

## The EU institutions and dialogue with non-confessional organisations

The European institutions hold dialogue sessions every year with churches and non-confessional and philosophical organisations. Based on Article 17 of the Treaty on the Functioning of the European Union (TFUE) the dialogue focuses on issues upon the European agenda.

### Background: from 'A Soul for Europe' to TFEU Article 17

In 1994, with his '[Une âme pour l'Europe](#)' ('a soul for Europe') initiative, the then European Commission President Jacques Delors established the first formal links between the European institutions and religious as well as non-confessional organisations. His aim was to move beyond a purely economic and legal understanding of European integration, and reflect also its spiritual or ethical perspectives, as well as to promote civil society participation in the integration process.

Religious and philosophical considerations were formally recognised for the first time at EU level with the Treaty of Amsterdam, adopted in 1997. The Treaty's [Declaration 11](#) set out the EU's respect for the status of churches and non-confessional organisations under national law.

#### *The Convention on the Future of Europe and the Constitutional treaty: religious versus secular positions*

Starting in 2002, the [Convention on the Future of Europe](#) was tasked with drawing up a draft Constitutional Treaty for the EU. Its proceedings included debates on the place of Christianity and religion in Europe, and the churches' role in society, in the context of discussions on whether the provisions of Declaration 11 should be included in the draft Constitutional Treaty and whether or not the document should incorporate a reference to God or to Europe's Christian heritage.

References to various cultural and philosophical traditions were also put forward. Organisations representing non-confessional and secular views [opposed](#) the inclusion of the provisions of Declaration 11. They saw no specific need for dialogue between the institutions, confessional and non-confessional organisations, stating that dialogue with civil society was sufficient. The Reflection group on the Spiritual and Cultural Dimension of Europe established in 2003 on the initiative of European Commission President, Romano Prodi also contributed to the work of the Convention with [reflection papers](#) on secular and religious issues in Europe.

A subsequent intergovernmental conference of 2003-2004 established the final draft of the Constitutional Treaty. France, supported by Belgium, strongly opposed any reference to God or Christianity in the Treaty Preamble. At the same time, representatives of religious bodies pushed for provisions on the status of churches and dialogue with EU's institutions. Finally, the Preamble of the Treaty contained a general reference to religious heritage and the provisions of Declaration 11 were incorporated in Treaty article 37, despite the opposition of secular and humanist groups.

#### *From the first dialogue sessions with religious and non-confessional organisations to TFEU article 17*

The 2005 French and Dutch referenda rejected the Constitutional treaty, but dialogue with churches and non-confessional organisations continued to take place. After the President of the Commission met leaders of the three monotheistic religions in July 2005, his [encounter](#) with the [European Humanist Federation's](#) (EHF) representatives took place in November. In 2008, the EHF with Centre Action Laïque organised a [conference](#) on secularism and human rights attended by the Commission President. In [June 2009](#), the President of the European Parliament too joined the dialogue with non-confessional organisations.

When the TFEU was finally adopted and came into force, in December 2009, the provisions concerning religious and non-confessional organisations were integrated unchanged as article 17. For the first time, the EU had a legal basis for regular, open and transparent dialogue between its institutions and churches,

religious, philosophical and non-confessional organisations, as well as a provision for the respect of their status under national law.

### Article 17 dialogue with non-confessional organisations

Since 2010 the Presidents of the Commission, the European Parliament and the European Council have participated in an annual dialogue between the EU institutions and non-confessional organisations. It allows an exchange of views on issues such as the [fight against poverty](#), [democratic rights](#), [intergenerational solidarity](#), and the participation of [citizens](#) in the European project.

#### *Participants*

Philosophical and non-confessional organisations [participating](#) in the dialogue include Humanist organisations, Free Masons, and free thought, ethical or adogmatic organisations. Humanist organisations, based on the Belgian model, insist on the [secular](#) neutrality of the public sphere in the EU where the state maintains the same neutral stance towards all convictions: religious or not. One of them, EHF, has expressed particular concern regarding the imbalance between humanist organisations and traditional churches in terms of their set-up on a European scale, and especially their political impact in the EU.

#### *Guidelines*

In 2013 the Commission published [dialogue implementation guidelines](#) stipulating that the dialogue topics are to be related to the EU agenda and agreed on by both parties, that participating organisations must be recognised or registered at national level and adhere to European values. The participating churches or associations are also encouraged to register with the European Transparency Register. The guidelines followed a [decision](#) of the European Ombudsman on the 2011 EHF's complaint against the Commission when it refused to organise a dialogue seminar on human rights issues in the light of exemptions for religious organisations in article 4 of the [Employment Equality Directive](#).

The same year the Council of Foreign Affairs of the EU adopted its [guidelines](#) on the promotion and protection of freedom of religion or belief in EU external relations. The [EHF](#) welcomed the explicit inclusion in the text of the freedom from religion and freedom to change religion.

### Secular neutrality, freedom of religion or belief and the European Parliament

In September 2015 the EP adopted a [resolution](#) on the situation of fundamental rights in the EU. One of them, freedom of thought, conscience and religion is guaranteed in the European Convention on Human Rights ([Article 9](#)). The resolution highlights the role of a neutral secular state in preventing discrimination against any religious, agnostic or atheist community, and in guaranteeing equal treatment to all convictions. The text also reflects concerns about blasphemy and religious insult laws applied in the EU which could hinder freedom of speech. It condemns attacks on places of worship, anti-Semitism, anti-Islamism and fanaticism. The resolution calls for the promotion of intercultural dialogue and tolerance.

Members of the EP engage in discussions in different fora on the secular neutrality of public institutions, the freedom of thought and religious beliefs. The European Parliament [Platform](#) for Secularism in Politics has organised debates on modern ethical and legal issues, for instance the freedom from religion as a human right, and blasphemy as freedom of speech. It has been actively monitoring breaches to the secular nature of the public sphere, even within the EP itself.

The European Parliament [Intergroup](#) on Freedom of Religion or Belief and Religious Tolerance defends the freedom from religion as part of religious freedom. In February 2015 the Intergroup sent a [letter](#) to the Vice-President of the Commission/High Representative of the EU for Foreign Affairs and Security Policy Federica Mogherini voicing its concerns about the persecution for apostasy or blasphemy, and severe punishments for atheists and humanists in many parts of the world. The initiative followed the publication of the 2014 International Humanist and Ethical Union [report](#) on the freedom of thought.

#### *Intercultural dialogue and non-religious associations*

In 2006 the EP Committee on Culture and Education commissioned a [briefing paper](#) on intercultural and inter-religious dialogue. Its author [warns](#) against intercultural debates that oppose dominant and minority religions (Christians vs Muslims, Muslims vs Jews etc.), or religious to secular positions. The report recommends putting inter-religious dialogue into a wider frame of intercultural dialogue with focus on educational and social issues, the inclusion of secular views, and of non-believers originating from religious minorities. The author suggests that such an approach would put the debate within a civil society framework and avoid polarisation between secular and religious communities.