



Overview



More than 160 parliamentarians from 49 participating States took part in the 2003 OSCE PA Fall Meetings, which were held in Rome from 9-11 October 2003.

The first Meeting was the two-day **Conference on Religious Freedom** (9-10 October), which consisted of a series of presentations and discussions focusing on the law and politics of religious freedom, religious tolerance in pluralistic societies and religious freedom and democracy.

The Conference, organized following the invitation of the Italian Parliament, was addressed by prominent officials, including Bruce George, President of the OSCE Parliamentary Assembly; Pier Ferdinando Casini, Speaker of the Italian Chamber of Deputies; Antonio d'Ali, Deputy Minister of Interior; and Marcello Pacini, Head of the Italian Delegation to the OSCE PA.

The Conference was also addressed by expert speakers, including Abdelfattah Amor, Special UN Rapporteur for Religious Freedom; Professor Catherine Cookson, Head of the Centre for the Study of Religious Freedom at the University of Virginia; as well as Professors Silvio Ferrari and Brigitte Basdevant-Gaudemet, Members of the European Consortium for Church and State. The OSCE PA Conference on Religious Freedom was the ninth in a series designed to enhance inter-parliamentary dialogue on important topics related to OSCE commitments and values. Previous seminars and conferences were held in Tbilisi (1995 and 1999), Vienna (1997), Tashkent (1997),

Antalya (2000), Limassol (2000), Sintra (2001) and Madrid (2002). The Conference on Religious Freedom concluded with a Papal Audience in the Vatican.

The second OSCE PA Fall Meeting in Rome was the **Parliamentary Forum on the Mediterranean** (11 October), which focused on Strengthening Security in the Mediterranean and developing the OSCE Mediterranean Dimension. Prominent speakers included OSCE PA President Bruce George; Cesare Salvi, Deputy President of the Italian Senate; Franco Frattini, Italian Minister for Foreign Affairs; Jan Kubis, OSCE Secretary General; and Christian Jouret, Diplomatic Adviser of the EU Representative for the Middle East. The Parliamentary Forum followed up on the outcomes of last year's OSCE PA Fall Conference in Madrid on ensuring peace, democracy and prosperity in the Mediterranean.

In conjunction with the Fall Meetings in Rome, the Assembly's **Standing Committee** of Heads of Parliamentary Delegations discussed, on 10 October, the general activities of the Assembly and followed up on the Assembly's Rotterdam Declaration on the role of the OSCE in the new architecture of Europe. The Standing Committee was also briefed by OSCE Secretary General Jan Kubis on the proposed OSCE Budget 2004, after which the Members of the Standing Committee discussed the draft and put questions to the Secretary General. After the debate it was agreed that the OSCE PA would present its comments and recommendations to the OSCE budget for 2004.

Conference on Religious Freedom



Pier Ferdinando Casini, president of the Italian Chamber of Deputies, opens the Conference on Religious Freedom

The Conference on Religious Freedom began on 9 October 2003 with opening remarks by the President of the Italian Chamber of Deputies, Pier Ferdinando Casini, followed by welcoming remarks by the President of the OSCE Parliamentary Assembly, Bruce George and by the Head of the Italian Delegation to the OSCE Parliamentary Assembly, Marcello Pacini.

Pier Ferdinando Casini, President of the Italian Chamber of Deputies, opened the Conference on Religious Freedom by expressing his pleasure at being the host of such an important event, and by affirming the Italian Parliament's interest in and support for the work of the OSCE Parliamentary Assembly. This support, President Casini explained, is due to the role the OSCE PA plays regarding integration and its commitment to enhancing the democratic principles that are the basis of the OSCE, such as the principle of parity among members, the principle of inclusion, and the principle of global security.

President Casini then outlined the high profile and historical role the OSCE has played since its inception. In the past, the CSCE was one of the major

agents of détente between the East and West; today it has committed itself to the crucial task of assisting newly democratic countries and of promoting human rights.

President Casini thought that in the future, the OSCE will probably export its model of co-operation, which, thanks to a successful structure and methodology of working, has allowed the organization to act incisively to work for peace and prosperity. President Casini then went on to praise the theme the OSCE PA had chosen to address during the Conference. He drew attention to the importance of political dialogue, in addition to laws and conventions, in preventing the spectre of religious war.

Bruce George, President of the OSCE Parliamentary Assembly, started his welcoming speech by expressing his gratitude to the Italian Parliament for hosting the Conference, and Marcello Pacini for inviting the Assembly to Rome. He then stressed the relevance of the right to religious freedom in the internationally recognized human rights regime, and outlined the high profile commitment the OSCE has undertaken in the field of human rights since the 1975 Helsinki Final Act.

Despite these positive developments, President George expressed his concern about religious minorities still suffering from restrictions in the practice of their beliefs in several countries. According to Mr. George, the main problem relates to the recognition and official registration of religious communities. He underscored the importance of education, public awareness, and of developing best practices in promoting tolerance of different religions and beliefs, stressing the key role parliamentarians can play.

Finally, Mr. George underlined the significance of religious freedom in entrenching democracy and stability, and referred to the ambition of the OSCE Parliamentary Assembly – the creation of a more tolerant Europe.

Marcello Pacini, Head of the Italian Delegation to the OSCE Parliamentary Assembly, opened his speech by pointing to the relevance of the Conference in promoting a successful dialogue on some of the themes that are of great importance to European political stability and to the prevention of conflict in the OSCE area, as well as encouraging respect for human rights. Mr. Pacini stated that, after the mainstreaming of secularization in Western society, the traumatic events of 11 September 2003 brought to



Marcello Pacini, Head of the Italian Delegation to the OSCE PA

the forefront the concern that religious fundamentalists were backing serious political goals.

Mr. Pacini felt that the appropriate answer to this problem involved two approaches: firstly, to constantly stimulate inter-religious dialogue; and secondly, to implement the recommendations of the October 2002 Baku Conference on the Role of Religion and Belief in a Democratic Society. This includes the need to prevent both the diffusion of educational programmes promoting religious discrimination and the sponsorship of violence by any organization.

Session 1: The Law and Politics of Religious Freedom



Barbara Haering, Vice-President of the OSCE PA

The Chair and Moderator of the First Session of the Conference on Religious Freedom was Barbara Haering, Vice-President of the OSCE Parliamentary Assembly. The Session opened with a speech on the relations between the State and Religion by Professor Silvio Ferrari from Milano University, who is a Member of the European Consortium for Church and State Research and a Member of the Advisory Panel on Freedom of Religion and Belief of the OSCE/ODIHR. Professor Ferrari was followed by Senator Antonio D'Ali, Deputy Interior Minister (Italy). The Session concluded with open debate.

