



Ombudsman encourages Commission to issue guidelines on dialogue with religious and non-religious organisations

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The European Ombudsman, **P. Nikiforos Diamandouros**, has encouraged the European Commission to clarify how it conducts its dialogue with religious and non-religious organisations and, if necessary, draw up concrete guidelines on this issue. This follows a critical remark he made over the reasons the Commission put forward when refusing to conduct a dialogue seminar with the European Humanist Federation on the exemption for churches provided in European employment rules. The Commission partly explained its refusal by saying that the Union needed to respect the status of churches and religious organisations in the Member States.

The Ombudsman failed to see how engaging in a discussion with the complainant on this issue could call this status into question. While acknowledging the Commission's broad margin of discretion concerning how it carries out its dialogue with religious and non-religious organisations, he stressed that the case represents a good opportunity for the institution to clarify its practices.

Humanists proposed a seminar on special status of churches

The Lisbon Treaty obliges the Union to maintain an open, transparent and regular dialogue with



churches, religious associations, philosophical and non-confessional organisations. In this context, the Commission regularly organises "dialogue seminars".

The European Humanist Federation (EHF) represents 50 humanist organisations from more than 20 countries. In October 2011, the EHF lodged a complaint with the Ombudsman about the Commission's refusal to accept a proposal for a "dialogue seminar" on the exemption for churches provided in European employment rules. The EHF added that the Commission favours religious over non-religious organisations.

The Commission explained that the proposed topic would go beyond the spirit of the relevant Lisbon Treaty provisions, which state that the Union respects the status under national law of churches, religious associations or communities, and philosophical and non-confessional organisations. It also explained that dialogue seminars are meant to address wider issues.

The Ombudsman failed to see how engaging in a discussion with the complainant could call into question the status of, amongst others, churches and religious associations. However, he acknowledged the Commission's broad margin of discretion concerning its dialogue with religious and non-religious organisations. With a view to ensuring that the Commission can justify its decisions objectively, and can avoid even the perception that it discriminates against specific groups, the Ombudsman advised it to use the present case to clarify how it conducts its dialogue with such organisations and, if necessary, to draw up concrete guidelines.

The Ombudsman's decision is available at:

<http://www.ombudsman.europa.eu/en/cases/decision.faces/en/49026/html.bookmark> [Link]