion has therefore been termed, along with freedom of opinion, the **"nucleus of the Bill of Rights"**⁴ of the United Nations (UN).

In Europe, religious freedom is protected under the Council of Europe's **European Convention on Human Rights (ECHR)**, which is the most efficient regional human rights body as it also allows for individual complaints before the European Court of Human Rights (ECtHR). Thanks to the legal protection of religious freedom under the ECHR and national legislation, it remains uncommon to see violent outbreaks caused by anti-religious sentiment, or explicit discrimination in most parts of Europe. However, an increase in violent incidents and discrimination on religious grounds has been observed in the past decades. Against this backdrop, monitoring by civil society organisations is particularly important in order to remind governments of their human rights obligations and hence contribute to comprehensive human rights protection in the region.



This is why the **Observatory on Intolerance and Discrimination against Christians in Europe (OIDAC Europe)** sees its primary role as monitoring and reporting on incidents and socio-political dynamics that infringe on the human rights of Christians, including seemingly harmless developments that endanger these rights. We concentrate on freedom of religion and conscience, which are closely linked with the other fundamental freedoms: freedom of speech, parental rights, freedom of assembly, and contractual freedom.⁵

Our **Annual Report 2022/23** presents data from the reporting period of September 2022 to August 2023 in two main areas: In our first section we present current developments regarding **violent incidents and social hostility** against Christians, including the threats of rising extremism as well as the increase in vandalism and arson attacks on churches. Our second main section treats **legal developments** in several European countries that infringe upon the religious freedom of Christians, including so-called "hate speech" legislation, under which some Christians have been prosecuted for voicing mainstream Christian teachings in public, as well as the elimination of conscience clauses and legislation infringing on parent's right to educate their children in conformity with their beliefs.



METHODOLOGY

Since there is still little research on the topic of social intolerance and discrimination against Christians in Europe, we can only present preliminary results. We conduct explorative research to get a better picture of the problems at hand. We gather our data through various methods and sources to ensure comprehensiveness and accuracy. More specifically, we use official statistics from governments and international organisations, and we conduct personal qualitative interviews as well as extensive questionnaires with experts and laypeople in different European countries. We also use data from OIDAC's archive and support our analysis with academic literature. The main sources of information are in-depth individual interviews, questionnaires, government reports, official statistics, and media outlets. The reporting period covers incidents between September 2022 and August 2023.

Due to the significant number of cases and legal developments that affect the religious freedom of Christians, this report will only discuss a selection of incidents that took place in 2022-23. This report does not, therefore, provide an exhaustive overview of all recorded instances of social hostility or threatened religious freedom. To see all of our (over 5,000) documented cases, we encourage the reader to visit our archive on the OIDAC website.

TERMS AND DEFINITIONS

"Intolerance" is a term used to describe an invisible sentiment towards a certain group, which can manifest in public acts such as vandalism, violence, insults, and other forms of targeted aggression.

"Discrimination" involves a legal dimension and is visible in the discriminatory treatment of individuals and groups by entities such as authorities, employers, and governmental organisations. According to the UN, discrimination takes place both between members of society and through discriminatory laws, policies or judgments, that directly or indirectly jeopardise the exercise of personal freedoms.⁶

"Secularism" and **"Secular Intolerance"** are concepts understood as the marginalisation or exclusion of religion and belief from the public domain in the name of secularism.⁷ It is important to note the difference between secularity (separation of church and state) and secularism (a political ideology that seeks the total separation of state and religion by relegating religion to the private sphere and removing its influence in all other areas of life).⁸ While the concept of secularity is not necessarily negative, as it seeks to protect the state and church in their mutual relationship, it is sometimes mistakenly understood to require a separation between faith and politics.⁹ Ideologically-driven secularism, on the other hand, frequently contributes to the discrimination of religious groups.

RELIGIOUS FREEDOM IN HUMAN RIGHTS LAW

FREEDOM OF CONSCIENCE AND RELIGION



Art. 9 ECHR

1. Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice, and observance.

The right to religious freedom - as enshrined in human rights law - extends to both a private dimension, including to live and act in accordance with one's conscience, which enjoys absolute protection from external coercion or state intervention,¹⁰ and a public dimension, guaranteeing communal worship and manifestations, which may be subject only to a narrow set of limitations.¹¹ Due to this broad scope, religious freedom rights intersect with a number of related human rights.

FREEDOM OF EXPRESSION



Art. 10 ECHR

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

According to international human rights law, freedom of religion and expression are closely interrelated, as the manifestation of one's religion has a strong communicative aspect.¹² Both rights guarantee open communication, "thus contributing to (...) a culture of free public discourse."¹³ In this context, the European Court of Human Rights (ECtHR) states that free expression also entails a right to disturb or shock.¹⁴ The introduction of "hate-speech" legislation is often contradictory to the right to freedom of expression.

PARENTAL RIGHTS AND EDUCATION



Art. 2 ECHR Protocol

...The State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Parental rights are violated if Christian parents are denied the liberty to educate their children according to their moral and religious views. Infringement also occurs when parents are refused the possibility of removing their children from classes that contravene their conscience and their religious or moral convictions.

PROHIBITION OF DISCRIMINATION ON RELIGIOUS GROUNDS AND CONSCIENCE CLAUSES



Art. 14 ECHR

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground 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."

In order to ensure the non-discrimination of Christians in the workplace, states should accommodate objections to certain tasks if the individual's conscience forbids this action. The abolition of conscience clauses in employment therefore constitutes a human rights violation. Similarly, an overly strict separation of work and personal faith may inhibit Christians from disclosing their faith in the workplace.

MAIN FINDINGS

- In 2022, OIDAC documented **749 anti-Christian hate crimes**. There is a reasonable probability for higher dark numbers, due to limited reporting on anti-Christian hate crimes, the “chilling effect” among victims, and the lack of media coverage.
- In 2022, OIDAC documented anti-Christian hate crimes in **30 European countries**. There were **38 crimes of physical assault**, and **3 Christians were murdered**.
- Between 2021 and 2022, there has been an **increase in anti-Christian hate crimes, specially arson attacks**. OIDAC also has identified an increasing trend in hate crimes perpetrated by radicalised members of ideological, political, or religious groups that follow an anti-Christian narrative.
- The right to **freedom of speech** continues to be a highly debated issue, as new laws are seeking to regulate speech in the public sphere, and some even in the private sphere. New **“buffer zones”** around abortion clinics are one form of state regulation that has led to the criminalization of Christians for praying silently on the street.
- The **religious freedom** of Christians has also been affected through other legal developments, such as **vaguely formulated and overreaching laws** that would criminalise parents, pastors, and teachers if they express dissenting opinions regarding LGBTIQ-related discussions or discourage their children from undergoing “hormone therapies” because of their religious convictions.

- Furthermore, attempts to eliminate **conscience clauses** from legal provisions in the medical sphere put Christians who refuse to participate in controversial practices for reasons of **religious conscience** in vulnerable positions.
- The **war in Ukraine**, apart from being a terrible humanitarian crisis, has also **affected religious freedom in the region**. Many of these incidents are highly political and ethnic-related, but they have led to different forms of discrimination towards Christians. **Russian authorities** and troops have repeatedly **violated the religious freedom of Christians** by closing churches and kidnapping or arresting pastors. Orthodox Christians have also faced **discrimination** in many European countries because of the war.
- Amidst the high levels of **persecution against Christians** happening abroad, including tragic murders of Christians in **Nigeria**, the ethnic cleansing of Christians in **Armenia**, as well as other incidents in countries like **India** and **Pakistan**, OIDAC Europe calls attention to an **unsatisfying response from European institutions** and **underreporting** by the media.

ANTI-CHRISTIAN HATE CRIMES

OIDAC Europe has been documenting anti-Christian hate crimes for over 10 years and has witnessed a steady increase in numbers. While most documented hate crimes against Christians are cases of vandalism, we have identified that **increased cases of vandalism often lead to increased cases of physical assaults.**

In 2022, OIDAC Europe documented **748¹⁵ anti-Christian hate crimes in 30 different countries**, ranging from arson attacks, graffiti, desecrations, and thefts to physical attacks, insults, and threats.

We have also identified an **increase in attacks around Christian festivities**, such as Easter and Christmas. Attacks are also more likely when the visibility of Christians is higher, such as during processions, public celebrations, and events with public decorations and symbols.

Between 2021 and 2022, there has been an increase in anti-Christian hate crimes from **519 to 748**, including arson attacks, which rose from **60 to 105**. OIDAC has identified an increasing trend in hate crimes perpetrated by **radicalised members of ideological, political or religious groups** that follow an anti-Christian narrative (see chapter 6.3).

Our reporting period for hate crimes is the calendar year of 2022 (and hence diverges from our general reporting period) to match the observation period of the OSCE ODIHR Hate Crime Report.

In January 2023, an unexpected shooting occurred at the St. Aloysius Roman Catholic Church in London. A 22-year-old suspect shot 6 people who were coming out of a memorial service inside the church. The police department detained the suspect.¹⁸



REPORTING OF ANTI-CHRISTIAN HATE CRIMES

While the following statistics and numbers aim to provide more insight into this phenomenon, the sensitivity of the topic and the limited resources and organisations invested in reporting anti-Christian hate crimes lead us to believe that this issue **remains underreported** and that there is still the need for more comprehensive statistics on attacks of places of worship in Europe.