Professor Silvio Ferrari underlined that a country's history, culture and tradition greatly influence the



Professor Silvio Ferrari, Milano University

juridical relationship between the State and religious institutions. There are therefore several different models of the state-religion relationship. Professor Ferrari continued by noting that the growing interdependence among States today increases the risk of a religious conflict in one country producing effects in other countries. In his view, promoting the integration of values between different state-religion systems, especially as far as human rights are concerned, may be an appropriate strategy to respond to this threat. Professor Ferrari then stressed that the collective as well as the individual dimensions of religious freedom need protection and regulation. Regulation should guarantee security, whilst protection should aim to secure freedom.

Security, he emphasized, should not become a pretext to discriminate against religious minorities. He noted that this is a delicate theme, particularly in the OSCE area, where different views have been expressed on the issue of registration of religious communities. Professor Ferrari expressed concern that the recent priority given to security over freedom carries with it a risk of abuses. He concluded by underlining that only inter-religious dialogue may, in the long-run, ensure freedom and security, and he argued that religious leaders carry the main responsibility for promoting this dialogue.

In his contribution, **Senator Antonio D'Ali** presented a historical analysis of the development of the regulation of religious freedom in Italy. He referred

to the progression of religious freedom in Italy from the 1848 Italian Constitution, which formally established a confessional system, to the one of 1948, which introduced full equality amongst religions. In the 1960s, Italy witnessed progressive secularization and then, in 1984, an agreement was signed between the Italian State and the Holy See, which recognized the constitutional, legislative and social changes that had occurred during those years.

He then went on to describe the current status of religion in Italy. Today, the state must treat religious and non-religious organizations equally, and the Italian Constitution provides for the inviolability of the right to freedom of belief. In addition, it is recognized that religious freedom needs not only formal protection, but also concrete guarantees. Besides the freedom to belong to a religion, the freedom not to believe is also guaranteed.

Sen. D'Ali then explained that the recent wave of immigration to Italy has introduced new challenges. He stated that the Italian government is now working out a suitable formula to address the problems of cohabitation between different beliefs. He reported that, during Italy's Presidency of the European Union, the Italian Ministry of the Interior intends to propose to the other European Ministers of the Interior a conference on inter-religious dialogue, as a means of promoting peace and cohesion throughout the Mediterranean region.



Italian Senator Antonio D'Ali

Session 2: Religious Tolerance in Pluralistic Societies



OSCE PA Vice-President Tone Tingsgård

The Second Session of the Conference on Religious Freedom was chaired and moderated by Tone Tingsgård, OSCE PA Vice-President, and had two Keynote Speakers: Professor Catherine Cookson, Head of the Centre for the Study of Religious Freedom at the University of Virginia, and Professor Brigitte Basdevant-Gaudemet, Professor at Paris XI University and Member of the European Consortium for Church and State. The Session concluded with open debate.

Professor Catherine Cookson, Head of the Centre for the Study of Religious Freedom at the University of Virginia, spoke on the topic of “Respect of Religious Beliefs and Practices in Multi-Religious Societies.” She started her presentation with the basic understanding that, “Government exists to maintain and protect civil order and that the problem of order is at the heart of every issue related to religious freedom.”

She stressed that “whatever terms are used, the basic tension inherent in religious freedom conflicts remains the same: the clash between the individual right of conscience, versus the duty of the state to keep the peace and civil order of society.” Profes-

sor Cookson used the example of the United States, where religious freedom is protected by the Constitution. The legislature may not establish a religion, nor prohibit the free exercise of religion, nor can any oaths on religious rest be required to serve in office or receive a government benefit.

Professor Cookson referred to the theory of Thomas Jefferson, including the idea that although belief is inalienable and must always be protected, religious actions that harm a person or someone else’s property should never be protected. In addition she stressed that laws cannot be discriminatory against religion: “A law protecting the right to speech and assembly, for political purposes, also permits speech and assembly for religious purposes.”

Professor Cookson discussed the essential dilemma of several democratic states where, although a clear separation between Church and State is seen as an ideal model, members of the dominant majority religion feel entitled to special rights and treatment because they are culturally dominant and have their practices and holidays as norms for the entire society. Professor Cookson ended her presentation calling for enhanced inter-religious respect through education and involvement of civil society.



Professor Catherine Cookson, University of Virginia



Professor Brigitte Basdevant-Gaudemet, Paris XI University

Professor Brigitte Basdevant-Gaudemet, Professor at Paris XI University and Member of the European Consortium for Church and State, gave a presentation on “Development of National Legislations Concerning Religious Freedom and Religions.” She emphasized that, while common international fundamental principles on religion exist, national juridical solutions are diverse. She argued that States in general wish to retain independence on religious questions and that uniform legislation on this issue is not needed.

Mrs. Basdevant-Gaudemet underlined the individual aspect of freedom of religion as the freedom of opinion, and its collective aspect as the right of religious communities to have their own methods of organization. She stressed that different juridical frameworks can ensure religious freedom. “Some countries fully respect this principle by acknowledging the importance of a single religion, or giving a special status to several cults, or by clearly separating the state and religion.”

Mrs. Basdevant-Gaudemet highlighted the choice of several states to promote neutrality and secularism, quoting the example of France that evolved from an “aggressive laicism”, aimed at rolling back the Church, leaving religious belief to the individual conscience, and removing its influence on social institutions – to a “benevolent laicism” based on

state involvement in order to ensure an equal practice of different religions. Mrs. Basdevant-Gaudemet however insisted on the difference between such equality, and the neutrality underlying secularism in her country. She argued that despite a juridical and formal equality, Islam seems to be disadvantaged. That is why the question of positive discrimination has been recently raised, presupposing that juridical inequality does not harm secularism.

In conclusion, Professor Basdevant-Gaudemet defined three fields of state legislation on religion. The first one regards general organizational structures and financing, answering for example questions pertaining to their status, the role of the state in their financing (direct or indirect) and the definition of responsibilities. The second one corresponds to the teaching of various religions, answering questions pertaining to the role of public and private schools in the optional or mandatory teaching of religion and/or religious culture, and the relations between the state and private institutions (financing). The last one corresponds to private law, answering questions pertaining to the relations between religion and family law and employment law.

