

Conference on the Future of Europe

Proposals of the European Secularist Network

1. For a secular Europe

The European secularist network has been created by secularist organisations from several Member States of the EU (Belgium), Ligue de l'Enseignement (France), Egale (France), Europa Laica (Spain), Kongres Świeckości (Poland), and Italian members. The network is based on the idea that secularism must be a universal principle guaranteeing individual freedoms and peaceful coexistence of philosophical opinions and religious convictions.

The network promotes the values of liberty, equality, solidarity, human dignity and emancipation based on free thought. For the secularist movement, the Universal Declaration of Human Rights constitutes a moral and political framework as well as a source of inspiration for their viewpoints and actions, as do its basic values: freedom, equality, solidarity and human dignity. Secularism fights against discrimination, for equality, and for the implementation of fair policies guaranteeing social cohesion and citizens' emancipation through access to knowledge.

The European Union is undergoing an unprecedented existential crisis. Its very founding values are challenged, at times insidiously, and at times overtly, by political forces hostile to European integration and its values: respect for human dignity, liberty, democracy, equality, rule of law, respect of human rights. The Union has to put the defence and promotion of its values at the heart of its policies and actions in order to guarantee its future and affirm its reason of being to citizens. This issue is crucial to the very existence of the Union as we know it. If the Union forgets or neglects its values, it would lose its legitimacy in the eyes of Europeans. The very existence of the Union between the peoples of Europe depends on the effective realisation of its values by the EU.

The secularist movement is deeply committed to European integration, and expresses its unreserved support to the clearly secular character of the European Union. In its policies, resulting from the treaties, the Union has always confirmed its commitment to neutrality towards religions and churches, and its impartiality towards beliefs and convictions. The European secular network strongly affirms that it is crucial to respect this historical achievement: in Europe, political power is independent towards all religions, and draws its legitimacy only from citizens.

The values of the European Union are being threatened by political forces hostile to European integration, that are nationalist and opposed to the universal values of human rights, solidarity, human emancipation and reason.

2. Fundamental rights, rule of law, democracy are indivisible secular values

The Union has to become an active promoter of its values again. Rule of law, democracy, human rights, equality between man and women are inseparable. Rule of law and democracy must not be merely formal, but include the respect for fundamental rights – including the women rights, non-discrimination and minority rights, also sexual and gender minorities, the rights of migrants... These values bind the Union in all its policies. Member States also have to abide by them.

Contempt for human rights in Union policies challenge its very foundations and bring it into disrepute as a political role-model. Policy towards migrants is particularly shameful: everyday, the

most basic rights of migrants are being breached. Migrants are being used in political struggle by political leaders to stir up xenophobic feelings. However, asylum, borders policy are EU competences, and has some responsibility of the consequences of current policies.

Serious breaches of Union values by some member States show the inseparable link between rule of law and fundamental rights. The dismantlement of rule of law mechanisms is a first step before attacks on fundamental rights. So-called “illiberal” governments have taken control of courts, suppressed checks and balances, before taking measures breaching women’s rights, discriminating LGBT+ persons, harassing independent media, NGOs and breaching academic freedom...

The Charter of Fundamental Rights of the European Union guarantees the freedom of thought, conscience and religion (article 10). Over time, a shift has occurred, that led institutions to favour freedom of religion and ignore citizens who have no religion. They are usually not represented by structured organisations such as Churches, but that should not lead to their marginalisation. In its internal and external action, the EU must protect freedom of conscience, which is broader and includes freedom of religion, but is not limited to it.

Serious breaches of Union values are a challenge to the Union as a whole. They are part of a coherent political project, alternative to democracy, rule of law and respect for fundamental rights. When faced with this threat, it is crucial to defend and promote our values effectively. The Conference must proclaim the Union’s commitment to its founding values, and to secularism as a principle which establishes and protects the values of liberty, equality and solidarity.

3. Proposals of the European secularist network

3.1 Leading a resolute policy aiming at the effective realisation of Union values

According to Article 3 TEU, the Union's aim is to promote its values. The Union should then necessarily have the competences, explicit or implied, which are needed to fulfil its aims, and can, on the basis of the Treaties, carry out a policy aiming at the effective realisation of its values, such as freedom, respect for human rights, the rule of law, democracy and solidarity.

a) Effective gender equality and non-discrimination

Equality between women and men and women’s rights are particularly under strain. Sexual and reproductive health and rights (contraception, abortion, comprehensive sexual education) and the struggle against violence against women are international human rights standards. The prohibition of all discrimination towards women in healthcare means that States have to guarantee quick and effective access to sexual and reproductive health services.¹

The European secularist network calls on the Union to:

- Demand that States abide by their international obligations and take all necessary measures to this end;

¹ CEDAW Committee, General Recommendation n. 24 ; Committee on Economic, Social and Cultural Rights, General Observation 141

- Act in order to achieve decisive progress in this area, aiming at spreading to all Member States the highest standards. Suppression of discrimination against women is a goal of the Union. The Union has the competences it needs to realise this goal and should use them effectively.
- Ensure that all Member States ratify the Istanbul Convention and apply it effectively.