Our data is sent to the **OSCE ODIHR** on an annual basis, which publishes an annual **Hate Crime Report**. The OSCE Hate Crime Report includes two types of documentation: police statistics, which are usually not segregated by type of violence, and descriptive cases provided by NGOs (like OIDAC Europe). The differences in numbers between these two reveal the underreporting by some states.

In 2022, the **increased attacks on places of worship** were also made visible through specific initiatives in France and Germany.

In **France**, a **collective statement** published in the newspaper *Le Figaro*¹⁶ expressed worry about numerous attacks against religious sites and criticised that there is no EU coordinator for combatting attacks against Christians, while there are for Jews and Muslims. Furthermore, in January 2022, the French Minister of Interior, **Gérald Darmanin**, announced a four million euro **budget to ensure the safety of places of worship** in response to an increase in anti-religious attacks in the county.

The **German Saxony's State Criminal Police Office (LKA)** documented **148 cases** of vandalism and theft at churches, synagogues, and mosques only in the first half of 2022. They added that **Christian places of worship were the most affected**.

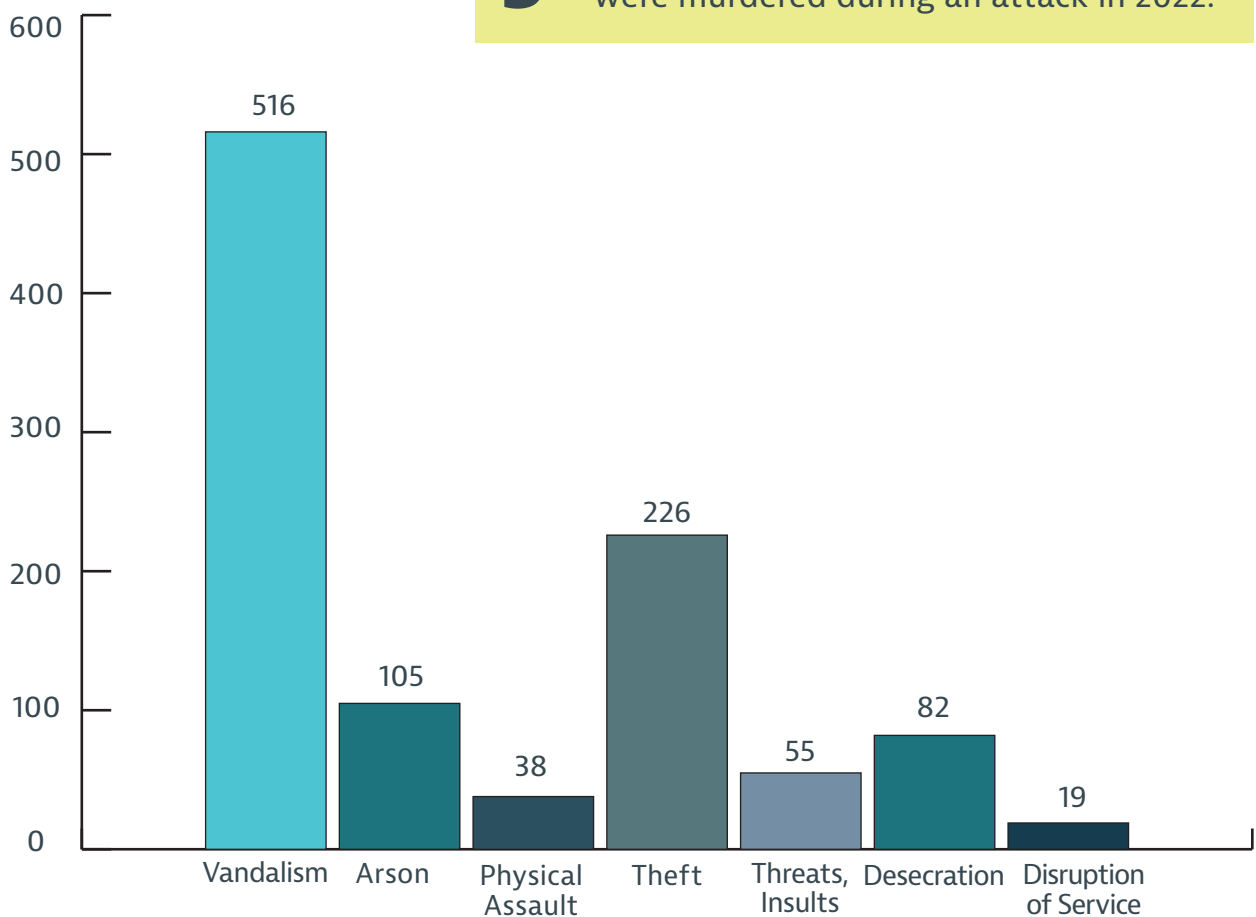
FACTS AND FIGURES

30 We documented anti-Christian hate crimes in 30 European countries in 2022.

38 In 2022, there were 38 cases of physical assault against Christians in Europe.

748 In 2022, OIDAC Europe documented 748 anti-Christian hate crimes and reported them to the OSCE.

3 There were three cases where Christians were murdered during an attack in 2022.



Top 15 Countries	OIDAC Hate Crimes	Police Numbers
Germany	231	135 ¹⁹
Italy	146	-
France	106	-
Spain	53	-
Poland	53	10
United Kingdom	43	609 ^{*20}
Austria	20	167 ²¹
Belgium	15	-
Russia	15	-
Ukraine	15	-
Switzerland	10	-
Netherlands	6	-
Ireland	5	3
Moldova	4	1
Slovakia	3	-

Table 1: List of Countries with the most documented anti-Christian hate Crimes by OIDAC Europe from January to December 2022.

*Numbers for England and Wales for one year ending in March 2023.

*Police data for Poland, Ireland and Moldova taken from OSCE Hate Crime Report 2022.

In May 2022, a father was stabbed to death in front of his two children. He was picking up his children from a catholic school in Marseille, when he was attacked from behind by a 23-year old man. The suspect claimed he committed this crime *"in the name of God"*.²²



TREND: RISING EXTREMISM CRIMES

According to the OSCE, a hate crime is a “criminal act motivated by bias or prejudice towards particular groups of people.”¹⁷ This bias or prejudice can come from different sources. In the case of anti-Christian hate crimes, our research shows that one of the main sources of aggression are **radicalised members of extreme political groups**, with a majority of cases coming from **far-left political groups**, such as Antifa, radical feminists, or LGBTIQ groups. Furthermore, we have documented attacks by radical individuals from **far-right groups, satanist groups, and radical Islamist groups**. These different groups might perceive Christianity or the church as an establishment that contradicts their worldview on social and moral issues, while other groups might consider Christianity simply to be wrong or unworthy of respect. While everyone should have the freedom to hold the belief that Christianity is wrong or even negative, when this prejudice translates into violent acts, it can develop into dangerous trends, particularly as attacks by extremist groups tend to be more severe.

Throughout 2022, OIDAC Europe observed that there had been a **surge of clear extremism-motivated attacks**. This is in comparison to prior years, where most crimes had an unclear motive or were perpetrated by private persons. However, in 2022, there were many **more clear signs revealing an extremist motive**. Particular groups have been identified as perpetrators through messages left behind through graffiti, leaflets, or social-media postings claiming authorship for the hate crimes.

Our data from 2022 contains **11 cases** that showed a **satanistic background**, **16 attacks** were identified as coming from **far-left Antifa or anarchist groups**, **11 attacks** were perpetrated by **Islamist groups**, **9 cases** were perpetrated by **extreme feminist or LGBTIQ groups**, and **4 cases** came from “**anti-Clerical**” groups. Furthermore, there was one case perpetrated by climate activists, and 9 attacks were allegedly caused by religious-ethnic bias, most of which were related to the ongoing war between Russia and Ukraine.

While the majority of the hate crimes in 2022 continue to be vandalism by unidentified perpetrators, the cases perpetuated by **organised groups** are **becoming more visible**. For example, every year there are targeted attacks against churches on the **8th of March** by radical feminist groups, mostly in Spain, but also in countries like Italy and Germany. This indicates the **normalization** of attacks against churches by these groups, who sometimes even **proudly claim the authorship** of the attacks on social media. Also, crimes by organised groups or individuals belonging to such groups tend to be **more severe** and cause higher damage to the places of worship or harm to the victims.