In the ensuing debate, ‘best practice’ from various countries in promoting tolerance and trust between religious groups were shared. Several Members expressed concern that the current focus on the idea of ‘the clash of civilizations’ hampers inter-religious dialogue. In addition, Members discussed how to avoid fundamentalism as a threat to security and stability and also how to ensure that religion is not misused politically to discriminate against certain groups in society.



Session 3: Roundtable on Religious Freedom and Democracy



Marcello Pacini, Head of the Italian Delegation

The Chair and Moderator of the Third Session of the Conference on Religious Freedom was Marcello Pacini, Head of the Italian Delegation to the OSCE Parliamentary Assembly. Presentations by four panelists and an open debate followed Mr. Pacini's introductory speech.

Marcello Pacini, Head of the Italian Delegation to the OSCE Parliamentary Assembly, began by highlighting that, since its inception, the OSCE has included religious freedom in the comprehensive approach to security embraced by the organization. For this reason, the OSCE is the most appropriate forum to address the issue.

Mr. Pacini stated that the OSCE now faces new challenges as a consequence of the many changes on the international political scene. Amongst those challenges, he argued, is the process of democracy-building in the newly independent countries of the OSCE area. It is crucial, he said, that religious identity and national identity do not merge in these countries, in order to prevent the spread of destabilizing extremism. An agreement of reciprocal respect between State and religious institutions is also needed, with the State regulating Religion.

The phenomenon of globalization, and the recent increases in terrorism, which, according to Mr.

Pacini, appear today to be mainly of a religious nature, were mentioned as some of the other crucial problems the OSCE needs to face. He concluded by expressing his hope that new initiatives will follow the OSCE PA Conference on Religious Freedom, within the OSCE framework.

Ambassador Babacar Ba spoke on behalf of the Secretary General of the Islamic Conference, Abdelouahed Belkeziz, emphasizing the significance of Islam in the history of humanity and the values of tolerance and freedom it has always promoted, whilst denouncing the link between Islam and the 11 September 2001 terrorist attacks. Ambassador Ba stressed the positive relations between Islam and other religions, recalling how, historically, Islam had harmoniously integrated certain elements of previous civilizations. He made a link with the Mediterranean aspect of the Rome Conference by underlining the crucial role of the Mediterranean area in the symbiotic relationship between Europe and Islam.

Quoting two verses of the Koran, Ambassador Ba underscored the openness of Islam. According to him, Islam has always been a good example of tolerance towards the Jews, the Christians and also non-believers throughout history, whilst discouraging forced conversion.



Ambassador Babacar Ba, the Islamic Conference



From left: Michael McNamara, Christopher Smith, Amnon Rubinstein, and Babacar Ba.

He also mentioned that the events of 11 September 2001 in New York should be viewed in light of the fact that the selective and abusive interpretations of religious texts have led people of all religions, not just Muslims, to perpetrate abominable misdeeds.

Ambassador Ba went on to clarify the alleged misunderstandings pertaining to the debate on the compatibility of religion with democracy. According to him, Islam is not less compatible with democracy than other religions, pointing to the notion that the West did not inherit its democratic principles from any religion, but rather from its great philosophers. Moreover, he argued that the Islamic world is following the same path as the West by striving to institutionalize the same separation of religious institutions from the state. He emphasized the OIC's commitment to the dialogue between cultures and civilizations in all its relations with international organizations, mentioning an initiative called the "civilization dialogue" which was proposed just before the 11 September 2001 terrorist attacks, as an example of good co-operation.

Michael McNamara, Human Rights Officer in the Human Rights Section of the OSCE ODIHR, opened his speech by recalling the commitment to freedom of thought, conscience and belief already

enshrined in the Helsinki Final Act. He pointed out that the implementation of such principles is not yet fully accomplished in many OSCE countries.

Mr. McNamara then went on to report on the creation in 2000 of an Advisory Panel of Experts on Freedom of Religion or Belief within the OSCE ODIHR, aimed at providing assistance to participating States in order to help them implement their commitments. The Panel, he explained, consists of three working groups: conflict prevention and dialogue, legislative issues, and education/awareness for tolerance. In the legislative field, the Panel aims to promote the international standardization of legislation on religious freedom. The Panel uses an inclusive approach towards local authorities, in order to take into account a region's history, culture and tradition, yet without allowing these issues to become a pretext for shirking international commitments.

Mr. McNamara then went on to note that, in the aftermath of 11 September 2001, many legislative initiatives have been taken by states, which affect religious groups directly or indirectly. Although all states have a duty to fight terrorism, he affirmed, legitimate religious activity still needs protection.

The OSCE/ODIHR contribution to the promotion

of religious freedom, Mr. McNamara reported, has included its work with the Advisory Panel to develop universal guidelines for reviewing laws affecting freedom of religion. Since laws and regulations alone cannot defeat terrorism, he concluded, the OSCE/ODIHR has concentrated its efforts on promoting dialogue between governmental authorities and religious groups.

Professor Amnon Rubinstein, of the Radziner Law School in Israel, outlined some aspects of the religious situation in Israel, stressing that the main issue is not freedom *of* religion, but freedom *from* religion. Religious freedom is guaranteed in Israel, which is made evident by some of the achievements in the legal system. These include support for religious education in state schools, regardless of the religion; flexible days of rest, where members of a religion other than Judaism may choose their day of rest; as well as giving the Arab minority a collective right to education in its own culture, religion and traditions, as specified in the European Framework Convention of Protection of National Minorities.

Yet despite these positive developments, problems still exist, particularly when it comes to one's freedom *from* religion. For example, a growing number of the secular Jewish population does not want to be subject to the decisions of the rabbinical, or religious, courts. As well, an increasing number of Arab women, both Christian and Muslim, have started a campaign to limit religious jurisdiction in family



Professor Amnon Rubinstein, Radziner Law School



Christopher Smith, Head of the U.S. Delegation to the OSCE PA

law matters. Another issue which has been raised recently by a small minority of the Arab-Israeli population is that a secular Arab education is not available outside the big cities. In the meantime, Christian education remains private, as only 60% of funding comes from the state. These, he said, are the main problems concerning freedom of religion in Israel in the present day.

