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Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Panel discussion on countering religious hatred constituting incitement to discrimination, hostility or violence

Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report contains a summary of the panel discussion on countering religious hatred constituting incitement to discrimination, hostility or violence that was held on 8 March 2024, at the fifty-fifth session of the Human Rights Council, pursuant to Council resolution 53/1. It includes summaries of the opening statements and presentations made by the panellists, and highlights from the interactive discussion that followed.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. On 8 March 2024, the Human Rights Council held a panel discussion on countering religious hatred constituting incitement to discrimination, hostility or violence, pursuant to Council resolution 53/1. The present report is submitted pursuant to the same resolution.
2. In line with resolution 53/1, the panel discussion was aimed at: discussing the drivers, root causes and human rights impacts of the desecration of sacred books, of places of worship, and of religious symbols, as a manifestation of religious hatred that could constitute incitement to discrimination, hostility or violence; outlining gaps that might exist in laws, policies, practices and law enforcement that impede the prevention and prosecution of such public and premeditated acts; and proposing normative, legal, policy and administrative deterrence measures, to counter acts, both online and offline, of religious hatred that constitute incitement to discrimination, hostility or violence against individuals based on their religion or belief. Furthermore, in line with the concept note,¹ the panel discussion was also aimed at reflecting on how manifestations of religious hatred against individuals based on their religion or belief hinder the full enjoyment of their fundamental rights and freedoms; and sharing lessons learned and positive examples of national laws, policies and law enforcement frameworks that address, prevent, and prosecute acts and advocacy of religious hatred that constitute incitement to discrimination, hostility or violence.
3. The panel was chaired by the President of the Human Rights Council and Permanent Representative of Morocco to the United Nations Office and other international organizations in Geneva, Omar Zniber. The opening statement of the panel discussion was delivered by the United Nations High Commissioner for Human Rights, Volker Türk. The panellists were Zamir Akram, former Permanent Representative of Pakistan to the United Nations and other international organizations in Geneva and Chair-Rapporteur of the Working Group on the Right to Development; Irene Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Kobayyah Tchamdja Kpatcha, Vice-Chair of the Human Rights Committee; and Thiago Alves Pinto, Member of the Panel of Experts on Freedom of Religion or Belief at the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, and Director of Studies in Religion and Theology at the University of Oxford.
4. The opening remarks were followed by presentations from the panellists and interactive discussions. The panel discussion ended with concluding remarks by the panellists. The panel discussion was made accessible to persons with disabilities through the use of sign language interpretation and closed captioning. The panel was webcast and recorded.²

II. Summary of the proceedings

A. Opening of the panel discussion

5. In his opening statement, the United Nations High Commissioner for Human Rights began by noting that 8 March was International Women's Day, and stressed that the subject of the panel discussion had a special resonance on that day, as expressions of religious hatred against persons wearing religious symbols often disproportionately targeted women and girls. He expressed concern over attacks on places of worship and manifestations of contempt for books revered by believers, such as the incidents of burning the Qur'an, which were often fed by a deeper pool of misperceptions and discrimination. He expressed total opposition to all forms of discrimination, noting that xenophobia and discrimination on the basis of religion or belief, gender, ethnicity and migrant status were rising to disturbing levels.

¹ Available at https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/55/DL_HRC_Panels/CN_panel-53_1_HRC55.docx.

² The webcast is available at <https://webtv.un.org/en/asset/k1g/k1gbkb89cq>.

6. The High Commissioner highlighted the work carried out by his Office since his presentation, pursuant to Human Rights Council resolution 53/1, of an oral update³ to the Council at its fifty-fourth session. That work included: (a) a brainstorming discussion convened by the Office of the United Nations High Commissioner for Human Rights (OHCHR) with diplomats, United Nations independent experts, religious leaders and civil society representatives on addressing religious hatred;⁴ (b) hybrid discussions with academics and civil society groups engaged in concrete initiatives in Armenia, Chile, Colombia, Costa Rica, Cyprus, France, Lebanon, Nigeria, Norway, Portugal, South Africa, Switzerland, Türkiye, the United Kingdom of Great Britain and Northern Ireland and the United States of America; and (c) a call for inputs⁵ issued by OHCHR to all States regarding the drivers, root causes and human rights impacts of religious hatred, which generated contributions that enriched a subsequent report to the Human Rights Council.⁶