In January 2022, a terrorist attacked two Catholic churches in Algeciras, Spain. The man killed an altar server with a machete and injured at least four persons, including a priest in serious condition. The witnesses said that the attacker shouted *"Allah is great"* and *"Death to Christians"*.²³

Around March 8, 2022, anti-Christian tags appeared in Vienna, Austria. The home and office of a catholic man were tagged with: *"Here lives a Christian fundamentalist"* and *"abort fundamentalists."* Similar slogans were found outside the offices of two other Christian pro-life organizations.²⁴



TREND: INCREASING ARSON ATTACKS

In the year 2022, **arson attacks** and attempts to set fire to churches increased in comparison to the year before. While in 2021, OIDAC documented **60 cases of arson** or intended arson against Christian sites, there were **106 documented cases** in 18 different countries in 2022. The countries with the highest numbers were **Germany** with **37 arson attacks**, followed by **France** and **Italy**, each with **16 cases of arson attacks**, and the **UK** with **9 cases**. Fortunately, some arson attempts did not succeed and therefore did not cause severe damage to churches, apart from being a hateful gesture toward the community. In other cases, the fire devastated churches, altars, and religious objects, which led to high monetary and emotional losses.

This trend is sadly not new for 2022, as the number of arson attacks has been slowly rising over the past years. While the total amount of anti-Christian hate crimes documented by OIDAC can fluctuate, the severity of the attacks and the inflicted damage to churches seems to become more severe over the years. This could be a sign that incitement to violence, such as a very common slogan among certain political groups *"The only Church that illuminates is the one that burns,"* can lead to criminal action.

Arson attacks are a particularly worrying form of violence, as they often lead to the destruction of historical and culturally valuable religious objects, furniture, or art pieces, and directly affect the religious freedom of churchgoers, as **church services have to be cancelled** for a prolonged period of time to investigate and restore the place of worship. Many churches have suffered **irrevocable damage**, and in some cases, the attacks have also endangered the lives of Christians.

This trend has unfortunately not stopped in 2022, as the following examples of devastating arson attacks in 2023 show (see next page).



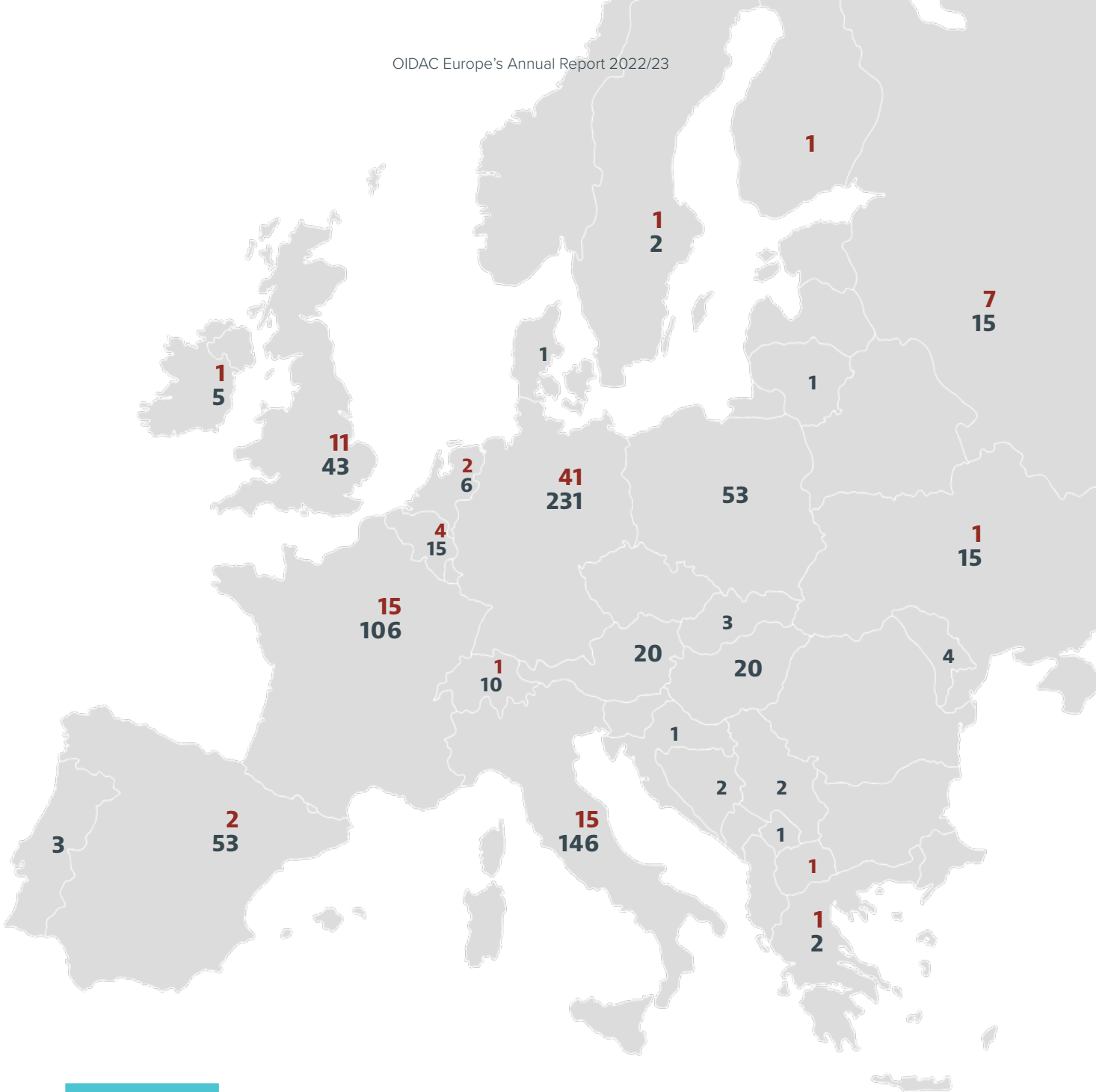
The historical "Church of the Cross" in Wissen, Germany, was destroyed and desecrated in February 2023, causing damages worth millions of euros. The perpetrator smashed the back door of the church, vandalized the religious symbols, and set fire to the high altar, which was completely destroyed.²⁵



In January 2023, three Parisian churches were attacked with arson by unknown perpetrators. Several fires caused shock and sadness among parishioners. Perpetrators threw Molotov cocktails against the Church of Saint-Laurent and the Saint-Martin-des-Champs Church.²⁶



On December 25, 2022, 30 people were celebrating mass in a wooden church in Rautjärvi, Finland, when a fire broke out and they had to be evacuated. The church was completely destroyed by the fire. According to the criminal commissioner, the side doors of the church had been locked with ropes by the unknown perpetrator. The police had no doubt that this was a willful attack.²⁷



OIDAC ARCHIVE



 **Arsons**

 **Total Hate Crimes**

(Documented by OIDAC Europe)

Freedom of thought, conscience, and religion

Art. 18 ICCPR

1. Everyone shall have the right to freedom of **thought, conscience and religion**. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either **individually** or in **community** with others and in **public** or **private**, to manifest his religion or belief in **worship, observance, practice and teaching**.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral **education of their children** in conformity with their own convictions.



Private Dimension

Parental Rights

Freedom of Conscience

The *forum internum* enjoys absolute protection.

Public Dimension

Freedom of Assembly

Freedom of Expression

The *forum externum* can only be restricted on narrow grounds.

LEGAL DEVELOPMENTS

INFRINGEMENTS ON FREEDOM OF EXPRESSION: INCREASING CRIMINALISATION OF THE PUBLIC EXPRESSION OF RELIGIOUS VIEWS

Introduction

International human rights bodies have repeatedly stressed the necessity to protect religious speech and underlined the close relation between freedom of religion and expression.²⁸ Resolutions by the Parliamentary Assembly of the Council of Europe called upon Member States to ***“uphold the fundamental right to freedom of expression by ensuring national legislation does not unduly limit religiously motivated speech,”***²⁹ and to ensure the freedom of religious communities to “make their opinion publicly known without being subjected to censorship and also exercise the right to freedom of expression, freedom of peaceful assembly and the freedom to use media.”³⁰

In the past years, there has been a growing debate surrounding the implementation of so-called “hate speech” laws and similar legal frameworks. They have been legitimised by international frameworks, designed to counter discrimination or other forms of non-violent offenses against individuals and vulnerable groups in society.³¹ In light of the above-mentioned international human rights treaties, many human rights organisations have raised concerns about “hate speech” legislation due to the lack of consensus over the definition of the term “hate speech”.

IRELAND: EUROPE'S MOST EXTREME "HATE SPEECH" BILL

Notwithstanding these concerns and the lack of consensus about the terminology, many countries have adopted clauses criminalising "hate-motivated speech", and in other countries regulations on speech or expression continue to extend. For example, in April 2023, the lower house of the **Irish Parliament** passed a "hate speech" law that could be considered the **most extreme "hate speech" law in Europe**. The text of the bill criminalises the possession of material considered "hateful" against certain groups with a prison sentence. Through the reversed burden of proof, the accused is expected to prove they did not intend to use the material in question to "spread hate".³²

Comparison of overly broad "hate speech" laws in different European countries



"A person shall be guilty of an offence under this section if the person prepares or **possesses material that is likely to incite violence or hatred** against a person or a group of persons on account of their protected characteristics or any of those characteristics."