After a short reference to the role of religious freedom in U.S. history, **Christopher Smith, Head of the U.S. Delegation to OSCE PA**, argued that the formula of U.S. prosperity rests on its full protection of religious freedom and that it is part of its heritage that ought to be preserved. Mr. Smith went on to detail U.S. law on religious freedom including specifically the U.S. 'International Religion Freedom Act'. He explained that the legitimacy of this Act rests on the assertion that human rights issues do not just fall within domestic affairs. The International Religion Freedom Act, he explained, has also created an "Ambassador-at-large" for religious freedom and has designated as 'Country of Particular Concern' (CPC) those countries where religious repression is "systematic, ongoing and egregious".

Mr Smith ended his speech by recalling the great responsibility of legislators, who must make appropriate laws, and called on mature democracies, which can provide technical assistance to those countries where human rights need support and protection.





Papal Audience



On Friday 10 October, His Holiness John Paul II received the OSCE Parliamentary Assembly in a historical Audience in the Vatican. The Audience concluded the Assembly's Conference on Religious Freedom organized jointly by the Parliamentary Assembly and the Italian Parliament.

President Bruce George addressed the Pope on behalf of the OSCE PA, and introduced the objectives of the Assembly. "The Assembly's primary task," he stated, "is to facilitate inter-parliamentary dialogue, an increasingly important aspect of the overall effort to meet the challenges of democracy, respect for human rights, and the rule of law through the OSCE area." President George congratulated the Pope on the 25th Anniversary of his Pontificate and expressed appreciation for his important contribution to world peace and human dignity.

"We represent," President George stated, "millions of citizens and most religious creeds. We are all united, however, by the guiding principles of the OSCE – including the conviction that the freedom of religion or belief is one of the most important human rights. Promoting this freedom entails not only laws and regulations but also tolerance, mutual understanding, and inter-religious dialogue."

John Paul II, in response to the words of President Bruce George, thanked the Assembly for the visit. His Holiness expressed his appreciation to the OSCE Parliamentarians and encouraged them to continue their important work .

"I can only invite you, dear legislators, to embrace the commitment that your countries have made within the OSCE in the area of religious freedom. The OSCE is also to be commended for recognizing the institutional weight of this freedom: I am thinking in particular of paragraph 16 of the 1989 Final Document of Vienna. Such a high profile defence of religious freedom is a strong deterrent to the violation of human rights on the part of communities that exploit religion for purposes that are foreign to it.

On the other hand, the proper promotion of religion satisfies the aspirations of individuals and groups, transcending them and bringing them to a more perfect fulfilment. The respect of every expression of religious freedom is therefore seen to be a most effective means for guaranteeing security and stability within the family of Peoples and Nations in the twenty-first century. Offering my best wishes, I invoke the blessing of Almighty God upon all of you and upon your work in the service of the human person and of peace."

Meeting of the Standing Committee

The Standing Committee met in Rome on 10th October, in conjunction with the Fall Meetings, in order to discuss the Assembly's activities and follow-up on the Rotterdam Declaration.

President Bruce George opened the meeting by presenting a report, in which he underlined the importance of promoting international parliamentary dialogue on politically sensitive issues such as human rights violations. He also emphasized the success of the previous days' seminar on Freedom of Religion or Belief. President George informed the Heads of OSCE PA Delegations about his activities over the past six months and his future plans, stressing the significance of the upcoming election monitoring projects and his aim to further strengthen co-operation with other international parliamentary bodies.

Marcello Pacini, Head of the Italian Delegation, welcomed the Standing Committee to Rome and expressed his appreciation that so many members had decided to participate in the meeting. Mr. Pacini recognized the role of the Pope in the pursuit of peace in the world and underscored the symbolic value of the audience with the Pope, which took place before the beginning of the Standing Committee meeting.

Secretary General Spencer Oliver then gave an overview of the activities of the Assembly's International Secretariat since the Rotterdam Annual Session in July 2003 and described the busy schedule for the Autumn/Winter. He emphasized the importance of a new project undertaken by the Press Department of the Secretariat in building a new independent web-page for the Assembly and stressed the overall goal of the Secretariat to distribute information to Members and the public in a timely and efficient way.

Treasurer Jerry Grafstein informed Members that the Assembly continued to function within budget and he commended the Secretariat for its

good and sound financial management.

The Standing Committee was also briefed by **OSCE Secretary-General, Jan Kubis**, who presented the proposed OSCE budget for 2004. The Secretary General highlighted the fact that while the OSCE strengthens its programme departments in the Secretariat and Institutions, the Organization remains field-oriented. He also explained the overall tendency to move some resources from South Eastern Europe in order to strengthen activities in Central Asia and the Caucasus.

Following the Secretary-General's presentation, Members asked questions related to the role of the OSCE PA in the OSCE budgetary process, as well as the priority of combating trafficking in human beings, gender issues and police related activities. Members agreed to forward their feedback and recommendations on the OSCE 2004 budget by the end of November. In addition to these issues, the Standing Committee was briefed on future meetings, including the Winter Meeting in Vienna in February 2004, the Expanded Bureau Meeting in April in Copenhagen, the Annual Session in Edinburgh in July 2004, the 2004 Autumn Conference in Greece and the Annual Session in Washington in 2005. Furthermore, Monaco offered to host the 2005 Autumn Conference.



OSCE PA Treasurer Jerry Grafstein (left) and OSCE PA Secretary General Spencer Oliver.





Parliamentary Forum on the Mediterranean



Cesare Salvi, Vice-President of the Italian Senate, opens the First Parliamentary Forum on the Mediterranean.

The First Parliamentary Forum on the Mediterranean was opened on 11 October 2003 by the Vice-President of the Italian Senate, Cesare Salvi. The parliamentarians also heard welcoming remarks by the President of the OSCE PA, Bruce George, and by the Head of the Italian Delegation to the OSCE PA, Marcello Pacini.

Cesare Salvi, Vice-President of the Italian Senate, began by welcoming all the participants and underscored the innovative nature of the first Forum on the Mediterranean, thanking those people that had made it possible for the initiative to come together. He went on to stress that, in light of the concept of comprehensive security, the stability of Europe is indivisible from stability in the Mediterranean. Thus, since the end of the Cold War, the OSCE's attention has turned increasingly to the Mediterranean area. The last OSCE PA Annual Session, held in Rotterdam, he reported, underscored the need for the development of a Mediterranean dimension of the OSCE.

Mr. Salvi then made a short evaluation of the last 30 years of OSCE activity. He argued that the success of the organization rests on a number of factors, including: its flexible structure; its pragmatic approach, based on gradual consensus-making; and, its choice of conflict prevention and mediation approaches. Mr. Salvi concluded by referring to the situation in the Middle East and expressing his firm belief that diplomacy is the only way to end the conflict.