7. Hatred and violence were often fed by conspiracy theories and frequently promoted by politicians, who hoped to instrumentalize the public's fear by scapegoating a minority group, especially during electoral periods. The High Commissioner called on States and other actors to take action to address the spread of speech that weaponized diversity of origins and beliefs. Such action must begin with the law. The High Commissioner strongly encouraged all States Members of the United Nations to adopt comprehensive anti-discrimination legislation based on the guidelines recently issued by his Office.⁷ He also called upon States to give effect, through their domestic legislation, to the international obligation arising from article 20 of the International Covenant on Civil and Political Rights, which required the prohibition of advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence.

8. The High Commissioner encouraged appropriate action within justice institutions, which should be more systematically seized of cases of expression of religious hatred, including instances of alleged desecration of sacred books and religious symbols. In that way, justice authorities could determine whether the threshold of advocacy of hatred constituting incitement to discrimination, hostility or violence had been crossed. Cases of discrimination, including on religious grounds, should also be brought before national courts. Additionally, the High Commissioner advocated for more engagement in peer-to-peer learning programmes for judges, lawyers and prosecutors, and for training activities for police forces on recording and taking action on incidents of incitement to discrimination, hostility and violence.

9. The High Commissioner emphasized that international human rights law did not protect religious doctrines or positions as such. As the Human Rights Committee had pointed out,⁸ displays of lack of respect for a religion that did not constitute incitement to discrimination, hostility or violence were not to be prohibited. The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence provided detailed guidance regarding the distinction between speech or actions that incited discrimination, hostility or violence, and those that might be critical or even contemptuous but did not incite discrimination, hostility or violence.

10. The High Commissioner recommended effective initiatives to build societies in which expressions of hatred were considered socially unacceptable. That required inclusive faith literacy and a more holistic view of human rights education. The Faith for Rights framework,⁹ set up by OHCHR in 2017, was aimed at engaging Governments, religious authorities and a wide range of civil society actors in peer exchanges about concrete efforts on the ground. For example, several religious leaders who were part of the Faith for Rights "commUNity of

³ See <https://www.ohchr.org/en/statements-and-speeches/2023/10/religious-hatred-turk-urges-renewed-social-contract-based-trust-and>.

⁴ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/Roundtable09-11-2023.pdf>.

⁵ See https://www.ohchr.org/sites/default/files/documents/issues/minorities/issues-focus/countering-religious-hatred/NV_A_HRC_RES_53_1_en.pdf.

⁶ [A/HRC/55/74](#).

⁷ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

⁸ [General comment No. 34 \(2011\)](#), para. 48.

⁹ See <https://www.ohchr.org/en/faith-for-rights>.

practices”¹⁰ had advocated for persons of all faiths to have unimpeded access to their places of worship and had condemned incitement to violence, discrimination or hostility in the name of religion. OHCHR consultations with States and civil society had yielded many examples that could contribute to guiding efforts aimed at promoting more collaboration among individuals and groups of different faiths and skill sets.

11. Human rights education could be imparted in schools and through public media campaigns, but also through inclusive sports teams, local skills training, programmes for women and projects led by religious or community leaders, and especially by putting further emphasis on the inclusive participation of young people. Additionally, social media platforms had a responsibility to combat online hate speech that might lead to real-world discrimination and violence. OHCHR advocated for responsible and principled regulation in that area and was working with a number of companies to help them step up efforts to meet their human rights responsibilities under the Guiding Principles on Business and Human Rights.

12. The High Commissioner stressed the importance of upholding the fundamental rights of people to live free from all forms of discrimination and from targeted attacks that incited hostility and violence against them. He also underscored the importance of addressing the phenomenon of the weaponization of diversity – including diversity of religions and beliefs – to scapegoat minorities for political benefit. In conclusion, he urged all States to implement the recommendations contained in the multiple reports on promoting freedom of religion or belief that OHCHR had submitted to the Council; to act expeditiously with regard to hate crimes; and to protect religious or belief minorities, including their places of worship.