- Ireland: Incitement to Violence or Hatred and Hate Offences Bill
2022 § 10 (a)

"[If] it is reasonable to assume that the material was not intended for personal use, the person shall be **presumed, until the contrary is proved**, to have been in possession of the material (with the intention to make it public)." – *reversed burden of proof*

- Ireland: Incitement to Violence or Hatred and Hate Offences Bill
2022 § 10 (3)



"A **prison sentence of six months to two years** and a fine of six to twelve months shall be imposed on those who harm the dignity of persons through actions that entail humiliation, **disregard or discredit of any of the groups** [members belong to an ethnicity, race or nation, national origin, gender, sexual orientation or identity, or due to gender, illness or disability] outlined in the preceding Section"

- **Spain: Penal Code § 510 (2) (a)**

In recent years, two bishops were prosecuted under this act for homilies on the church's teaching on marriage and sexuality.⁴⁹



"A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress he-

(a) uses threatening, abusive, or insulting words or behaviour or disorderly behaviour, or

(b) displays any writing, sign or other visible representation which is threatening, abusive or insulting, thereby **causing that or another person** harassment, alarm or **distress.**"

- **United Kingdom: Public Order Act 1986 Section 4A**

There have been several arrests and prosecutions of Christian preachers in the past years for allegedly causing a listener "distress".⁵⁰



"A penalty of a fine or **imprisonment** for a term not exceeding **three years** shall be applied to any person who with intent or gross negligence publicly makes a **discriminatory** or hateful statement. «Statement» includes the use of **symbols**. (...) «Discriminatory or hateful statement» means threatening or insulting a person or promoting hate of, persecution of, or **contempt for another person** based on his or her

- a. skin colour or national or ethnic origin,
- b. religion or life stance,
- c. homosexual orientation or
- d. reduced functional capacity"

- **Norway, Penal Code, Section 185. Hate speech**

In 2022, the Church of Norway was asked by the local branch of the Human-Ethical Association to remove the crosses on chapels and cemeteries as they were "threatening".⁵¹

CRIMINALISATION OF CHRISTIANS UNDER "HATE SPEECH" LEGISLATION

As a result of the vague language used in "hate speech" legislation, an increasing number of Christians have become vulnerable to religious freedom violations in the form of legal charges for expressing their religious beliefs. Besides several **street preachers** in the **UK** who have faced arrests or fines according to the Public Order Act³³, **school teachers** were identified as one of the groups most affected by the concept of hate speech extending into religious opinions and beliefs:

In **Wales**, the teacher **Ben Dybowski** was dismissed the day after he was asked to share his **Christian beliefs** during a confidential discussion taking place during a mandatory training session about diversity and gender awareness. The teacher shared that he believed marriage should be between a man and a woman and that life begins at conception. He was **subsequently fired for "hate speech"**.³⁴

Two other teachers and a school chaplain have faced similar challenges in the **UK** for voicing either Christian views or being critical of new school guidelines regarding LGBTIQ ideology.³⁵ The cases of teacher **Joshua Sutcliffe**, who was dismissed for voicing his view on marriage to students and for "misgendering a pupil", and Chaplain **Rev. Bernard Randall**, who lost his position over a sermon containing critical views of the school's LGBTIQ guidelines, have lasted over a year and came to a discouraging verdict by the Teaching Regulation Agency in 2023.³⁶

INFRINGEMENTS ON FREEDOM OF ASSEMBLY AND PRAYER: CRIMINALISATION OF PRAYER AND RELIGIOUS MANIFESTATIONS

United Kingdom

In March 2023, the UK House of Commons voted in favour of introducing so-called **"buffer zones"** around abortion clinics, **criminalising "all forms of influence"** – including peaceful activities such as **prayer and consensual conversation** – near abortion facilities across England and Wales.

The regulation was passed **despite a government review from 2018**, which had found that censorship zones would be an unnecessary and **"disproportionate" restriction** on rights, given that the current legislation already criminalised harassment and these cases were found to be rare.³⁷ Preceding this regulation was the approval of a controversial **Public Order Bill** approved in October 2022.³⁸

EXCURSION: ECtHR treating desecration as freedom of expression

While these increasing regulations on speech lead to a dangerous trend of criminalising the public expression of religiously held beliefs and world-views, there have been other instances where the ECtHR has ruled in favour of the "freedom of expression" of protesters, who harmed religious feelings and desecrated religious sites.

A clear example is the case of *Bouton v. France*. In 2013, Eloïse Bouton was sentenced to a one-month prison sentence and a 2,000 euro fine in France after simulating an abortion of Christ by the Virgin Mary inside the church of La Madeleine in front of the altar and tabernacle. In addition, she urinated on the altar and displayed anti-Christian slogans. The ECtHR concluded in 2022 that Ms Bouton was exercising her right to freedom of expression and had to be compensated. With this ruling, a dangerous precedent was created that encourages other blasphemous attacks inside churches.⁵²



While the protection of women from any form of harassment is a common ground for critics and supporters of buffer zones, the reason why the “buffer zone” laws have become so controversial is that violent manifestations and **harassment are already illegal** under the criminal law of the countries seeking to implement these bills.

Furthermore, these bills tend to extend beyond protection from harassment by criminalising any form of expression. Illegal actions in the newly introduced UK bill include *“seeking to influence”*, *“persistently, continuously or repeatedly occupying”*, *“advising or persuading, attempting to advise or persuade”* and *“otherwise expressing an opinion”*, among other forms of expression.³⁹

Andrew Lewer, one of the UK MPs critical of the Bill, commented:

*“The litmus test of a free and democratic British society is whether we can tolerate and withstand public conversation on issues about which there is deep division and strong emotion. But even if you think these praying people are pests, think about the implications of introducing a ban on their peaceful speech, even their silent thought”*⁴⁰



Screenshot from Twitter Video



Courtesy of ADF International

CASE STUDY: Isabel Vaughan-Spruce – “praying in your mind”

Soon after the introduction of the “buffer zone” regulation in the UK, in **December 2022**, a video went viral showing a woman being arrested and charged by the police. The woman, **Isabel Vaughan Spruce**, neither spoke to anyone nor held any signs, but merely stood within the “buffer zone” silently. **The police** nevertheless started investigating and **asked her if she was praying**. After admitting that she “might” be praying **in her thoughts**, Isabel was searched – including through her hair – and arrested.

During the interrogation at the police station, she was shown pictures of herself outside the abortion facility and questioned whether she had been praying at these moments. According to her statement to ADF UK, she told the police that *“she could not recall from the pictures whether she was praying at these specific moments, or whether these had been taken at times that she was distracted and thought about other things, such as her lunch.”*

As reported in December 2022, Isabel was **charged** for *“protesting and engaging in an **act that is intimidating to service users**”*, as she was standing inside the **buffer zone** outside a Clinic in Birmingham. By January 2023, the Crown Prosecution Service (CPS) authorities dropped the charges against her, as there was insufficient evidence to continue the prosecution. Nevertheless, Isabel decided to pursue a court verdict, leading to the charges being dismissed by the Birmingham Magistrates’ Court.

Despite the positive outcome for Isabel’s **freedom of thought**, she was **arrested again in March 2023** for standing silently inside the buffer zone. She was released on bail with the condition that she refrain from attending the PSPO-restricted area. This led to a new legal confrontation, but the West Midland Police eventually conceded that Isabel was now *“permitted within the area.”*

UK HOME SECRETARY CLARIFIED "SILENT PRAYER, IN ITSELF, IS NOT UNLAWFUL"

In response to the disproportionate arrests and the discussion arising from this issue, the UK Home Office released a new guidance on the recording of the so-called "**non-crime hate incidents**" in March 2023. This guidance was meant to ensure that the police prioritise and respect freedom of expression. The press release said this guidance would ensure *"the police will only record non-crime hate incidents when it is absolutely necessary and proportionate and not simply because someone is offended."*⁴¹

Also in September 2023, UK Home Secretary Suella Braverman addressed once again the police forces in a letter, reminding them to remain impartial regarding "politically contentious matters".⁴² In the letter, Braverman writes

*"It is worth remembering that silent prayer, in itself, is not unlawful."*⁴³



Ben Dybowski was encouraged to share his beliefs during a mandatory diversity training. He said he believed in traditional marriage, that life began at conception and that he opposed to stoning of homosexual men under Sharīa law. The next day Mr Dybowski was dismissed for "hate speech." He commented: *"We were told it was a safe space and encouraged to speak freely."*

IRELAND, GERMANY, AND SPAIN

Similar “buffer zones” or “safe access zones” have been implemented in other countries in the last year, including **Ireland** and **Spain**.⁴⁴

Furthermore, **two German cities** had also implemented similar “buffer zones” but the local court later ruled against them due to their **limitations on freedom of assembly and freedom of speech**.⁴⁵ Despite the local rulings in Frankfurt and Pforzheim against “buffer zones”, a German Minister has also expressed her intentions to create “buffer zones” around abortion clinics following the debates on abortion in the country in March 2023.⁴⁶

In Scotland, the debate about “buffer zones” around abortion clinics has been ongoing for several months during 2022 and continues to be discussed in 2023. The current draft law in Scotland would be the **most extreme** in the region, as it would cover **200 meters** of the area around abortion clinics and it would also apply for **displays in residential buildings**, which would criminalise people for having pro-life signs visible on their windows or cars.⁴⁷

During the debate about the necessity of “buffer zones”, an NGO in Scotland that advocates for the free activism of pro-life groups published data showing that the **police had “no recorded information about any incidents associated with pro-life prayer vigil groups or pro-choice groups”** between 2016 and 2021, therefore arguing that the “buffer zones” would be a disproportionate measure.⁴⁸



In June 2023, the Federal Administrative Court in Leipzig, Germany, ruled that blanket bans against peaceful prayer gatherings near abortion organisations were impermissible. With this ruling, the legal issues end for a local prayer group in Pforzheim, which are challenging the bans since 2019.