After thanking his Italian colleagues for their helpful contribution to the organization of the conference, **Bruce George, President of the OSCE PA,** underlined the importance of promoting a peace-building project in the Mediterranean. He also expressed his dissatisfaction with the marginal attention given for many years to the area, not only by the OSCE but also by NATO.

Mr. George pointed out that the situation in the Mediterranean today also affects those countries that are geographically far away from it. The problems afflicting the Mediterranean, he said, call for a comprehensive programme for peace, rather than for a bare, military-security approach. Mr. George concluded by expressing his hope that the conference would contribute to ensuring that Mediterranean and Middle Eastern issues are given the attention they deserve.

Marcello Pacini, Head of the Italian Delegation to the OSCE PA, opened his speech by referring to the grave situation in the Middle East and in Iraq, and by stressing the important role that the parliamentarians of the OSCE can play in this respect, by promoting a political and cultural dialogue with the Arab countries in line with the Barcelona Process, which was initiated in 1995. The inclusion of these countries in a permanent and organized dialogue, Mr. Pacini argued, is the best strategy. The OSCE, Mr. Pacini concluded, needs to develop a wide, realistic, and long-term project for the Mediterranean.



Session 1: Strengthening Security in the Mediterranean



Jerry Grafstein, Treasurer of the OSCE PA

The First Session of the OSCE Parliamentary Assembly's Forum on the Mediterranean was chaired by the Treasurer of the Assembly, Jerry Grafstein (Canada) and had two keynote speakers: Italian Foreign Minister, Franco Frattini, who spoke on the Euro-Mediterranean Partnership, and Jan Kubis, Secretary-General of the OSCE, who dealt with the OSCE Mediterranean Dimension.

Jerry Grafstein opened the Session with a brief introduction to the general themes of the Forum. He referred specifically to the issue of free trade in the Mediterranean as a means of ensuring security and stability in the region. He raised some questions, such as: What lessons can be learned from history? What lessons can guide our steps for the future of the Mediterranean Basin, this Mediterranean crucible that has provoked such passion, war and change in modern history?

Recalling that trade and economics were two pillars of the Helsinki Process that began in the early 1970s, Mr. Grafstein proposed that the OSCE consider pro-

moting a different dialectic focused on “free trade”. According to him, the lessons of history are clear: Free trade acts as a catalyst for growth; growth produces jobs and wealth; jobs and wealth foster peace and stability.

Mr. Grafstein concluded by proposing that the OSCE Parliamentary Assembly establish an ad hoc working committee of OSCE Parliamentary members and members of all the Mediterranean Partners for Co-operation in order to join efforts to ensure that the Mediterranean basin has “free trade” ties with both the European Union and North America and amongst themselves by 2006. The first step would be for the OSCE to foster a new expert Mediterranean Economic Council (MEC) to encourage trade co-operation and to discourage conflicts.

The Euro-Mediterranean Partnership

Franco Frattini, Italian Minister for Foreign Affairs and current President of the European Council of Ministers, praised the role of parliamentary assemblies in international organizations. He commended the important work carried out by the OSCE PA. He continued by expressing that developing the Euro-Mediterranean (or Barcelona) Process has been one of the main objectives of Italian foreign policy and the current Italian Presidency of the European Union. The Euro-Mediterranean Partnership is an essential instrument for providing the necessary measures for improving security and co-operation between both shores of the Mediterranean.

The Euro-Mediterranean Partnership has three key objectives, the first being to establish a common Euro-Mediterranean area of peace and stability based on fundamental principles including respect for human rights and democracy. The second objective is to create an area of shared prosperity through



Franco Frattini, Italian Minister for Foreign Affairs

the progressive establishment of a free trade area between the EU and its Partners and among the Mediterranean Partners themselves. Thirdly, the Partnership strives to develop human resources, promote understanding between cultures and rapprochement of the peoples in the Euro-Mediterranean region, as well as develop free and flourishing civil societies.

The political and security aspect of the Euro-Mediterranean process remains the most sensitive one due to the situation in the Middle East. Any peace process must be based on the respect for the right of Palestinian self-determination, as well as the respect for the right of the State of Israel to exist securely.

The role of the OSCE, Minister Frattini concluded, is important in developing the Mediterranean dialogue. The OSCE's concept of "comprehensive security" can serve as a model to deal with the conflicts in the Mediterranean.

The OSCE Mediterranean Dimension

Jan Kubis, Secretary-General of the OSCE, praised the involvement of the OSCE Parliamentary Assembly in Mediterranean issues. He referred to the efforts undertaken by President Bruce George to enhance relations with the Mediterranean Partners,

including the Resolution on the OSCE Mediterranean Dimension, adopted at the 12th Annual Session in Rotterdam. Ambassador Kubis emphasized that the OSCE, with its comprehensive approach to security, its focus on conflict prevention and the elimination of risks to security stemming from socio-economic and environmental factors as well as human rights violations, provides an adequate framework for co-operation between both shores of the Mediterranean.

There is a growing awareness in the OSCE that only a free, democratic, prosperous and undivided Europe will be able to promote security, stability and prosperity in the adjacent area and also that European security will benefit from positive developments in other regions, including the Mediterranean.

He referred to the relations between the Organization and the Mediterranean Partners since the Helsinki Final Act. Relations with the Partners have been an integral part of the OSCE's *acquis* since the beginning of the Helsinki process. Over the years, the OSCE has created a set of tools, instruments and mechanisms to increase its effectiveness in promoting its comprehensive approach to security, in countering traditional and new risks and challenges to security within its region.



OSCE Secretary General Jan Kubis

Session 1: Middle East Peace Process



Giovanni Kessler, Vice-President of the OSCE PA

The Chair and Moderator of the First Session of the Parliamentary Forum on the Mediterranean (second part) was the Vice-President of the OSCE PA, Giovanni Kessler. After the opening remarks, Christian Jouret, Diplomatic Advisor to the EU Representative for the Middle East, delivered his keynote speech.

Giovanni Kessler, Vice-President of the OSCE PA, opened his speech by recalling that, as had been decided in Rotterdam in July 2003, the representatives of Syria, Lebanon, and the Palestinian Authority, though not members of the OSCE, were invited to the conference and had expressed their interest in the theme of the conference. Unfortunately, he noted, the Lebanese representatives could not come due to parallel commitments, and the Palestinians had not arrived. He went on to analyse the unstable situation in the Middle East and pointed to the 'Road Map' as a premise for all future dialogue.

