

Geneva, 9 March 2011

Letter from Civil Society Organizations to State Representatives:

“Defamation” and “denigration” of religions at the 16th Session of the United Nations Human Rights Council

Excellency,

We are writing to you to strongly urge your government to actively engage in the negotiations on the resolution on “combating defamation of religions”/“combating religious hatred and denigration of religions” at the 16th Session of the UN Human Rights Council (“the Council”) that is currently taking place. Specifically, we urge your government to vote against any resolution which refers to “defamation of religions” or similar terms such as “vilification” and “denigration” of religions and religious symbols, and support a resolution which omits such terms and focuses on freedom of expression, freedom of religion and non-discrimination in ways that properly reflect international human rights standards.

This approach would reflect the growing consensus that has emerged at the UN General Assembly and the Council over the past two years that the concept of “defamation” or “denigration of religions” is counterproductive to global efforts to combat discrimination against religious minorities and serves to entrench repression and violence against non-believers, members of religious minorities and political dissidents. As highlighted by the UN Special Rapporteurs on freedom of opinion and expression, freedom of religion or belief and contemporary forms of racism, racial discrimination, xenophobia and related intolerance in their Joint Statement at the Durban Review Conference in 2009, laws prohibiting “defamation of religions” and/or blasphemy are regularly relied on to justify discrimination, repression and violence against religious minorities.. There is also a growing consensus that the concept of “defamation of religions” and similar terminology undermines and distorts existing international human rights guarantees on freedom of expression, freedom of religion and non-discrimination. International human rights law does not and should not protect religions *per se*, but does and should protect individuals and groups from discrimination, violence and hostility on the basis of their religion. Religious beliefs, ideas and systems should not be exempt from discussion, debate or even sharp criticism, whether from internal or external commentators.

Furthermore, debates surrounding UN resolutions on “combating defamation of religions” have been amongst the most polarizing at the UN and have had the effect of stalling international cooperation on other human rights issues. It is therefore necessary that States make concerted efforts at this Council session to renegotiate the terms of the resolution on “combating defamation of religions” and forge a consensus around a resolution which reflects international human rights law- including existing language as contained in the Universal Declaration on Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) – and which presents a robust international response to tackling discrimination against individuals and groups on religious grounds.

Your delegation has a key role to play in the forthcoming negotiations to renegotiate the deeply-contested resolution on “combating defamation of religions”/“combating religious hatred and denigration of religions” and to realise a consensus resolution that both addresses religious discrimination and reflects international human rights standards.

In keeping with the reports of the Secretary-General on “combating defamation of religions” submitted to the 65th session of the UN General Assembly’s Third Committee and of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submitted to the 15th session of the Council, we urge your delegation to:

- Reject any reference to “defamation” or “denigration” of religions, religious symbols and persons, whether in the title or text of any proposed resolution on this issue;
- Promote language which properly reflects international human rights law, in particular relevant Articles of the UDHR and ICCPR;

- Reject any wording which seeks to protect religions, religious beliefs, symbols or “venerated personalities” from criticism;
- Promote language that protects individual religious believers, secularists and religious minorities who face discrimination, hostility or violence because of their actual or perceived religion or beliefs or lack thereof;
- Promote the full implementation of international human rights law on the rights to freedom of expression, freedom of religion and non-discrimination and the development of strategies by the Human Rights Council to promote intercultural and inter-religious dialogue.

Sincerely,

Adil Soz - International Foundation for Protection of Freedom of Speech

Al Haq, Occupied Palestinian Territory

Alternative ASEAN Network on Burma (ALTSEAN-Burma), Thailand

Amnesty International

Andalus Institute for Tolerance and Anti-Violence Studies, Egypt

Arab Foundation for Civil Society and Human Rights Support, Egypt

Arab Organization for Human Rights, Syria

Arabic Network for Human Rights Information, Egypt

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Asian Forum for Human Rights and Development (FORUM-ASIA), Thailand

Asian Legal Resource Centre (ALRC)

Association of Caribbean Media Workers

Association for Freedom of Thought and Expression, Egypt

Association of Independent Electronic Media

Association of Parents of Disappeared Persons (APDP)

Baha'i International Community (BIC)

Bahrain Centre for Human Rights (BCHR)