The European secularist network also calls on the Union to lead resolute efforts against discrimination of LGBT+ persons, and to adopt the Equal treatment directive.²

b) Freedoms of conscience, of speech and of information

Freedom of thought, conscience and religion is guaranteed by EU law. It includes the freedom to change religion or belief. The Union should clearly show its commitment to this fundamental right in its internal and external policies. It should call on Member States to suppress legal provisions punishing criticism of religion, be it under the term “blasphemy” or “offense against religious feelings”, and to fight all attempts to impose limits on one’s right to change or quit any religion. Institutions should not favour religious organisations over non-confessional organisations.

Union institutions should also ensure media pluralism and the possibility of access to them from civil society. Media concentration and monopolies prevent a real freedom of information and the formation of a free conscience.

Moreover, the European Secularist network calls on EU institutions to prioritise the struggle against all forms of racism, also anti-Muslim bigotry and antisemitism. The rise of racism and of religious fundamentalism threaten human rights and social cohesion.

c) Children’s rights

EU Treaties state that the Union promotes the protection of children’s rights. This objective of the EU should be treated seriously. Minors should be protected from indoctrination, which is prohibited by the European Convention on Human Rights. Religious teaching should be strictly and effectively optional.

The European secularist network calls on institutions to act, within its competences, to encourage Member States to develop education to democracy and human rights, with secular ethics, as well as full affective-sexual education.

d) Rights of migrants

Union values have to be integrated in all Union policies, including external policies. It is thus necessary to reform asylum policy: neglect of fundamental rights and human dignity in current policies must be stopped and replaced by a humane policy, abiding by international law and human rights.

The European secularist network calls on the Union to:

² Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation

- take care that the prohibition of push-backs is being enforced at Union borders. Every person at the border should be able to file an asylum claim. Moreover, minors should benefit from specific protective measures.
- Implement alternative means allowing asylum seekers to file their claim in safe places in third countries;
- Stop delegating the management of migration to third countries which do not comply with international refugee law or use them as a political tool.

Union and member States should also better protect persons who are persecuted for defending values shared by the Union. It is necessary to have a better protection of persons persecuted for being humanist, free-thinker, or fleeing religious fundamentalism.

e) Promoting EU values in common commercial policy

In the area of common commercial policy, clauses on workers' rights and environment in agreements with third States should be really protective and binding. Legal remedies and recourse for breach of such clauses should be open to civil society organisations, trade unions and individuals, in order to guarantee they are complied with by parties to the agreement. The recourses should be available before courts and not private arbitral bodies.

The Commission should follow Parliament's resolution on "corporate due diligence and corporate accountability", in order to ensure that multinational corporations comply with fundamental rights in their value chain located in third countries.³

3.2 Defend EU values when they are threatened

Union values are also the member States': complying with them is a condition of membership, and their continuous respect has to be a condition for member States to fully enjoy of their rights. Disregard for founding values breaches mutual trust between member States and ruins the very idea of a community of values.

The European secularist network calls on the Union to:

- Extend article 7 TEU procedures to breaches of fundamental rights, including of sexual and reproductive rights, discrimination towards LGBT+ persons, and migrant persons; in regard of systematic obstruction by certain member States, alternative procedures must be used;
- Affirm member States' obligation to comply by international human rights law, and act in case of non-compliance;
- Implement without delay the conditionality mechanism⁴, which should be extended to all serious or systematic breaches of a founding value of the Union.

The European secularist network also calls on the Union to:

³ European Parliament resolution of 10 March 2021 with recommendations to the Commission on corporate due diligence and corporate accountability

⁴ Regulation of 16 December 2020

- Adopt the principle of non-retrogression in the area of human rights. Every State measure being a backward step in human rights protection should be confronted by Union institutions (infringement proceedings, implementation of budget conditionality).

A right to initiative in the legislative procedure should be recognised to the European Parliament. It is possible even without Treaty change, through an interinstitutional agreement. The Commission should commit itself to start legislative procedure when it receives a detailed bill from Parliament. Similarly, the Commission should commit itself to act on a parliamentary initiative concerning a serious or systematic breach of Union values by a member State.