Christian Jouret, Diplomatic Adviser of the EU Representative for the Middle East, made a detailed exposition of the current relations between the Palestinians and Israel, stressing some pre-req-

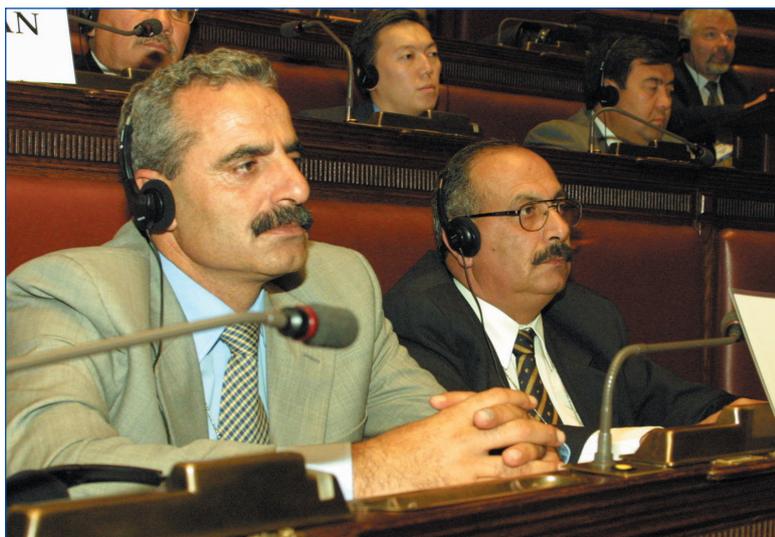
uisites for solving the conflict. Mr. Jouret expressed his belief that the resolution of the conflict lay more in the hands of the Israelis than the Palestinians, describing the Israeli stance as unyielding in so far as it has partly rejected the Road Map (Israel introduced 14 reservations to this document), and that it does not accept the creation of a Palestinian state and still refuses to accept an international presence in the region. In contrast, he presented the Palestinian population as ready to recognize the existence of Israel and as resolutely opposed to the terrorist attacks.

Mr. Jouret argued that, even if Arafat does not wield total power anymore, the international community must still consider him as the legitimate and single leader of the Palestinians. He urged a stronger involvement of the international community in the resolution of the conflict and expressed his fear of a possible disengagement of the United States from the process due to domestic reasons (the upcoming Presidential elections) and due to the situation in Iraq.

Mr. Jouret claimed that the basis of the political deadlock is a catch-22: Israel demands an end to the violence in order for it to respect its obligations



*Christian Jouret
Diplomatic Adviser of the EU Representative for the Middle East*



(which are mainly to put a stop to new settlements), whereas the Palestinians demand a stop to the building of new settlements in order to put an end to the violence. Therefore, the resolution of the conflict depends on the end of such negotiations.

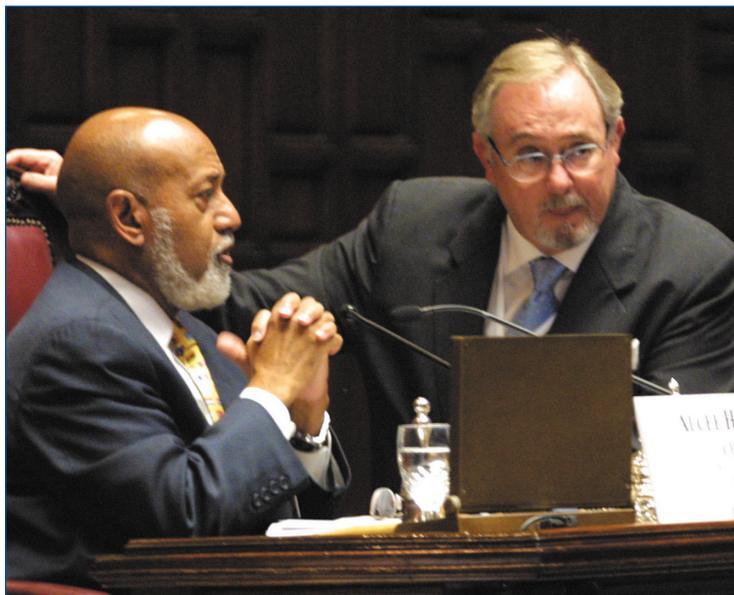
While pointing out the right of return for the Palestinian refugees, he also cautioned that it must not be implemented at the expense of Israel. A great majority of the refugees will therefore have to live within a future Palestinian state. To conclude, Mr. Jouret called for a more active involvement of the Arab states in the resolution of the conflict, thus strengthening the action of the Quartet. In that respect, he stressed that the 2002 Arab League resolution should

have had more impact on the peace process.

An intense debate followed the presentation by Mr. Jouret, where several deputies asked for the floor. During the debate, it was emphasized that it is imperative for the OSCE to assume a neutral position in the Middle East conflict, condemning extremism from both sides, while providing support for those within Israel and the Palestinian Authority who are striving for a peaceful resolution to the conflict. Several parliamentarians expressed their discontent with the absence of the Palestinian delegation, which could probably have proved helpful in clarifying some aspects of the situation in the Middle East.







Session 2: Developing the OSCE Mediterranean Dimension *Political and Economic Co-operation*



Michel Voisin, Head of the French Delegation and the OSCE PA's Special Representative for the Mediterranean

Michel Voisin, Head of the French Delegation and the OSCE Parliamentary Assembly's Special Representative for the Mediterranean, chaired the first part of the Second Session of the Forum. The President of the Parliamentary Assembly, Bruce George, delivered a keynote address. Zahid Nawaz, adviser on Islamic issues, also addressed the Session at the invitation of the President.

In his introduction to the Session, **Michel Voisin, Head of the French Delegation and the OSCE PA's Special Representative for the Mediterranean**, referred to the efforts undertaken by the Assembly to increase awareness on the Mediterranean. He mentioned several side meetings during the Annual Sessions and the seminar held in Limassol in September 2002, at the invitation of the Parliament of Cyprus, which explored the possibilities of further involvement of the OSCE Parliamentary Assembly in the Mediterranean. He welcomed the initiative of the Italian Delegation to host the First Parliamentary Forum on the Mediterranean. He also referred to the importance of expanding the contacts with Mediterranean States who are not OSCE Partners.