B. Presentations by the panellists

13. At the outset, Mr. Akram stressed that geopolitical conflicts, historical grievances, misperceptions and misuse of social media could provide the triggers for hate-based crimes, such as attacks on religious texts. He noted how the burning of religious texts was a precursor to violent crimes; unchecked public spectacles of attacks on religious books and symbols had historically escalated to bringing down places of worship, reclaiming lands, dehumanizing groups and provoking forced displacements and mass killings.

14. Mr. Akram emphasized that the incidents of desecration of the Qur’an in 2023 had taken place because there had been nothing to stop them, as public censure and legal deterrence had been either missing or inadequate. The absence or inadequacy of responses by States could be traced to three factors: (a) the development of norms to counter intolerance, hatred and discrimination based on religion had had a chequered journey, since the United Nations had adopted a convention on racial discrimination¹¹ but only a declaration on religious intolerance;¹² (b) the international consensus to combat hatred based on religion was precarious owing to differences in ideological approaches; and (c) the thresholds generally identified to test incitement levels had been set so high that hate speakers had significant room to manoeuvre. As a result, a decade after the adoption of Human Rights Council resolution 16/18, the first resolution on the issue to be adopted by consensus, all forms of religious hatred had been rising.

15. The response of the Human Rights Council to the incidents that had occurred in 2023 was legitimate, necessary and proportionate. A conversation on combating religious hatred could be viewed as a threat to freedom of speech or an attempt to protect a religion or its symbols. Such views were, in Mr. Akram’s opinion, misperceptions, and had often delayed further progress. International human rights law envisaged duties and responsibilities in the area of, and limitations on, free speech. If more free speech were the only antidote to hate speech, then hate speech would have declined; however, that had not been the case. He noted that combating religious hatred was not about protecting a religion but was rather about

¹⁰ See <https://www.ohchr.org/sites/default/files/documents/issues/religion/faithforrights/Faith-for-rights-P2Pweek2023.pdf>.

¹¹ International Convention on the Elimination of All Forms of Racial Discrimination, adopted on 21 December 1965.

¹² Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, adopted on 25 November 1981.

protecting the people who pursued that faith from the human rights impacts of unchecked hate.

16. In 2011, Human Rights Council resolution 16/18 had been celebrated as a landmark success because it represented the Council's first establishment of consensus on combating intolerance, violence and other negative acts based on religion or belief. The resolution included a mix of affirmative and preventive measures. It had inspired the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, several national action plans, measures to protect places of worship, and a collaborative spirit. Nevertheless, in the 13 years since the adoption of the resolution, the challenge of intolerance and hate had risen manifold, new technologies had emerged and rapid disinformation had been weaponized through social media. Creating religious hate was becoming a ticket to electoral success. Speaking out and enacting legal deterrence were vital to combating religious hatred, including its vilest forms. Mr. Akram stated that Human Rights Council resolution 53/1 had clarified the need, and thresholds, for action on the desecration of holy books.

17. Human Rights Council resolution 16/18 represented a delicately balanced compromise, at the heart of which was a road map for action that included speaking out against the advocacy of religious hatred and criminalizing incitement to discrimination, hostility or violence. Specific prohibitions were required in order to avoid leaving the burden of legal remedies to the victims of hate. Implementation in those areas had lagged behind, which had resulted in episodes of hostility and violence and could lead to an avoidable breakdown of consensus. Mr. Akram concluded by calling upon the Human Rights Council to be sensitive to the growing risks to the consensus established through resolution 16/18, which represented one of the Council's signature achievements.

18. Ms. Khan began by commenting that the right to freedom of religion or belief and the right to freedom of opinion and expression were mutually reinforcing, allowing all persons, regardless of their religion or belief and inclusive of persons professing no religion at all, to practice, or not practice, their faith, to demand tolerance, to participate in public life and to contribute openly and equally in society. Freedom of expression was also essential for combating negative stereotypes and for creating an atmosphere of respect and understanding among different communities and individuals. She expressed concern over an upsurge in hate speech and acts of religious intolerance that were aimed at stirring up hatred, fuelling social discord and creating political tensions. The public burning of the Qur'an, the desecration of Jewish places of worship and the demolition of Christian churches in some countries were deplorable acts and had to be condemned.