INFRINGEMENTS ON FREEDOM OF CONSCIENCE: ELIMINATE CONSCIENCE CLAUSES FROM MEDICAL LAWS

Introduction

Freedom of conscience enjoys “**absolute protection**” in international human rights law, underlining the special status of the right to live in accordance with one’s conscience, including to be free from external coercion from the state.⁵³ Conscientious objection is a crucial element of freedom of conscience and entails the *“possibility to actually shape [one’s life] in accordance with [one’s] conscience-based moral and/or religious position”*, as has been stressed by the UN Special Rapporteur on freedom of religion or belief.⁵⁴ Along the same lines, the ECtHR, in its jurisprudence, has increasingly recognised religiously motivated conscientious objection to military service as falling in the ambit of religious freedom⁵⁵.

In regard to **conscientious objections at the workplace**, international human rights bodies have called for “**reasonable accommodation**” of the needs of religious believers, including dictates of their conscience. In this context, the **UN Special Rapporteur on freedom of religion or belief** has recommended that *“policymakers, legislators, and judges treat claims of reasonable accommodation as an important part of combating indirect discrimination based on religion or belief.”*⁵⁶

Similarly, the **Parliamentary Assembly of the Council of Europe** has issued a resolution calling upon Member States to *“promote reasonable accommodation within the principle of indirect discrimination so as to (...) uphold freedom of conscience in the workplace while ensuring that access to services provided by law is maintained and the right of others to be free from discrimination is protected”*⁵⁷ and to seek *“reasonable accommodations”* with the aim to guarantee equality that is effective and not merely formal, in regard to freedom of religion. States should ensure that their neutrality remains inclusive and *“diversity-friendly”*.⁵⁸

ATTEMPTS TO ELIMINATE CONSCIENCE CLAUSES FROM MEDICAL LAWS



United Nations

Unfortunately, there are also **attempts to limit freedom of conscience** by certain international actors. In June 2023, the UN's Independent Expert on sexual orientation and gender identity issued a report calling upon states to allow for religious exemptions or **conscientious objection, only as long as they do "not negate the access of LGBT and other gender diverse persons to fundamental rights, services, and goods, including health" and "reproductive health"**⁵⁹. This might easily be interpreted as an obligation of doctors to perform sex change operations or abortions, even against the dictates of their conscience, as many Christian organisations fear.



World Health Organization

In its new "Abortion care guideline", issued in 2022, the World Health Organization (WHO) has called for a ban on all limits on abortion as they may violate the rights of "women, girls or other pregnant persons", including the eradication of conscientious objection provisions whenever they "hinder access to abortion"⁶⁰. If adopted by Member States, this guideline will put Christian doctors, who object to these practices for reasons of religious conscience, in a highly vulnerable position, risking being banned from their profession altogether.



National Policies

In September 2023, the **German** government announced a curriculum reform that would make abortion an obligatory part of medical studies.⁶¹ According to the government's proposal, any student of medicine – even from fields unrelated to gynecology – would need to complete courses on abortion techniques in order to obtain a medical degree. Several senior politicians and different Christian communities in Germany have voiced deep concern about this proposal, which would entirely ban Christians opposing abortion for conscience reasons from all medical professions.

In December 2023, the **Spanish** Congress of Deputies passed a new law on abortion under which doctors who opt out of this procedure for conscience reasons will be placed on a list of "conscientious objectors" and consequently removed from the medical committees for pre-natal issues.⁶²

In February 2022, the **Belgium** Constitutional Court upheld amendments expanding the Belgian euthanasia law, which drastically limits freedom of conscience. Under the expanded law, a medical practitioner who objects to performing euthanasia for conscience reasons must actively refer the person seeking euthanasia to a "centre or association specialised in the right to euthanasia"⁶³.

INFRINGEMENTS ON FREEDOM OF RELIGIOUS OBSERVANCE: CRIMINALISATION OF PRAYER AND COUNSELLING

Introduction

Another worrying trend concerns so-called “conversion therapy bans”, which are controversially discussed because many of these provisions **lack any clear definition** of “conversion therapy”, which can lead to the term being used to criminalise conversations and prayer.

These provisions, originally designed to outlaw highly problematic means of therapy, such as electric shocks, have expanded to include the criminalization of any practice aimed at changing or modifying somebody’s homosexual orientation or advising someone against medical transitioning into the opposite sex, including with the consent of that person. As mainstream Christian teaching presupposes a God-given identity of men and women as something valuable and unchangeable, Christians can be targeted for not being “affirmative”. These laws can therefore lead to criminalizing therapists and religious counsellors who advise individuals struggling with their sexual orientation and seeking help, including **private conversations** or even **private prayer between consenting adults**. Several countries have furthermore argued that **acts of coercion or violent and abusive practices are already illegal** under existing therapy laws.



Problematic legal provisions

A **Spanish** "Trans Law" from December 2022, which includes a prohibition of "conversion therapies" under article 17, has been criticised for its vagueness of terms and potentially criminalizing prayer of consulting adults:

*"The practice of methods, programs and therapies of aversion, conversion or counterconditioning, in any form, aimed at modifying the sexual orientation or identity or gender expression of persons is prohibited, even if they have the consent of the person concerned or his or her legal representative."*⁶⁴

A similar draft bill was approved by the **Belgium** Council of Ministers in November 2022⁶⁵. A law passed in **Iceland** in June 2023 is even more vague, criminalizing any action "**discouraging someone's identity**".⁶⁶

In **Scotland**, a report of the "Expert Advisory Group on Ending Conversion Practices", released in October 2022, specifically targets religious leaders, proposing that any practice deemed as "conversion" – potentially including private prayer between consulting adults – should lead to the "*withdrawal of the [. . .] professional license as a faith leader or removal of the ability to work within Scotland.*"⁶⁷

The Netherlands dismiss "conversion therapy bans" due to human rights concerns

In January 2023, the **Dutch** Council of State declared that a proposed bill, imposing a year of prison for anyone found guilty of offering "conversion therapies", **would be a violation of religious freedom.**⁶⁸

The Council further criticised that there was no distinction between actual victims of coercion and participants who chose such a practice voluntarily, emphasizing that **intrusive forms of "conversion therapy" and coercion are already prohibited by the existing laws.**

INTERVIEW: MATTHEW GRECH - MALTA

Another European country that outlawed “conversion practices” is **Malta**, which included this term in its criminal code in 2016. In **June 2023**, the 33-year-old Maltese Christian, **Matthew Grech**, faced his first **court trial**, accused of breaching the “Affirmation of Sexual Orientation, Gender Identity and Gender Expression Act” and promoting “conversion therapy” after **sharing his personal life story on TV**. During the program, Grech shared his experience as a homosexual and how Christianity changed his life, but did not invite or encourage listeners to undergo any form of “conversion therapy”.

He could face a prison sentence of up to five months and fines from 1,000 to 5,000 euros if found guilty. This case arose while the government announced plans to amend the law and introduce even harsher restrictions and penalties for the “promotion” of “conversion practices”.



Matthew, in the summer of 2023 we were informed that you are facing a court trial in Malta due to an interview you gave on TV, in which you shared your journey to Christianity. Could you tell us what happened and what exactly you are being accused of?

Mario and Rita were two hosts of a broadcast organised by PMnewsMalta, an emerging local free speech and liberal platform that sought to investigate the matter of 'gay conversion therapy', as they called it. They invited me to be their guest, knowing that I was the leading ex-gay voice on the island. I genuinely thought that they simply wanted to hear my story. During the programme, however, they also asked me questions about the law that bans non-LGBT-affirming therapy in Malta. We had a great discussion. **It was calm, spiritual, practical and scientific.**

A few days later all three of us are summoned by the police and are interrogated. We are told that three people reported us to the police, claiming that we all "advertised 'conversion practices'". Since this was not the first time I shared my story in Malta, I was quite surprised that our opponents were triggered by this seemingly trivial interview. **The police inspector doesn't bother to interview us and presses criminal charges against us.** As of this date, we've already had four court appearances, and our next trial is scheduled for January 31, 2024.

Silvan Agius (Cabinet Expert for the European Commissioner for Equality), Christian Attard (European Parliament Official and Founding Member of the Malta Gay Rights Movement) and Cynthia Chircop (Malta Gay Rights Movement Coordinator) are the individuals who reported us to the police. This makes it clear that I am targeted by the LGBT lobby. What makes it more suspicious is that while my criminal trial was proceeding, the Maltese government very quickly tightened Chapter 567 in Maltese law and amended the law to strengthen the 'advertising' clause.

