



Memorandum to the Belgian Government with a view to the Belgian Presidency of the European Union

Introduction

The European Humanist Federation was created in July 1991 and has the status of an international association under Belgian law.

The EHF-FHE federates numerous humanist organisations from most European countries, including Central European countries.

Some of them are quite old, others were created fairly recently. They all develop actions in the many fields of community life, from development cooperation to the organisation of civil ceremonies to the representation of “non-believers” and the promotion of the “laïcité” of society.

The number of affiliated members of the organisations member of the EHF-FHE in the different European countries exceeds several million persons.

The main objective of the EHF-FHE is to represent its members and to promote the principles of humanism and of a secular society to the European institutions. The EHF-FHE develops exchanges between its members and the circulation of information and of experience in order to contribute to the development of the humanist values in Europe.

The European Humanist Federation and its member organisations have paid particular attention to several aspects of the evolution of the European Union.

Let us mention the issues related to citizenship and to the non-discrimination between persons in different periods of life.

The EHF-FHE has drawn up positions from a humanist point of view on matters such as the human rights, ethics, development cooperation, liberties, democratic principles, citizenship or separation between Church and State.

The EHF-FHE is the humanist representative at the Forward Studies Unit of the European Commission. It chairs the coordinating committee of the Initiative “A Soul for Europe – Ethics and spirituality”

The EHF-FHE takes part in the Expert committee of the European Commission on issues related to bioethics (GAEIB).

The EHF-FHE has intervened several times at public hearings, e.g. for the preparation of the Amsterdam Intergovernmental Conference (1997 IGC) or the elaboration of a Charter of Fundamental Rights of the European Union in 2000.

The EHF-FHE follows carefully issues dealt with at the Council of Europe, especially concerning human rights and bioethics. It has taken a stand particularly on the International Convention on Biomedecine as well as on several Resolutions.

In a general way, these different actions are guided by the concern of developing in the European Union, participative democracy, tolerance towards the various trends of thinking as well as equality of rights for citizens whatever their religious or philosophical convictions.

Views on the Europe Union

The member organisations of the EHF-FHE militate for going beyond nationalism, for respecting human rights, for a humanist moral approach based on responsibility and civil and social solidarity, and for philosophical pluralism.

Their action is founded on a rational ethical standpoint based essentially on free thinking and on freedom of conscience.

The EHF-FHE has undertaken to develop the interest its member organisations have for the European Union. It is with this aim that a survey is conducted on their wishes, expectations and concerns within the present context.

The survey is not finished yet, but already certain matters have arisen which have been included in this document.

Our Federation is willing to take part in the project of a European Union as long as it is an open and tolerant Union.

Political aspects

The EHF-FHE reiterates its wish, already expressed at the hearings in the frame of the 1997 IGC, to see the European Union adhere to the European Convention on Human Rights. This should go with the recognition of the jurisdiction of the European Court of Human Rights and of the right for individuals to petition. This system would allow the control by a judge outside the Community juridical order, of the compatibility of the Community law with the European Convention on Human Rights.

Many people consider that the European Union is at present excessively bound to the market economy, to banking and monetary powers and insufficiently imbued with social and democratic concerns. Such disillusionment, sometimes expressed in a confused way, should be clearly dealt with in particular in the future declaration of Laeken.

European Constitution

If the project of a European Constitution takes shape, it must go beyond the old divisions and avoid the evocation of heritages which divide, by simply and clearly stating that "the Union is based on the indivisible and universal principles of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law".

Contrary to the States of the "Ancien Régimes", the Right and the Law are not given any more to the people under cover of a religious power but adopted by the representatives democratically elected by the citizens.

It is a guiding principle of any parliamentary democracy.

If tomorrow's Europe is to be of harmony and solidarity, it will need a civic and social requirement, so that its ethnic, religious, cultural and political elements can harmonise, and this requirement can only be "Laïcité". Humanist ethics and its social and civic idealism remain for Europe a path to the future.

Our organisations renew to the national and European politicians their proposal of including EXPLICIT GUARANTEES of "LAÏCITÉ" in the treaties and measures governing the European Union.

Such guarantees concern more particularly the issues developed in the following paragraphs.

Coherent policy of immigration and of asylum

Let us be reminded that a fundamental distinction between asylum policy and immigration policy has to be made. Deeply concerned by the human rights, the EHF-FHE urges the European Union to take all measures with the States of the Union in order to take all possible steps to ensure, in a concerted way, at all stages of the reception of refugees and asylum seekers, the respect of human dignity.

The EHF-FHE calls the politicians to review the current immigration policy so that a coherent European policy is implemented.

In the name of the principle of equality, the EHF-FHE demands that asylum seekers have at their disposal the means required for the instructions of their application, under conditions safeguarding the respect of persons and of procedure taking into account real-life situations.

The policy of border control must absolutely be accompanied by the implementation of human and material means suited to the requirements of the respect of the humanist values defended by the States.

Such a policy must be part of a revising of the North-South relations and of a development policy.

Joining of new member States

Several member organisations of the EHF-FHE, in particular in Poland and in Slovakia, are quite worried by the serious blows struck at democracy in their country, mainly due to the intervention of the Catholic Church at all levels of public institutions. The attention of European Institutions and of member States has to be drawn to these problems which concern the respect of human rights, liberties and discrimination mainly against women and non-Catholics (atheists, Jews, ...).

Measures have to be taken here and now so that the joining of certain States to the Union does not introduce new conflicts with a religious connotation when these have disappeared or been largely subdued in the countries of the Union.