19. International law required States to prohibit the advocacy of religious hatred that constituted incitement to discrimination, hostility or violence, and Governments must enforce that prohibition. In consideration of the serious and sensitive issues that such prohibition entailed for both freedom of religion or belief and freedom of expression, Governments should be guided by the Rabat Plan of Action, which provided a vital six-point test for differentiating legitimate speech from incitement. Ms. Khan stressed that the problem did not lie in the lack of an international legal framework but rather in the lack of the implementation of the existing framework at the national level, and in States' non-compliance with international law. Any restriction of freedom of expression must be lawful, non-discriminatory and strictly necessary and proportionate to ensure respect for the rights and reputation of others, or to protect national security, public order or public health or morals. International law did not recognize the protection of religion, religious objects, holy books or religious sentiments as a legitimate ground for restricting the right to freedom of expression. The purpose of human rights law was to protect individuals, not to shield religious doctrine, objects, symbols or texts from criticism.

20. Some States had adopted public order laws to limit the expression of views that might offend the beliefs of majority populations or to prohibit religious beliefs that could be deemed blasphemous. Ms. Khan called attention to the existence of anti-blasphemy laws, which were inconsistent with international human rights law and violated both the right to freedom of expression and the right to freedom of religion or belief. Anti-blasphemy laws were often used against members of religious minorities, dissenting voices, atheists, artists and scholars, and had been known to encourage vigilante violence against religious minorities.

21. Hatred could not be eliminated by legal prohibition alone; criminalization was necessary in the most egregious cases, but should be used with caution as it could be counterproductive. States must adopt a range of social policies and programmes to promote diversity, tolerance and respect for human rights and the rule of law. Political and religious leaders had a crucial role in speaking out firmly against religious intolerance and hatred and should not spread or be the source of such speech. Respect for freedom of expression could be a powerful weapon against religious hatred, including through public information campaigns that promoted diversity or strong, independent and diverse media that reported critically.

22. Finally, Ms. Khan referred to her thematic reports on disinformation,¹³ on threats to freedom of expression during armed conflict¹⁴ and on gendered disinformation,¹⁵ in which she had drawn attention to the amplification of harmful speech on social media, including advocacy of religious hatred. She welcomed the fact that the Oversight Board of Meta had used the threshold test envisioned in the Rabat Plan of Action in more than a dozen decisions, which could have a significant impact for online content moderation affecting over 3 billion monthly active users of Facebook globally. Some social media platforms had responsible policies in place, while others did not have such policies or did not invest in the necessary staff, knowledge or expertise to deal with hate speech. Ms. Khan concluded by affirming that, more than ever, the responses to those issues should be strongly anchored in the international human rights law framework.

23. Ms. Tchamdja Kpatcha underscored that the Human Rights Committee oversaw the implementation of the International Covenant on Civil and Political Rights by the 174 States parties thereto. Article 20 of the Covenant, which set out the prohibition of any advocacy of national, racial, or religious hatred that constituted incitement to discrimination, hostility or violence, was particularly relevant. It was a fundamental provision for ensuring social inclusion and equality among all individuals and communities. Incitement to hatred was not part of freedom of expression. Unfortunately, manipulators, whether political or religious, often exploited the grey areas between freedom of expression and incitement to hatred. That demonstrated the importance of the clarifying role of human rights treaty bodies, including the Human Rights Committee, and Ms. Tchamdja Kpatcha called on States to strengthen the treaty bodies by supporting the General Assembly resolution on treaty body strengthening in December 2024.

24. Despite efforts to develop a definition, the determination of incitement to hatred remained essentially contextual. The Human Rights Committee had contributed to developing the Rabat Plan of Action, which stated that the term “hatred” referred to intense and irrational emotion of opprobrium, enmity and detestation towards a targeted group, and that the term “incitement” referred to statements about national, racial, or religious groups that created an imminent risk of discrimination, hostility or violence against persons belonging to those groups. The Rabat Action Plan provided an evaluation grid with six elements to assess the seriousness of hate speech and determine whether it constituted a criminal offence. Those elements demonstrated the complexity of the subject and the need for in-depth assessments on a case-by-case basis. The elements of the six-part threshold test were: context, speaker, intent, content, extent and likelihood of harm.