Banglar Manabadhikar Suraksha Mancha, India

Cairo Institute for Human Rights Studies (CIHRS)

The Cambodian Human Rights and Development Association (ADHOC), Cambodia

Canadian Journalists for Free Expression

Center for Media Freedom and Responsibility

Center for Media Studies & Peace Building

Centre for Independent Journalism

Centro de Estudios Legales y Sociales (CELS), Argentina

Christian Development Alternative, Bangladesh

CIVICUS, South Africa

Committees for the Defense of Democracy Freedom and Human Rights, Syria

Common Concern, India

Democracy Coalition Project, USA

Development Alternatives with Women for a New Era, Philippines

East and Horn of Africa Human Rights Defenders Project (EHAHRDP)

Egyptian Center for the Rights of the Child

Egyptian Foundation for Advancement of the Childhood Condition

Egyptian Initiative for Human Rights (EIPR)

Ethiopian Freepress Journalists' Association

Fahamu Refugee Programme, United Kingdom

Freedom Forum

Freedom House
Freedom of Expression Institute
Free Media Movement
Franciscan Sisters of the Immaculate Conception, Philippines
Globe International, Mongolia
Habi Center for Environmental Rights, Egypt
HRWG - Indonesia's NGO Coalition for International Human Rights advocacy, Indonesia
Human Rights First, USA
Human Rights First Society, Saudi Arabia
Human Rights Network for Journalists
Human Rights Organization in Syria – MAF
Human Rights Watch
Human Security Alliance, Thailand
The Inclusive Development Action, Viet Nam
Index on Censorship
Indigenous People's International Centre for Policy Research and Education (Tebtebba), Philippines
The Indonesian Human Rights Monitor (IMPARSIAL), Indonesia
INFORM Documentation Centre, Sri Lanka
INHURED International, Nepal
Initiative for Freedom of Expression
Institute for Reporters' Freedom and Safety
Institute for the Studies on Free Flow of Information
Institute of Mass Information
Instituto Prensa y Sociedad de Venezuela
International Federation of Journalists
International Catholic Center of Geneva
International Movement Against All Forms of Racism and Discrimination, Japan
International NGO Forum on Indonesian Development, Indonesia
International Press Institute
Iraqi Human Rights Organization, Denmark
The Jurist Association, United Arab Emirates
Khmer Kampuchea Krom Human Rights Association, Cambodia
Kurdish Committee for Human Rights-Based, Syria
Kurdish organization for the defense of human rights and public freedoms in Syria- DAD
Land Center for Human Rights, Egypt
Law and Society Trust, Sri Lanka
Maharat Foundation (Skills Foundation)
Media, Entertainment and Arts Alliance
Media Foundation for West Africa
Media Rights Agenda
Media Watch
National Commission for Justice and Peace, Pakistan
National Organization for Human Rights, Syria
Nepal National Dalit Social Welfare Organization, Nepal
New Zealand National Refugee Network, New Zealand
Norwegian PEN
Observatoire pour la liberté de presse, d'édition et de creation
Pacific Freedom Forum

Pacific Islands News Association
Partners for Law in Development, India
Partnership for Justice and Human Rights Agenda, Nigeria
Pax Romana - International Catholic Movement of Intellectual and Cultural Affairs, Switzerland
Pax Romana - International Movement of Catholic Students, France
People's Union for Civil Liberties (PUCL), India
People's Vigilance Committee on Human Rights, India
People's Watch, India
Philippine Alliance of Human Rights Advocates, Philippines
Programme Against Custodial Torture & Impunity, India
Refugee Council of Australia, Australia
Rights, India
Salmah Women Resource Center, Sudan
SKeyes Center for Media and Cultural Freedom (Samir Kassir Eyes)
Southeast Asian Press Alliance
Suara Rakyat Malaysia (SUARAM), MALAYSIA
Sudan Social Development Organization (SUDU)
Task Force Detainees of the Philippines, Philippines
Thai Committee for Refugees, Thailand
The Other Media, India
Think Centre, Singapore
Yemni Observatory for Human Rights
West African Human Rights Defenders Project (WAHRDP)
The Working Group on Human Rights in India and the UN (WGHR)
World Association of Newspapers and News Publishers
World Press Freedom Committee