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Human rights situations that require the Council's attention

Written statement* submitted by International Foundation Witnesses Ashoora, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2023]

* Issued as received, in the language of submission only.



The Holy Quran Burning and Hate Speech

Introduction

Freedom of expression is the cornerstone and the warrant of democracy, but like all other rights and freedoms we enjoy, also the right to free speech has its limits. Hate speech is one of the most resilient manifestations of cyber violence, and is not to be equated with free speech. This is partly related to our perception of the freedom of expression that has substantially changed through time; from the past focus on being able to freely express your opinion, to question, dissent, and challenge the government, to today's need to limit these rights to protect the targets of hate speech.

Although freedom of expression is a fundamental human right enshrined in international law, such expression must not incite violence or hatred against particular individuals or groups. International law instruments are often not clear on the extent of these two rights and how different societies with different groups and values apply them differently. The volume of attention that freedom of expression gets, being a qualified right, means that the right to religion often doesn't get privileged treatment. Perhaps this is due to different religious faiths, standards, views, and perspectives. The dilemma that is faced with balancing these two equally important fundamental rights would have been easier if there were universal standards in place to draw the boundaries of these rights. Someday, it shows itself by an attempt to publish a caricature, someday by hate speech, and today by burning the Quran with the support of the government.

In the case of the Quran burning, it is clear that this act is deeply offensive and hurtful to many Muslims around the world. This is because, for Muslims, the Quran is not just a book, but a sacred text that has great spiritual and religious significance. It is a symbol of the Muslim faith, and burning it is considered an insult to Allah (God) and a desecration of Islam. For Muslims, burning the Quran is also an attack on the essence of their faith. In addition, the burning of the Quran may be accompanied by hateful and discriminatory statements and actions toward Muslims, which adds to the pain and insult to the Muslim community[1].

Religious Defamation, in the Name of Freedom of Speech

Hate speech covers many forms of expressions which advocate, incite, promote or justify hatred, violence, and discrimination against a person or group of persons for a variety of reasons. It poses grave dangers for the cohesion of a democratic society, the protection of human rights, and the rule of law. If left unaddressed, it can lead to acts of violence and conflict on a wider scale. In this sense hate speech is an extreme form of intolerance that contributes to hate crime.

It is a reminder of the discrimination and violence that many Muslims have faced throughout history and continue to face today. Article 18(2) of the International Covenant on Civil and Political Rights (ICCPR) states that no one shall be subjected to coercion in a manner prejudicial to his freedom to have or to adopt a religion or belief of his choice. In addition, Article 20 of the ICCPR prohibits by law any advocacy of religious hatred that constitutes incitement to discrimination, hostility, or violence; Intolerance and discrimination based on religion or belief are practiced in many ways in all parts of the world, including the burning of the Koran in Sweden and Denmark. It includes discrimination, exclusion, restriction, or preference based on religion or belief. Any attack on the equal enjoyment of human rights and fundamental freedoms constitutes such intolerance and discrimination, whether intended or not.

Acts which manifest intolerance and are intentionally aimed at stirring up hatred, or causing hurt and fostering inter-religious and political tensions such as some recent instances of the public burning of the holy Quran or desecration of places of worship, are objectionable and risk drawing our societies backward, reversing positive educational and social investments towards understanding and diversity. While reiterating the importance of promoting dialogue, understanding, and cooperation among religions, cultures, and civilizations for peace and harmony in the world and that spreading the values of tolerance and peace is the best way to confront hate speech, fanaticism, extremism, violence, and incitement. While Strongly condemns the recent despicable acts of aggression against the Holy Quran in Sweden and the recurrence of acts in Denmark, we urge the Human Rights Council to remind its member states:

To ensure a high level of security through measures to prevent and combat crime, racism, and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters, and to achieve this go

to take the necessary measures to prevent the recurrence of such criminal acts under the pretext of freedom of expression.

incitement to hatred, including religious hatred, should be the object of criminal sanctions

Demands the immediate cessation, and criminalization of such extremist provocative acts, and underlines the need to respect religious texts and symbols and promote a culture of peace and acceptance of the other.

Create the space for States to examine and adopt national laws and policies to prevent and counter acts and advocacy of religious hatred;

Start an urgent discussion at HRC on how to prevent these recurring acts which carry national, regional, and global ramifications

[1] <https://blogs.lse.ac.uk/humanrights/2023/07/06/burning-the-quran-in-sweden-hatred-or-freedom/>