25. Ms. Tchamdja Kpatcha argued that legislation had to be almost surgical, as a balance with freedom of expression must be struck. For example, the Human Rights Committee stressed in its general comment No. 34 (2011) that prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, were incompatible with the Covenant, except in the specific circumstances envisaged in article 20 (2). Therefore, in accordance with paragraph 48 of that general comment, it would be impermissible for those laws to discriminate in favour of or against one or certain religions or belief systems or their adherents, or in favour of religious believers over non-believers. Nor would it be permissible

¹³ [A/HRC/47/25](#).

¹⁴ [A/77/288](#).

¹⁵ [A/78/288](#).

for such prohibitions to be used to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith.

26. Laws were an important pillar for protection, but they were never sufficient. Any legislation against incitement to hatred had to be complemented by initiatives from various sectors of society to create and strengthen a culture of inclusiveness, tolerance and mutual respect. States, the media and society had a collective responsibility to ensure that acts of incitement to hatred were addressed with appropriate measures, in accordance with international law. Political and religious leaders should refrain from expressions that could incite discrimination, hostility or violence, and they had a crucial responsibility to speak out against hate speech. They should also make clear that violence could never be tolerated as a response to incitement to hatred.

27. Since 2012, the Rabat Plan of Action had been referred to in more than 60 resolutions of the General Assembly and the Human Rights Council – including Council resolution 53/1. The European Court of Human Rights, the Oversight Board of Meta and several national authorities for audiovisual communications had used the Rabat Plan of Action threshold test. In its general comment No. 37 (2020), the Human Rights Committee cited the Rabat Plan of Action and the Beirut Declaration on Faith for Rights.¹⁶ Furthermore, the explanatory memorandum for the recommendation of the Committee of Ministers of the Council of Europe to Member States on combating hate speech¹⁷ emphasized that the Faith for Rights framework¹⁸ and toolkit¹⁹ were useful tools that employed a peer-to-peer learning methodology. Ms. Tchamdja Kpatcha concluded by stating that sharing of experience among political and religious leaders, independent experts and members of the media and civil society should be supported.

28. Mr. Alves Pinto provided a historical analysis of the impact that laws protecting the sacred had had on human rights. Laws protecting the sacred had existed for millennia and were present in the oldest legal codes. Those laws had many different names, but they shared similar characteristics: they were created to protect sacred matters, enforce orthodoxy and safeguard the maintenance of power.

29. Mr. Alves Pinto recalled historical examples of criticism of laws protecting the sacred. For instance, the Tanakh included the story of Naboth's vineyard, which underlined how blasphemy laws could be abused to benefit political leaders. Plato's *Apology* described Socrates's challenging theories about the sacred; Socrates was eventually condemned to death for not believing in the gods of Athens. The Gospels told that Jesus was unfairly tried for blasphemy. Mr. Alves Pinto noted that the prophet Muhammad also had disrupted the status quo in Mecca with his criticism of the polytheistic beliefs of the Quraysh, which had forced him and his followers to flee severe persecution in Mecca. Several other similar examples underscored that every religious or atheist movement started by challenging what was established as sacred.

30. Laws protecting the sacred tended to have a negative impact on members of minority religious and non-religious groups, for instance, Baha'is, Ahmadis, Jehovah's Witnesses, members of Indigenous groups, atheists and even members of the lesbian, gay, bisexual, transgender and intersex community, as their beliefs or sexual orientation could be perceived as an insult to the sacred. In the same vein, Buddhists, Christians, Hindus, Jews and Muslims, despite being a majority in some States, might face discrimination in States where they were a minority. Therefore, laws protecting the sacred could affect the human rights of persons belonging to all religions and none, wherever they were enforced.

31. Mr. Alves Pinto noted that the best forum in which to discuss religious hatred constituting incitement to discrimination, hostility or violence was the United Nations, given that religious hatred could take place anywhere in the world. Nonetheless, he expressed concern that the United Nations was considering, once again, prioritizing the protection of the sacred instead of the protection of persons. That had already been attempted in the series

¹⁶ A/HRC/40/58, annex I. See also A/HRC/40/58, annex II.

¹⁷ See https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a6891e.

¹⁸ See <https://www.ohchr.org/sites/default/files/documents/press/Faith4Rights.pdf>.