President Bruce George introduced the compilation of reports on the Mediterranean which was presented to the Parliamentary Forum. He indicated that, for a long time, he has developed, both as a politician and as an academic, a deep interest in Mediterranean issues. When elected President of the OSCE Parliamentary Assembly, one of the objectives he outlined was to enhance and further develop the Assembly's involvement in the Mediterranean whilst increasing co-operation with the Mediterranean Partners for Co-operation.

Mr. George was the first President of the Assembly to lead a Delegation to meet with the OSCE Contact Group with the Mediterranean Partners in Vienna. He also organized a successful meeting involving experts, parliamentarians and governmental officials, which took place during the Rotterdam Session, and also paid an official visit to Algeria in September 2003.

President George continued by emphasizing that security in the OSCE area is ultimately linked to security in the Mediterranean area. However, the great diversity of states included in the Mediterranean – which may be divided into four sub-regions,



OSCE PA President Bruce George

those being the Mediterranean EU, the Balkans, the Middle East and the Maghreb – complicates the level of negotiations and political dialogue. Increasing communication and co-operation among the different international organizations focusing on security in the Mediterranean is essential to harmonize such a notion of security.

President George concluded by stating that the OSCE Parliamentary Assembly, as a unique OSCE institution promoting parliamentary involvement in the activities of the OSCE and facilitating inter-parliamentary dialogue, will do its utmost to enhance the Mediterranean dimension of the OSCE and the relations with the Partners for Co-operation in the South Mediterranean.

Zahid Nawaz, Adviser to the President of the OSCE Parliamentary Assembly on Islamic Affairs, discussed the issue of reviewing Mediterranean security and the challenges presented by the resurgence of Islamic fundamentalism. Mr. Nawaz stressed that Islam has to be recognized as a legitimate part of Western heritage like Christianity and Judaism and not alien to them. Western powers need to facilitate the process of democratization and economic liberalization in the Islamic world. The West

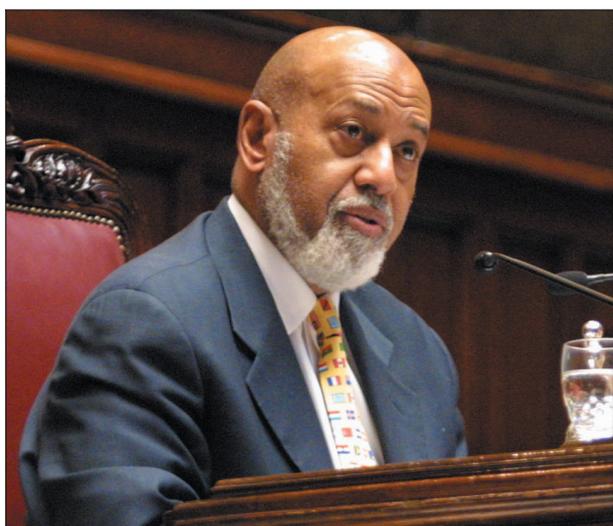


Zahid Nawaz, Adviser to the President of the OSCE PA

should assist in fostering political accountability and respect for human rights.

The main challenge for policy makers, he said, will be to create a long-term strategy for the Muslim world. The first step would be to dispel the myth of the so-called “Islamic Threat”, and to avoid substituting Islamic resurgence for the disappearance of the Communist threat. Understanding Islam will increasingly become one of the principal levers to successful Middle East policy in the 21st century.

Session 2 Continuation: *Democracy and Human Rights*



Congressman Alcee Hastings, Vice-President of the OSCE PA

The Chair and Moderator of the Second Session of the Parliamentary Forum on the Mediterranean (second part) was Alcee L. Hastings, Vice-President of the OSCE PA. His opening remarks were followed by a speech from Gert Weiskirchen, Vice-President of the OSCE PA and Member of the German Bundestag.

Alcee L. Hastings, Vice-President of the OSCE PA, stressed that it is important for the OSCE to ensure security and protect human rights in the Mediterranean. He reminded the audience of the concept of global security as worded in the Helsinki Final Act, and argued that all issues relating to human rights are of international concern. Mr. Hastings

then praised the role that the OSCE PA has played in strengthening the OSCE human dimension, and analysed the initiatives taken by the OSCE PA in co-operation with the Mediterranean partners.

He expressed his firm conviction that the social and economic causes of instability need to be eliminated, mainly through preventive measures, such as immigration policies or development assistance, while political dialogue with the partner countries must also become a regular agenda item for the OSCE.

He went on to urge that the dialogue be given a thematic approach, such as the situation of women, national minorities, and so on, in order to make it more effective. After arguing that the fight against terrorism should not be used as a pretext to limit human rights, Mr. Hastings concluded by calling upon all Member States to respond to terrorism by enhancing stability through a deeper and more practical Euro-Atlantic and Euro-Mediterranean co-operation.

Gert Weisskirchen, Member of the German Bundestag and Vice-President of the OSCE PA, opened his speech by underlining that democracy only works when all human rights are respected. Despite that, he stressed, there are countries where the transition to democracy has been accompanied by human rights violations, and countries where



Gert Weisskirchen, Vice-President of the OSCE PA

democracy is opposed, despite the fact that the majority of people strongly desire it. The OSCE, Mr. Weisskirchen maintained, can play a role in the post-conflict democratization process. Implementing democracy however also requires a struggle against terrorism. He pointed out that the 'war on terror' has unfortunately been perceived by the Muslim world as a war against Islam. History teaches us that an effective fight against terrorism in the long-term, Mr. Weisskirchen explained, requires the promotion of peace, social justice and democracy.

Mr. Weisskirchen then went on to add a third category to Mr. Rubenstein's distinction between freedom *of* and *from* religion. He expressed his opinion that freedom of religion implies the idea that one's freedom depends on the freedom of the other, a concept which is institutionalized in the OSCE.

Mr. Weisskirchen argued that it is imperative to involve the Mediterranean countries in this process, and to consider the problems which they encounter. He suggested that the OSCE PA can play an important role, by adopting inclusive policies and thus proposed that the OSCE PA set up a working group to which the parliamentarians of the Arab world and Israel have open access.

Concluding remarks

The Second Session of the Parliamentary Forum on the Mediterranean concluded with statements from the Heads of Delegations, as well as the Head of Delegation from the OSCE Mediterranean Partners for Co-operation. The Greek Delegation invited the Assembly to hold the OSCE PA's autumn 2004 Session in Rhodes, Greece.