How do you think your case might affect other people and social dynamics in Malta and beyond?

I am concerned about the fact that the Maltese media in recent years has not been inviting me to speak about sexuality and gender from a Christian perspective, like it used to do. This tells me that **journalists and reporters feel very intimidated** and pressured by the legal climate we are in. The government has withdrawn our right to free speech and religious freedom. We still have our God-given right to proclaim God's word, yet with legal consequences! I believe there are many people who empathise with me but are afraid to speak up for fear of losing their jobs, their friends, and their reputation, as well as fear of being charged by the police.

Moreover, people of good will who are passionate about their faith or freedom of speech are bullied into suppression or silence for advancing a narrative that promotes gender confidence – an attribute that actually contributes to a healthy, stable, and thriving society! This is mad.

I feel very uncomfortable with the fact that the LGBT militant groups are trampling on the rights of their former 'brothers and sisters' who once also identified as LGBT. They are purely acting as a cult by punishing them with laws that seek to wipe them out of society. This intolerant LGBT supremacy, trying to criminalize any dissenting view and life experience, must stop.

In your opinion, how can our society better differentiate between expressing opposing views or beliefs, and actively engaging in discrimination or incitement to violence?

I believe it is time to reconsider the language that is often used to hide the real agenda. Words like 'equality', 'diversity', and 'human rights' have been hijacked by LGBT activists, who have ultimately produced some laws which are enacted against Christians and anyone dissenting from mainstream views.

The only thing that can save humanity from the corruption of the human heart is turning away from our ways and turning towards the Lord Jesus Christ, who died and rose again. We need Godly Christian voices to represent us in parliament again and stand up for righteousness and biblical equality.

With your experience, what is your perception of the situation regarding religious freedom and freedom of speech in Europe today and how do you see the future?

We must remember that freedom of speech gives one the right to proclaim a matter that may sound offensive to others. **We cannot foster a culture that does not know how to handle the emotion of offence**, or pretends that it can't handle it for its own gain! Through eyes of faith, I see church denominations in Europe rising up with great boldness, proclaiming biblical truth in the face of legal opposition.

What would you like to tell other Christians who might be afraid of being prosecuted for expressing their views publicly?

God has not given us a spirit of fear, but a spirit of power, love and a sound mind. You are called to be ready to lay down your life for Jesus. Going to prison for Jesus is a joyful honour, and is not as harsh as death! Father God can still deliver you from prison if it's not His will for you. Let prayer be offered to Jesus, our High Priest, night and day!

"I believe there are many people who empathise with me, but are afraid to speak up, for fear of losing their jobs, their friends, and their reputation, as well as fear of being charged by the police."



INFRINGEMENTS ON PARENTAL RIGHTS

Introduction

The “right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions”, as enshrined in Art. 18 ICCPR and Art. 2 ECHR Protocol, is a human right that contains the obligation of the state to non-interference.

Violations of this central aspect of religious freedom rights are often characterised by state policies, which either promote obligatory religious or ideological education contrary to the parents’ convictions or criminalise certain non-violent speech or action between parents and their own children.

Criminalizing “non-affirmative” communication between parents and children

Some of the above-treated “conversion therapy bans” directly affect the right of parents to educate their children in conformity with their own religious convictions. This particularly affects those religious believers who adhere to mainstream Christian teaching, holding that the identity as man or woman is something God-given, valuable, and unchangeable.

In the **United Kingdom**, for example, the current draft of the “conversion therapy” bill could criminalise parents if they do not “affirm” their teenager’s gender dysphoria, do not support hormonal treatments, or try to persuade them to not have medical procedures they may regret.⁶⁹

Similarly, newly introduced legal provisions in **Iceland** criminalise parents with a prison sentence of up to 5 years for subjecting their children to “conversion therapy”, while, at the same time, giving a very vague definition of what this term means, including “any type of therapy (...) discouraging someone’s identity.”⁷⁰

The newly published "Trans Equality Statement" introduced in **England and Wales** goes even further by considering the act of parents "*withholding money for transitioning*" or "*refusing to use their [children's] referred name or pronoun*" as "*domestic abuse*", making parents who do not agree with their child's desire to "transition" vulnerable to prosecution and losing custody rights.⁷¹

Obligatory school education contradicting religious or moral beliefs

There has been a growing number of cases across Europe over the past years where parents' right to educate their children in conformity with their own religious and philosophical convictions has been threatened through content in obligatory school education on moral issues contradicting the convictions of some Christian parents.

During the reporting period in 2023, the UK government voted to introduce a new mandatory curriculum on sex and abortion in **Northern Ireland**, which includes accessing abortion as a means of "prevention". The legislation is feared to put teachers and parents who oppose abortion in a problematic situation.⁷²



ANALYSIS AND CONCLUSION

Summary of Observations

In the past years, a number of legal developments have been observed across Europe which have had negative effects on the enjoyment of religious freedom of Christians and other believers. Most of these legal provisions limit the right to freedom of expression of religious views in public, but some go even further in criminalising religious manifestations, such as prayer.

OIDAC Europe has identified various legal infringements on religious freedom rights:

- **Freedom of expression** of Christians is being limited through the increasing **criminalisation** of public expressions of **religious views** under so-called “hate speech” or “anti-discrimination” regulations.
- There have been legal limitations on **freedom of religion** and assembly through so-called “buffer zone” bills, **criminalising prayer** and religious manifestations in certain areas.
- Furthermore, there is a worrying trend of limiting **freedom of conscience** through the elimination of conscience clauses from existing provisions in medical laws.
- Finally, the right of parents to **educate their children in accordance with their religious beliefs** has continuously been threatened through legal provisions, criminalising “non-affirmative” communication between parents and children in regard to identity-related issues as well as through obligatory school education on ideological issues contradicting religious or moral beliefs.

Conclusion

Most of the legal provisions mentioned in the above chapter are related to “anti-hate speech” or “anti-discrimination” laws. While the prevention of discrimination and hate crimes in society is important, the framing by certain groups, which are very critical to religious worldviews, has led to expressions of mainstream religious views being increasingly targeted as “hate speech”. This particularly concerns views that dissent from liberal opinions on moral issues related to the protection of life, sexual relationships, marriage, or family. Consequently, a number of **Christians have faced criminal charges** and even criminal **proceedings** for voicing views in line with the **mainstream moral teachings** of their respective churches.

Additionally, most of the legal provisions in question are **extremely broad**, use very **vague language**, or even **lack clear definitions** of criminal offenses altogether. Ultimately, it could legitimately be questioned whether criminal codes are the right place for regulations of speech and private non-violent action, such as prayer or counselling.

The **criminalisation of expressions of mainstream religious teachings** – which do not incite violence or hatred – as “hate speech” is **dangerous** on various levels: it **blurs the line** between legitimate conscience-related convictions and actual incitement to hatred (with the former being a human right and the latter a crime), it **undermines the plurality** of democratic western societies, curbing free speech and thus essentially rendering a free discourse impossible, it **stigmatises religion** and thus leads to a “chilling effect”,⁷³ affecting believers in the whole region, and it disproportionality **infringes on fundamental human rights** such as freedom of expression, assembly – and, of course, the freedom to thought, conscience, and religion.

UKRAINE: RELIGIOUS FREEDOM IN TIMES OF WAR

Introduction

Since the outbreak of the war in Ukraine in 2014 and the subsequent full-scale invasion by Russia in 2022, there has been a growing number of religious freedom violations within the country. This situation is particularly concerning as Ukraine has generally ranked among the countries with the best religious freedom record in the Eastern European and post-Soviet regions.

The issue of religious freedom in Ukraine is very complex in nature, intertwining elements of ethnicity, politics, and inevitably, religion. The major Christian denominations in Ukraine include Orthodox Christianity – represented by both the Orthodox Church of Ukraine (OCU) and the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) – together with Catholicism, predominantly of the Byzantine rite, and various Protestant denominations. All these groups have suffered from religious freedom restrictions since the start of the conflict.

Among the Orthodox, the schism between the UOC-MP, subject to the Moscow Patriarchate, and the OCU, which was granted autocephaly by Constantinople in 2018, has been highly politicised from the beginning. Since the 2022 invasion, the number of parishes affiliated with the UOC-MP transitioning to the OCU significantly increased. While the exact proportions of the population each church represents remain somewhat uncertain, it appears⁷⁴ that the UOC-MP continues to hold the position of the largest denomination, particularly when considering the regions of Ukraine currently under occupation.

While in the **Russian-occupied areas**, all Christian churches other than the Moscow Patriarchate are systematically persecuted, in the **Kyiv-controlled areas**, the UOC-MP is placed under constant surveillance and suspicion. This is due to the perceived threat to national security posed by the direct links with Moscow held by many of its members. On October 19, 2023, the Ukrainian parliament granted preliminary approval to legislation that would **ban the Ukrainian Orthodox Church**⁷⁵, a decision of questionable legality that is likely to face challenges in Ukraine's justice and potentially at the ECtHR. For the ban to come into effect, the legislation must receive support in a subsequent reading and gain approval from the president.