¹⁹ See <https://www.ohchr.org/en/faith-for-rights/faith4rights-toolkit>.

of so-called “defamation of religions” resolutions adopted between 1999 and 2010. Mr. Alves Pinto stressed that those resolutions were politically divisive and had created more confusion than clarity on the subject. The debates surrounding the resolutions had not completely ended in 2011 when the Human Rights Council had passed its resolution 16/18 without a vote. From a political standpoint, while the debate had been suspended, it was never fully resolved. Further evidence indicating a political stalemate was that, despite years of discussions, few States had moved away from enforcing laws protecting the sacred, and even fewer promoted stronger protection of human rights. From a legal standpoint, there still seemed to be a lack of legal clarity surrounding those issues, or there would be no need for new resolutions on the topic.

32. There had been numerous human rights violations related to offences against the sacred, a number that had increased since Human Rights Council resolution 16/18 had been adopted. Those cases related to violations of the right to life, prohibition of torture, fair trial, privacy, freedom of religion or belief, freedom of expression, freedom of assembly and non-discrimination. Mr. Alves Pinto argued that the main problem was not that the desecration of books or religious symbols could affect human rights, as such impacts did occur, but were rare. The real problem was that laws protecting the sacred had a devastating impact on human rights. He concluded that international human rights law had a robust framework capable of addressing all of the questions arising from the subject of the discussion.

C. Interactive discussion

33. Representatives of Member States, national human rights institutions and international and non-governmental organizations took the floor to make comments or ask questions. During the interactive discussion, statements were made by the representatives of Albania, Australia, Bahrain, Cameroon, Cuba, Egypt (also on behalf of the Group of Arab States), Finland (on behalf of the Nordic-Baltic countries), the Gambia (on behalf of the Group of African States), Iran (Islamic Republic of), Iraq, Israel, Kuwait, Libya, Malaysia, Maldives, Morocco, Oman, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar (on behalf of the Cooperation Council for the Arab States of the Gulf), the Russian Federation, Saudi Arabia, Switzerland, Türkiye, the United Arab Emirates and the United States of America, and by representatives of the European Union and the Sovereign Order of Malta.

34. The representative of the National Human Rights Committee of Qatar also took the floor. Representatives of the following non-governmental organizations spoke: Article 19: International Centre against Censorship (on behalf of a group of organizations), Christian Solidarity Worldwide, Interfaith International, Jubilee Campaign, Legal Analysis and Research Public Union, Medical Support Association for Underprivileged Iranian Patients, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (OCAPROCE internationale), Public Organization “Public Advocacy”, VšĮ “Žmogaus teisių apsauga” and World Evangelical Alliance.

35. Statements by the following States were not delivered owing to a lack of time: Algeria, Armenia, Azerbaijan, Bangladesh, Belgium, Brunei Darussalam, China, Costa Rica, Eritrea, France, India, Indonesia, Kazakhstan, Lebanon, Mauritania, Pakistan, Qatar, Senegal, Tunisia, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of), as well as the State of Palestine. For the same reason, the statements by the United Nations Educational, Scientific and Cultural Organization and Promotion du développement économique et social (PDES) were not delivered.²⁰

36. Representatives of several Member States thanked OHCHR for facilitating the panel discussion and expressed appreciation for the valuable contributions of the panellists. Many welcomed the thematic focus of the panel discussion, which was considered opportune and

²⁰ All statements received are available at <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/55/Pages/Statements.aspx?SessionId=74&MeetingDate=08/03/2024%2000:00:00>.

timely in view of the present global context. They acknowledged the efforts by OHCHR to follow up on Human Rights Council resolution 53/1, including by holding consultations and inviting inputs from various stakeholders.

37. State representatives described the international context as marked by alarming levels of intolerance and hatred based on religion or belief. Several condemned hate speech and expressions of religious hatred that constituted incitement to discrimination, hostility or violence; attacks against and destruction of places of worship; and acts of violence, persecution or discrimination rooted in religion or belief. They called on States and relevant stakeholders to take urgent and concrete steps to tackle those issues.

38. In that context, representatives of Member States emphasized the need to address all forms of discrimination and violence motivated by religion or belief; efforts should include promoting a culture of dialogue and respect for diversity. They made an appeal to strengthen international cooperation and dialogue to support and protect freedom of religion or belief; uphold human rights; foster mutual respect, understanding and tolerance; and build a society where respect for religions or beliefs and peaceful coexistence could thrive.