There was a debate over possible issues that could be discussed at the next meeting. Finally, the Israeli delegate outlined the psychological attitude of the majority of Israelis, given the permanent conflict with Palestinians, and called upon the OSCE PA to help in reconstructing the dialogue between the two sides.

Programme

Thursday, 9 October

15:00 – 15:15 **Conference on Religious Freedom - Opening Session**

Opening remarks by Mr. Pier Ferdnando CASINI, President of the Italian Chamber of Deputies;
Welcoming remarks by Mr. Bruce GEORGE, President of the OSCE Parliamentary Assembly;
Welcoming remarks by Mr. Marcello PACINI, President of the Italian Delegation to the OSCE Parliamentary Assembly.

Speaker: Professor Brigitte BASDEVANT-GAUDEMET (Paris XI University – Member of the European Consortium for Church and State);

Open debate.

18:30 – 19:00 **Evening reserved for the Embassies**

Friday 10 October 2003

15:15 – 16: 45 **Conference on Religious Freedom - Session 1: The Law and Politics of Religious Freedom**

Chair / moderator: Mrs. Barbara HAERING, Vice-President of the OSCE Parliamentary Assembly;

Freedom of Religion and Belief: A Fundamental Human Right

Speaker: Mr. Abdelfattah AMOR (Special Rapporteur for Religious Freedom – UN Commission for Human Rights);

Interrelation between Religion and State

Speaker: Professor Silvio FERRARI (Milano University. Member of the European Consortium for Church and State Research. Member of the Advisory Panel on Freedom of Religion and Belief of the OSCE ODHIR.);

Open debate.

09:00 – 10:30 **Conference on Religious Freedom - Session 3: Round Table on Religious Freedom and Democracy**

Chair / moderator: Mr. Marcello PACINI, President of the Italian Delegation to the OSCE PA

Panelists:

Mr. Ba BABACAR, Organisation of the Islamic Conference Permanent Observer to the UN Geneva;

Mr. Michael McNAMARA, Human Rights Officer in the Human Rights Section of the ODIHR;

Prof. Amnon RUBINSTEIN, Radziner Law School, Israel

Mr. Christopher SMITH, Head of the U.S. Delegation to the OSCE PA

Open debate;
Concluding Statement by Mr. Marcello PACINI, President of the Italian Delegation to the OSCE Parliamentary Assembly;

Concluding Remarks by Mr. Bruce GEORGE, President of the OSCE Parliamentary Assembly.

16:45 – 17:00 **Coffee break**

17:00 – 18:30 **Conference on Religious Freedom - Session 2: Religious Tolerance in Pluralistic Societies**

Chair / moderator: Mrs. Tone TINGSGÅRD, Vice-President of the OSCE Parliamentary Assembly;

Respect of Religious Beliefs and Practices in Multi-Religious Societies

Speaker: Professor Catherine COOKSON (University of Virginia – Head of the Centre for the Study of Religious Freedom);

Development of National Legislations Concerning Religious Freedom and the Religions

10:40 – 11:10 **Transfer to the Vatican City**

11:30 **Papal Audience**

13:30 – 15:00 **Lunch for the Member of the Standing Committee** hosted by the President of the Italian Delegation, Hon. Marcello Pacini, Chamber of Deputies, Sala dei Parlamenti

15:00

Meeting of the Standing Committee

Call to order;
Adoption of the Agenda;
Opening remarks by the President of the OSCE Parliamentary Assembly;
Welcoming remarks by the Head of the Italian Delegation to the OSCE PA;
Information on the results of the Conference on Religious Freedom and arrangements for the OSCE PA Forum on the Mediterranean;
Report of the Secretary General;
Report of the Treasurer;
Reports by the International Secretariat on election monitoring and other activities;
Follow-up on the Rotterdam Annual Session with remarks by the Secretary General, followed by an informal discussion on the work of the three General Committees and consideration of proposals on a common theme for the next Annual Session, 5-9 July 2004 in Edinburgh;
Briefing by the OSCE Secretary General, Ambassador Jan Kubiš on proposed OSCE Budget 2004;
Future meetings of the OSCE Parliamentary Assembly;
Other business.

Treasurer of the OSCE Parliamentary Assembly;
The Euro-Mediterranean Partnership
Speaker: Mr. Franco FRATTINI, Minister for Foreign Affairs, Italy;
The OSCE Mediterranean Dimension
Speaker: Ambassador Jan KUBIS, Secretary General of the OSCE;
General Debate.

11:30 – 11:45 **Coffee Break**11:45 – 13:00 **Session 1 continuation**

Chair/Moderator: Mr. Giovanni KESSLER, Vice-President of the OSCE Parliamentary Assembly;
The Middle East Peace Process
Speaker: Mr. JOURET, Diplomatic Advisor of the EU Representative for the Middle East;
Open debate.

13:00 – 14:30 **Lunch**14:30 – 16:00 **Forum on the Mediterranean - Session 2: Developing the OSCE Mediterranean Dimension**

Chair / Moderator: Mr. Michel VOISIN, Head of the French Delegation to the *OSCE Parliamentary Assembly*;
Political and Economic Co-operation
Bruce GEORGE, President of the OSCE Parliamentary Assembly;
General Debate.

20:30

Official dinner hosted by the Italian Parliament, Palazzo Barberini**Saturday 11 October 2003**09:15 – 09:30 **Parliamentary Forum on the Mediterranean, Opening of the Forum**

Opening remarks by Mr. Marcello PERA, President of the Italian Senate;
Remarks by Mr. Bruce GEORGE, President of the OSCE PA;
Remarks by Mr. Marcello PACINI, Head of the Italian Delegation to the OSCE PA;

16:30 – 16:45 **Coffee Break**16:45 – 17:45 **Session 2 continuation**

Chair / Moderator: Mr. Alcee HASTINGS, Vice-President of the OSCE PA;
Democracy and Human Rights
Speaker: Mr. Gert WEISSKIRCHEN, Vice-President of the OSCE PA;
General Debate.

09:30 – 11:30 **Forum on the Mediterranean - Session 1: Strengthening Security in the Mediterranean**

Chair/Moderator: Mr. Jerry GRAFSTEIN,

17:45 – 18:30 **Conclusions**

Concluding Statements by Heads of Delegation and Heads of Delegation from the OSCE Mediterranean Partners for Co-operation