Disproportionate targeting of churches

According to the Kyiv-based Ukrainian Institute for Religious Freedom (IRF), at least **297 Christian religious buildings** have already been **destroyed** throughout the war until February 2023.⁷⁶ It is important to note that this figure has likely increased. As of October 2023, UNESCO has verified damage to 295 cultural sites since February 24, 2022 – 124 of them being religious sites.⁷⁷

These numbers point to a **disproportionate targeting of churches** during the conflict. The IRF report *"Russian attacks on religious freedom in Ukraine"* from 2022 outlines that most of the church destructions occurred in border regions, coinciding with ground offensives led by Russian troops,⁷⁸ with the **main cause of destruction being missile and artillery attacks**.⁷⁹ These kinds of attacks targeting religious sites with no military value raise a number of religious freedom concerns.

On July 23, a Russian missile strike in the city of Odesa destroyed a large part of the historical Transfiguration Cathedral under UNESCO protection as part of the World Heritage Historic Centre of Odesa.⁸⁰ It is not possible to know if the attack was deliberate or a result of missile malfunction. Nevertheless, this incident triggered widespread condemnation and outrage as it stands to reason that such an event would not have occurred without the war.

Arrests and kidnappings of priests

*"If previously priests on the occupied territories only received death threats, now **religious leaders are tortured and killed** – again, but on a scale far worse than in 2014."* - Institute for Religious Freedom
"Russian attacks on religious freedom in Ukraine" 2022 Report

During the period of the occupation, several religious leaders of different Christian denominations were **illegally imprisoned**. Churches have also been closed and seized. The Norwegian human rights organization Forum 18 has been documenting cases of forced **disappearances of clergy** within the territories under occupation since the start of the invasion.

In the case of Greek Catholic priests, Fr. Ivan Levytsky and Fr. Bohdan Heleta, who have been in captivity since November 2022, as well as Ukrainian Orthodox priest Fr. Kostiantyn Maksimov, who has been detained since May 2023, the Russian authorities have remained unresponsive to requests for information regarding their condition, despite Forum 18's efforts to obtain such information.⁸¹ In November 2022, Greek Catholic Fr. Petro Krenitsky, serving in occupied Melitopol, was arrested and expelled by Russian forces.⁸² In December 2022, Protestant pastor Serhiy Karpenko from Berdiansk was arrested by Russian armed soldiers. He was released after 29 days in custody.⁸³

There are also **religious figures in Russia** who have faced legal consequences, such as fines and imprisonment, after publicly expressing opposition to the ongoing war. The first case of imprisonment of a cleric was the case of Fr. Ioann Kurmoyarov, a Russian Orthodox hieromonk who published videos on YouTube condemning the war and calling for peace.⁸⁴ The first prison sentence of a Christian layperson for opposing the war on religious grounds was the case of Mikhail Simonov, who was arrested because of two social media posts in which he criticised Russian attacks on Kyiv and Mariupol.⁸⁵

Churches and clergy associated with the **Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP)** located within Ukrainian-controlled territories have been subject to raids, assaults, and **arbitrary detentions**, perpetrated by both vandals⁸⁶ and authorities. While such actions are ostensibly justified on the grounds of overseeing institutions linked to centres of power in the aggressor country, many of these raids transgress legal boundaries.⁸⁷ Furthermore, the characterisation of an entire religious institution based on the actions of certain members, even if in an unusually high proportion works to the detriment of the faithful, leads to the **targeting of individuals on grounds of their religious affiliation** and deepens the existing religious divisions within the country.⁸⁸



Mikhail Simonov, a Russian Orthodox Christian, was imprisoned for expressing opposition to the war on religious grounds. He was accused of disseminating false information about the Russian armed forces *“based on political hatred,”* due to social media posts in which he criticized Russian attacks.

LACK OF RESPONSE TO CHRISTIAN PERSECUTION

The EU – and other intergovernmental organisations like the UN – have developed strong systems of humanitarian support for regions affected by hunger and war and aim to address human rights violations and other social conflicts in different countries. These are valuable achievements for our international community. At the same time, there are numerous issues affecting minorities or different groups, and it is difficult to address all of them at the same time. In the case of the ongoing crises that have been affecting Christians in places where they are religious minorities or present ethnic differences, many NGOs are raising awareness that the **religious persecution of Christians has not been met with a proportionate response** from the international community, particularly in the West.

In the EU, the lack of priority given to the protection of religious freedom became particularly visible as the position of the Special Envoy on Freedom of Religion or Belief remained vacant from 2019 to 2022 until finally Frans van Daele was appointed as the new EU Special Envoy.⁸⁹

Christian minorities in countries like India, Pakistan, and Nigeria, or other Christian populations like Armenia, have been suffering from increasing violence and persecution, which have not yet reached considerable **media attention** apart from some human rights organisations or Christian media. Until now, the reaction of international organisations like the EU or the UN has also been disproportionate.⁹⁰ Two examples of this are provided.



NIGERIA

For more than ten years, the violence against Christians in Nigeria has continuously worsened, with many tragic cases happening during the last year. According to the organisation Open Doors, **90% of the 5,621 Christians killed** for their faith last year were **from Nigeria**. Open Doors also notes that the rise of persecution in Nigeria and Sub-Saharan Africa has led to 80% more Christians being killed in 2023 than five years ago.⁹¹

Despite this dramatic situation, the international response to the persecution of Christians in Nigeria has been very low. **In May 2022, a motion to debate the issue of persecution of Christians**, in particular the case of Deborah Samuel Yabuku, who was murdered in Nigeria, was **dismissed in the European Parliament** with 231 votes in favour and 244 against. Deborah Samuel Yabuku had been falsely accused of blasphemy against the Prophet Mohammed by her classmate and was murdered after she had thanked Jesus in a class WhatsApp group for helping her with an exam. After the dismissal of the motion, some MPs in the plenary shouted "Shame on you".⁹²

Similarly, in **June 2022**, the persecution of Christians in Nigeria was **downplayed** by **EU Commissioner Valdis Dombrovski** during a debate in the European Parliament. The debate was triggered by the **Pentecost massacre of Christians** in Nigeria on June 5. The attack occurred while the Christians were **celebrating the Holy Mass** on Pentecost Sunday at the St. Francis Xavier Owo Catholic Parish of Ondo Diocese, resulting in the death of 39 Catholics and more than 80 injured. During the debate in the European Parliament, Commissioner Dombrovski attributed the attacks to **"underlying causes beyond faith"** such as **"scarce resources", "poor education", "unemployment,"** and others, ignoring the fact that the perpetrators belonged to the jihadist terrorist organisation Boko Haram.⁹³

In an online article titled *“When will the world wake up to the persecution of Nigerian Christians?”*, Hardeep Singh, deputy director at the Network of Sikh Organisations, addresses the lack of media coverage about the situation in Nigeria.⁹⁴ He quotes **Baroness Cox**, president of the Humanitarian Aid Relief Trust and a Member of the House of Lords in England, who commented: *“One of our **major concerns is the lack of media coverage** of the people suffering so much and in such great need in the Northern and Middle Belt regions of Nigeria.”*⁹⁵

Similar **calls for increased international response** have been published in online media recently. Articles written by Olivia Hundley and Max Primorac called *“Slaughter of Nigerian Christians Warrants International Attention”* and by Wissam Al-Saliby with the title *“International Anti-Persecution Strategies Are Failing Nigerian Christians”* were published in August 2023.⁹⁶

The Swedish historian, Dick Harrison, wrote an **online book review** where he commented that the persecution of Christians around the world *“hardly gets any media attention”*.⁹⁷ In this book review of *“The First Right: Freedom of Religion”*, written by the deputy secretary general of the Swedish Evangelical Alliance, Jacob Rudenstrand, Harrison mentions that even though Christians are the most persecuted religion worldwide, the topic hardly gets media attention. He also discusses the situation in Nigeria as an example:

*“Boko Haram’s persecution of Christians in Nigeria brings to mind martyrdom stories from the worst days of the Roman Empire, but they don’t get much headlines in Sweden. It is as if we have allowed the complex of problems as such to be pushed back in time, into history, and thus **choose to ignore the irrefutable fact that the lack of religious freedom still leads to bloody cascades of violence today**”,* wrote Harrison.⁹⁸

In April 2023, the **Religious Freedom Institute (RFI)** in the US published a **report** on violent actions by non-state actors in Northern Nigeria between January 2022 and February 2023. The report states that *"the persecution of Christians in Northern Nigeria is on the rise. Incidences of marginalization, discrimination, and violent attacks against Christian communities in the region are often **underreported and undocumented.**"*⁹⁹ The report also adds that the government intervention in Nigeria has been very slow and insufficient to support the affected groups, which are mostly Christian. In their recommendations to the international community, RFI writes:

*"There is the need to **pay more attention to the unpopular religious dimensions of conflict and terrorism** which have been jettisoned by economic and political dimensions. This will provide a deeper understanding of the fundamental underlying drivers of conflict and terrorism in Northern Nigeria."*