39. Several State representatives showcased the commitment of their countries to upholding the right to freedom of religion or belief and to combating intolerance and hatred. They provided examples of how their countries guaranteed the right to freedom of religion or belief through, *inter alia*, constitutional provisions; the criminalization of religiously motivated violence; the regulation of online hate speech, in collaboration with the technology sector; institutions dedicated to fighting antisemitism and anti-Muslim hatred; projects to protect places of worship; engagement with religious leaders; and the fostering of interfaith dialogue and action.

40. With regard to educational campaigns and programmes on faith literacy and human rights, best practices implemented by OHCHR, the University for Peace and the Inter-Parliamentary Union were also highlighted. State representatives noted that experiences from the Faith for Rights initiative should continue to be exchanged and that the Rabat Plan of Action also provided a useful tool for guidance. Furthermore, they recalled Human Rights Council resolution 16/18 and recommended ensuring regular exchanges on initiatives to counter national, racial or religious hatred and to protect the rights of persons belonging to religious minorities in all countries.

41. Rising levels of Islamophobia were underlined by representatives of several Member States. They commented that Islamophobia was taking many forms, including disproportionate restrictions on the capacity of Muslims to practice their religion, restrictions on obtaining citizenship, and social and economic exclusion. Human rights violations against Palestinians and attacks against their places of worship were also referred to.

42. Representatives of Member States deplored the desecration of religious texts and symbols and referred to the incidents of Qur'an burning, which were regarded as heinous, hateful, provocative and disrespectful acts. They mentioned as one of the drivers the aim of provoking division within societies by actors who sought political gains and held extremist political views.

43. Several State representatives categorized the desecration of religious texts and symbols and places of worship as an act of religious hatred constituting incitement to discrimination, hostility or violence. They called on States to take action to establish the necessary legal deterrence and review their national regulations. They argued that the existing framework developed by the Human Rights Council had not yielded the expected results, as reflected by the increase in incidents of Qur'an burning, and that legal preventive measures should be adopted. The legislative gaps allowed the commission of those acts and led to a lack of accountability for the perpetrators. Furthermore, the desecration of religious texts should neither be linked to freedom of expression nor justified on its grounds. The exercise of the right to freedom of expression came with specific duties and responsibilities related to the prohibition by law of any advocacy of religious hatred amounting to incitement to discrimination, hostility or violence. The representatives expressed their view that the prohibition of such acts represented an international obligation consistent with international human rights law, including the International Covenant on Civil and Political Rights and the

International Convention on the Elimination of Racial Discrimination, and relevant Human Rights Council resolutions, notably resolutions 16/18 and 53/1.

44. Other representatives of Member States emphasized the importance of upholding the rights to freedom of expression and freedom of religion or belief as mutually reinforcing elements of democracy and pluralistic societies. Human Rights Council resolution 16/18 and its action plan were flagged as the road map for addressing religious intolerance and promoting freedom of religion or belief while fully protecting freedom of expression. They called for strengthened efforts to implement the action plan and revitalize the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief. Attention was drawn towards the efforts that had been put in place to reach a mutual understanding on the interpretation of article 20 of the International Covenant on Civil and Political Rights and its correlation with the right to freedom of expression. The six-part threshold test of the Rabat Action Plan was underscored as a crucial tool providing guidance in that regard.

45. Representatives of some Member States suggested further actions to counteract hatred based on religion or belief. Those included promoting the positive and active role of religious communities and leaders, supporting interfaith and interreligious dialogue, building dialogue platforms at the academic level, adopting educational strategies and faith literacy programmes, and exchanging best practices and experiences. They also flagged the digital diffusion, and control, of the spread of hate speech on the Internet as one of the great challenges of this century. Concerns over growing incidents of antisemitism were also raised.

46. Representatives of non-governmental organizations conveyed their distress over the increase in the number of instances of religious intolerance and hatred worldwide. They also expressed concern over discrimination and attacks on the basis of religion or belief, which in their view silenced religious and belief minorities and created environments conducive to violence.

47. Representatives of non-governmental organizations invited relevant States to review their legislation and adopt legal instruments to fill the gaps that could impede the prevention and prosecution of acts of desecration of religious texts. They reiterated that freedom of expression should not shield religious hatred, including hatred demonstrated through the burning of the Qur'an and other acts of vandalism. They recalled States' obligations under article 20 of the International Covenant on Civil and Political Rights and called for the implementation of Human Rights Council resolution 53/1.