Pluralism between religious and non-religious

Separation Churches – Union

The Europe that is being built is a Europe of cultural, ethnic, religious diversity. It must be an area of tolerance and, better still, of respect and of mutual understanding. The EHF-FHE stresses the role that the public authorities have to play in this matter. We consider that only pre-eminence of what is civil on what is religious, of general public interest on aspiration of particular ideological groups, can avoid socio-cultural diversity being expressed by a juxtaposition of ghettos indifferent, if not conflicting, or worse hostile to each other.

If the European Union wants to be an area of freedom, of security and of justice, it is by affirming, in accordance with the democratic legitimacy, the principle founded on the separation of the public authority from any particular power or partisan influence of whatever nature, that it will most certainly succeed.

The Community institutions will safeguard the absolute independence of official bodies, of public services and of European legal activities as regards Churches, clergies, religious influences.

Civic, social, cultural and educational responsibilities ensuing from Community policies are to be assumed by the public services of the Community and will not be passed on to private organisations. As regards religion, the exercise of legitimate rights (individual and collective) will be guaranteed by the Community law in the frame of the private sphere to which they pertain, without ever interfering with the public and political field.

Equality of rights

A democratic State is characterised by the recognition for each individual of a sphere of autonomy that the State must respect and safeguard, by all means, especially by providing an equality of treatment for any individual and for any particular group.

The adhesion or not to a religion pertains to the private sphere of each citizen. Every citizen is free to believe or not to believe in god; each religion is free to get organised as it wishes.

The non-discrimination of persons is essential as regards religious or philosophical convictions - whatever its nature - in application of the Treaty of the Union (Amsterdam 1997) as well as of the Charter of Fundamental Rights of the European Union, in its article 21.

However it has to be noted that if freedom of thought, of conscience and of religion is generally guaranteed by the member States, we are very far from equality of treatment with respect to the material means put at the disposal of religious organisations by the States.

Nowadays, many people have adopted a non-religious life-stance whereas most European States still behave as if they consider that all the citizens still belong to a religion.

Therefore serious discriminations are being maintained within the European Union. In our opinion, it is not acceptable that the application of the principle of subsidiarity allows any longer the non-respect of the right of each citizen to non-discrimination as regards material means.

Importance of cultural creation

The European Union is in search of its identity. There persists a trend to turn to what one calls the "communities of conviction" that are in particular religions and churches. However the development of a society as well as the understanding and respectful approach of its various constituents goes mainly through a cultural project.

Such a project is necessary first of all to allow one another to get to know their respective sensibility and thus to understand each other better, even to appreciate each other, but above all it mainly constitutes an important factor of social cohesion.

The original culture should be made known and not imported products that the "profitability of the market" favours. The culture market alone does not meet the objectives pursued, on the contrary it would tend to destabilise people culturally and sometimes socially too.

All the societies have promoted, in one way or another, cultural creation. It is through it that the heritage of our predecessors could be passed down to us.

It is time that the European Union gets provided with a real ambitious cultural project, in a spirit of dialogue between the components of society.

Such a project must aim primarily at promoting creation which will constitute a genuine bond between Europeans.

Ethics

Another of our concerns is to prevent the notion of “human rights” from being diverted from its true object by extensive and improper use or interpretation.

This problem is posed particularly in two sensitive fields : the one dealing with the autonomy of decision in matters of choices in life and the other concerning bioethics.

For example, it is unacceptable to use articles of the Charter to restrict the individual freedom regarding such delicate issues as the right to a dignified death or the possibility for women to terminate an unwanted pregnancy. Just as we consider that the use of a Charter of Fundamental Rights to prevent research on embryo or on the human genome is no longer conceivable in a Europe concerned with the respect of approaches in matters of ethics.

In a general way, the EHF-FHE considers as inappropriate to include in a Charter of Fundamental Rights limits to scientific research. If, for ethical reasons, measures of caution have to be taken, they will sooner or later be out of date with the evolution of knowledge and then bypassed.

Fight against exclusion and poverty

Several European Councils have dealt with the fight against poverty and social exclusion. The Council of Nice approved the objectives aimed at the preparation of plans by member countries. They are to be presented in June 2001.

The EHF-FHE asks the Belgian presidency to take all possible steps to effectively implement the national plans. These should produce effects very quickly for it is not acceptable to have to observe a continuing growth of poverty and exclusion when Europe is one of the most prosperous regions of the world.

The European Union can and must show the way to a more equitable way of life.

Europe vector of peace

Europe has a long tradition of human rights and the proclamation of a Charter of Fundamental Rights represents a step forward and is further evidence of it.

The implementation of a Europe able to make decisions in a democratic way and under a real parliamentary control is the requisite key for its international role for peace. Not to make Europe a bastion isolated from the rest of the world, but to render prevailing the values of democracy, tolerance and solidarity without which peace is not possible.

Only a European Union capable of taking political decisions while speaking with one voice will be able to intervene to have human rights respected and to make peace reign. Such action concerns not only the European area, but also the countries of the Mediterranean region with which the European Union has had close relations for a long time.

Representation of civil society

Non-governmental organisations (NGO's) intervene more and more directly or have their opinion asked for in numerous matters, human rights, ethical issues, environment, health, development cooperation, etc ...

The number of these NGO's keeps increasing. They have a legal personality in one or several countries of the Union and, in certain cases, can take advantage of the European Convention, established by the Council of Europe in 1986, "on the recognition of the legal personality of international non-governmental organisations (INGO's)".

In the present context, the EHF-FHE considers that clear rules have to be established, on the European level, concerning the membership, the democratic organising, the legitimacy of representation, the openness of the financing and accounting of European INGO's.

The European Social and Economic Committee organised, in October 1999, a symposium on "Civil society organised on a European level", the proceedings of which give several interesting requirements, yet juridically imprecise.

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