Burned church in Nigeria - Foto from solidaritypersecutedchurch.org



ARMENIA

One of the **most serious persecutions of Christians** since the beginning of the century has been taking place in the Nagorno-Karabakh (Artsakh) region in the Southern Caucasus. In the course of the **Second Nagorno-Karabakh War**, Azerbaijan started an illegal blockade of the remaining Armenian-controlled parts,¹⁰⁰ which culminated in a military offensive in September 2023, forcibly displacing the **120,000 Armenian Christian inhabitants** and seizing the rest of the territory, involving widespread destruction of cultural and **religious heritage**. The region has witnessed what is arguably the **most severe ethnic cleansing** event of the 21st century. Still, it remains largely overlooked.¹⁰¹

Disproportionate targeting of Christian religious sites

During the course of the conflict, many **Christian places of worship** have been targeted by Azerbaijani forces. These attacks have been deemed disproportionate and a deliberate attempt to eradicate Armenian Christian history from the region by experts and different human rights and heritage protection organisations, including a resolution by the European Parliament.¹⁰² Among the target places of worship have been the church of Zoravor Surb Astvatsatsin in Mekhakavan,¹⁰³ the Holy Savior Cathedral in Shushi,¹⁰⁴ the Dadivank Monastery where Azerbaijan demanded the expulsion of the clergy¹⁰⁵ and many other temples and sites of religious significance, like graves, Khachkars (Armenian cross-stones) and monuments.¹⁰⁶

Lack of international response

It is argued that the **lack of international media coverage** and the **institutional silence of the EU**, issuing only weak condemnations, have contributed to the tolerating of these destructions and ethnic cleansing. Arguably, the “impartiality” of the EU has given Azerbaijan a sense of impunity, leading to further violations against Armenians of Artsakh.

Since the beginning of the 2020 Second Nagorno-Karabakh War, with growing attacks on the Armenian Christian population, European institutional declarations have, with rare exceptions, restricted themselves to the voicing of “concern” called upon both parties to

seek “dialogue” and made clear that it did not consider sanctions against Azerbaijan.¹⁰⁷

- The EU Commission’s spokesperson for foreign affairs and security policy, Peter Stano, for example, called the attacks in December 2022 *“armed clashes that led to several servicemen being killed and injured in the border areas between Armenia and Azerbaijan.”* He stated that *“the EU calls on all sides to avoid further violence and recommit to dialogue.”*¹⁰⁸
- In March 2022, when Azerbaijan cut gas supplies, the EU expressed *“[concern] about renewed cuts of gas supply to Stepanakert/ Khankendi”* and called, without mentioning Azerbaijan, *“on authorities in control to enable it, especially in the current harsh weather.”*¹⁰⁹
- During the Azerbaijan military offensive in September 2023, which culminated in ethnic cleansing, the EU Mission in Armenia (EUMA), tasked with observing and reporting on the situation on the ground, stated that it *“eye-witnessed with concern the increased tensions and crossfire at the border areas.”*¹¹⁰

One of the recent developments, which has been brought forward as a possible explanation of the EU’s lack of response and unwillingness to impose any sanctions on Azerbaijan, is the **gas deal** titled: *“Memorandum of Understanding on a Strategic Partnership in the Field of Energy”*, signed by the EU and Azerbaijan in July 2022.¹¹¹ In the context of the energy agreement, EU Commission President Ursula von der Leyen called Azerbaijan a “trustworthy partner”, and posted a photo with Azeri dictator Ilham Aliyev.¹¹² EU High Representative Josep Borrell defended the deal after the attack of Azerbaijan in September 2022, which resulted in the killing of 200 Armenian servicemen and 4 civilians.¹¹³

Only after Azerbaijan launched the new military offensive in September 2023 that provoked the **exodus of the entire Armenian population of Artsakh**, consummating the ethnic cleansing, did the EU approve packages of humanitarian aid and condemn the aggressor. Still, these measures do not include practical implications against the violator, like sanctions.¹¹⁴

CONCLUSION

This report examines various challenges faced by Christians in contemporary European society and analyses the underlying violations of the right to freedom of religion, ranging from social hostility and hate crimes to less visible issues like discriminatory treatment. In the area of **hate crimes**, OIDAC Europe has identified an increase compared to previous years, particularly in the number of **arson attacks** and attacks on **Christian festivities**. Furthermore, attacks perpetrated by radicalised members of **ideological, political, or religious groups** that follow an anti-Christian narrative have significantly increased. We have provided extensive examples of hate crimes and how these affect the lives of Christians, for example, through the closure of churches outside services and through the “chilling effect” violent incidents have on believers.

Furthermore, in this report we identified various **legal texts** and corporate practices, which directly or indirectly infringe upon religious freedom. Because of the broad scope of freedom of religion in international human rights law – protecting, among other things, the freedom to express one’s beliefs in public, the freedom to conscientious objection, the freedom to manifest one’s belief in community with others and the freedom to educate one’s children in accordance with religious beliefs – violations can also take many different forms.



For example, vague or subjective “hate speech” laws or ambiguously formulated “public order bills”, which go beyond their scope by disproportionately restricting public speech to avoid “**distress**” or “**contempt**”, created situations where Christians were **criminalised** for expressing non-violent content of **religious teachings**. These increasingly restrictive laws undermine the plurality of democratic Western societies, curbing free speech, stigmatising Christianity, and thus rendering a free discourse impossible.

The dangerous effect of overly broad “buffer zone” laws became clear when a Christian, who was silently standing at a street corner in the UK, was interrogated by the police, who asked if she was “*praying in her mind*”. In the case of “anti-discrimination” legislation, we could see in the case of Malta that vague formulations can lead to Christians being prosecuted in court for sharing their personal faith story on TV.

By **raising awareness** and providing a thorough human rights analysis about these developments, OIDAC Europe hopes to contribute to the **safeguarding of religious freedom** of Christians and all believers across Europe. As freedom of thought, conscience, and religion is a cornerstone for free and democratic societies, we hope that states will not compromise on the protection of these fundamental rights, and thus ensure an open and peaceful climate in our societies.



RECOMMENDATIONS

Following the insights provided in this report, OIDAC has formulated the following recommendations aimed at various governing and civil bodies.

Recommendations to Governments of European Countries:

- Improve communication with religious groups and civil society organisations when drafting legislation that could directly or indirectly limit the freedom of religion of Christians.
- Safeguard the freedom of religion, freedom of expression, freedom of assembly, and the right to conscientious objection of Christians.
- Collect disaggregated data with the specific aim of monitoring intolerance and discrimination against Christians and take appropriate soft measures in response to this phenomenon.
- Improve religious literacy among public officials and state-owned media, and thereby ensure fair representation of religious views in media communication and awareness of religious freedom rights whenever state measures affect the lives of Christians.

Recommendations to International Governmental Human Rights Institutions:

- Report on intolerance and discrimination against Christians and recommend appropriate action to member states.
- Examine national and OSCE ODIHR reports and recommendations on combatting hate crimes as well as indirect discrimination against Christians.
- Raise awareness about intolerance and discrimination against Christians, and encourage the media and public figures/institutions not to spread defamatory or misleading information about Christians.

Recommendations to the European Union:

- Refrain from adopting “non-discrimination” or “hate speech” legislation that lacks clear definitions and thus significantly limits freedom of expression, association, and religion.
- Examine EU legislation to eliminate direct or indirect discrimination against Christians.

Recommendations to journalists, opinion leaders, artists, and other members of society:

- Report and raise awareness about anti-Christian hate crimes.
- Avoid engaging in misrepresentation and negative stereotyping of Christians and be aware of your responsibility in cultivating a tolerant public discourse.
- Employ the same standards when reporting or writing about Christians that are used with other religious groups or minorities.

Recommendations to Christian churches and individuals:

- Educate yourselves and fellow Christians about your rights. Confront any restrictions faced for exercising faith.
- Create awareness among Christians about what secular intolerance entails and how it can lead to self-censorship among Christians. Equip Christians to continue to share freely about their faith.
- Engage in public discourse in a respectful and informed manner, contributing to the dialogue between religion and secular society and building bridges between different groups.

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OIDAC'S MISSION

To contribute to a Europe where Christians may fully exercise their fundamental rights to freedom of religion, conscience, expression, and association, without fear of reprisals, censorship, threats or violence.

WHO WE ARE

The Observatory on Intolerance and Discrimination against Christians in Europe (OIDAC Europe) is a registered nongovernmental organisation in Austria and a member of the Fundamental Rights Platform of the EU-Fundamental Rights Agency (FRA).

WHAT WE DO

- **Research, analyse, document and report** cases of intolerance and discrimination against Christians in Europe
- **Inform and educate** the public, lawmakers, and international institutions about the range of hostilities and marginalisation Christians face in Europe.
- **Empower** Christians to tell their stories and freely live their faith in public.
- **Advocate** for remedies; and
- **Emphasize** the vital role religion plays in mature and peaceful society.

REPORT A CASE!

Have you been discriminated against because of your Christian faith?

Have you heard or read about an incident negatively affecting
Christians or Christian buildings, symbols or institutions?

If so, please report your story to us:

observatory@intoleranceagainstchristians.eu

If you like our work, please sponsor us!

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