48. Other non-governmental organizations argued that the incidents of desecration of religious texts should not be instrumentalized or used to legitimize anti-blasphemy or "defamation of religions" laws, which in their opinion curtailed freedom of expression and freedom of religion or belief, could fuel division and religious intolerance, had a stifling effect on public and interfaith dialogue, and fostered human rights violations against religious or belief minorities. Incidents of violence against vulnerable religious and belief groups had often been registered in countries that criminalized blasphemy. The existing human rights framework already provided the necessary tools to address those issues in compliance with international law. The organizations underscored the importance of the Istanbul Process, of implementing Human Rights Council resolution 16/18, and of applying the Rabat Plan of Action and its threshold test.

49. Representatives of non-governmental organizations called for positive policy measures to ensure the effective protection and social inclusion of groups at risk of discrimination and violence, and for the adoption of comprehensive anti-discrimination laws and policies. An appeal to foster cooperation and strengthen national and international multi-faith dialogue was also made. Examples of networks, platforms and cooperation among religious groups to advocate for freedom of religion or belief, to tackle religious hatred and to support peacemaking and conflict management were mentioned. Violations of human rights and freedom of religion or belief of specific religious minorities and groups, including Ahmadis, Baha'is, Jews, Orthodox Christians and Sikhs, were referred to.

D. Concluding remarks by the panellists

50. In his concluding remarks, Mr. Akram reiterated that the central issue with regard to countering religious hatred constituting incitement to discrimination, hostility or violence was political will. A road map, which encompassed Human Rights Council resolution 16/18, the Istanbul Process and the Rabat Plan of Action, was already in place. Those documents all pointed fairly and clearly towards the actions that States needed to take.

51. Mr. Akram argued that there was no need to reinvent the wheel and that a consensus agreement had already been reached. There was only the need to implement what States had agreed upon, which required political will.

52. Ms. Khan agreed that a road map was in place and that there was a lack of political will. There should be implementation, reporting and accountability before the Human Rights Council regarding that road map, and a universal application of the principles that the road map had laid down. Ms. Khan expressed hope that the Council would also ensure that the road map included a reference to gender equality.

53. In response to questions from the floor, Ms. Khan commented that pressure should be put on social media companies to tackle hate speech. She mentioned the work carried out by OHCHR to further the incorporation of human rights principles in content management and moderation and to promote more transparency by social media platforms. Ms. Khan agreed that the rise of antisemitism and Islamophobia in recent months had been shocking. She stressed the importance of differentiating antisemitism – which was a form of racial and religious hatred – from political criticism of Israel as a political entity.

54. Ms. Tchamdja Kpatcha emphasized that politics, religion and the media were among the most decisive centres of importance in our society. Smart reforms based on international human rights standards should be implemented in those areas. The United Nations should expedite actions to analyse experiences among parliamentarians, judges, educators, the media and faith-based actors.

55. Ms. Tchamdja Kpatcha recommended providing a safe space for fruitful discussions with the participation of members of treaty bodies, special procedure mandate holders and representatives from all religions and cultures. She conveyed the availability of the Human Rights Committee to play a key role in the context of efforts to strengthen the capacity of politicians, judges, parliamentarians and religious actors to respect human rights standards in a comprehensive and integrated manner.

56. Mr. Alves Pinto noted that one of the tools that the United Nations had created to address the issue of discrimination experienced by members of different religious and belief groups was the Faith for Rights framework and the #Faith4Rights toolkit. He stated that he had successfully used the toolkit's peer-to-peer learning methodology with religious and community leaders in several countries.

57. Mr. Alves Pinto agreed with the other panellists that the legal tools to address the issues of the panel discussion were in place, and that there was, however, a lack of political will for implementation. Those legal tools included Human Rights Council resolution 16/18, the Human Rights Committee's general comment No. 34 (2011), the Rabat Plan of Action and relevant reports by special procedure mandate holders and treaty bodies. He noted the lack of appropriate funding for work on the issues under discussion, despite the support expressed orally by States.

58. At the end of the panel discussion, the President of the Human Rights Council thanked the United Nations High Commissioner for Human Rights, the panellists and all participants who had contributed to the discussion.