



General Assembly

Distr.
LIMITED

A/HRC/7/L.15
20 March 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Seventh session
Agenda item 9

**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED
FORMS OF INTOLERANCE, FOLLOW-UP TO AND IMPLEMENTATION
OF THE DURBAN DECLARATION AND PROGRAMME OF ACTION**

**Pakistan (on behalf of the Organization of the Islamic Conference):
draft resolution**

7/... Combating defamation of religions

The Human Rights Council,

Recalling the 2005 World Summit Outcome adopted by the General Assembly in its resolution 60/1 of 24 October 2005, in which the Assembly emphasized the responsibilities of all States, in conformity with the Charter of the United Nations, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status, and acknowledged the importance of respect and understanding for religious and cultural diversity throughout the world,

Recalling also the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in September 2001,¹

Recalling further the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55 of 25 November 1981,

Recognizing the valuable contribution of all religions to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Noting the Declaration adopted by the Islamic Conference of Foreign Ministers at its thirty-fourth session in Islamabad, in May 2007, which condemned the growing trend of Islamophobia and systematic discrimination against the adherents of Islam and emphasized the need to take effective measures to combat defamation of religions,

Noting also the final communiqué adopted by the Organization of the Islamic Conference at its eleventh summit, in Dakar, in March 2008, in which the Organization expressed concern at the systematically negative stereotyping of Muslims and Islam and other divine religions, and denounced the overall rise in intolerance and discrimination against Muslim minorities, which constitute an affront to human dignity and run counter to the international human rights instruments,

Recalling the joint statement of the Organization of the Islamic Conference, the European Union and the Secretary-General of 7 February 2006, in which they recognized the need, in all societies, to show sensitivity and responsibility in treating issues of special significance for the adherents of any particular faith, even by those who do not share the belief in question,

¹ A/CONF.189/12 and Corr.1, chap. I.

Reaffirming the call made by the President of the General Assembly in his statement of 15 March 2006 that, in the wake of existing mistrust and tensions, there is a need for dialogue and understanding among civilizations, cultures and religions to commit to working together to prevent provocative or regrettable incidents and to develop better ways of promoting tolerance, respect for and freedom of religion and belief,

Welcoming all international and regional initiatives to promote cross-cultural and interfaith harmony, including the Alliance of Civilizations and the International Dialogue on Interfaith Cooperation and their valuable efforts towards the promotion of a culture of peace and dialogue at all levels,

Welcoming also the report by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the situation of Muslims and Arabs in various parts of the world,²

Welcoming further the reports of the Special Rapporteur submitted to the Council at its fourth and sixth sessions,³ in which he draws the attention of Member States to the serious nature of the defamation of all religions and to the promotion of the fight against these phenomena by strengthening the role of interreligious and intercultural dialogue and promoting reciprocal understanding and joint action to meet the fundamental challenges of development, peace and the protection and promotion of human rights, as well as the need to complement legal strategies,

Reiterating the call made by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to Member States to wage a systematic campaign against incitement to racial and religious hatred by maintaining a careful balance between the defence of secularism and respect for freedom of religion and by acknowledging and respecting the complementarity of all the freedoms embodied in the International Covenant on Civil and Political Rights,⁴

² E/CN.4/2006/17.

³ A/HRC/4/19 and A/HRC/6/6.

⁴ See resolution 2200 A (XXI), annex.

Emphasizing that States, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and freedom of religion and belief through education,

Noting with concern that defamation of religions is among the causes of social disharmony and instability, at the national and international levels, and leads to violations of human rights,

Noting with deep concern the increasing trend in recent years of statements attacking religions, including Islam and Muslims, in human rights forums,

1. *Expresses deep concern* at the negative stereotyping of all religions and manifestations of intolerance and discrimination in matters of religion or belief;
2. *Also expresses deep concern* at attempts to identify Islam with terrorism, violence and human rights violations and emphasizes that equating any religion with terrorism should be rejected and combated by all at all levels;
3. *Further expresses deep concern* at the intensification of the campaign of defamation of religions and the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;
4. *Expresses its grave concern* at the recent serious instances of deliberate stereotyping of religions, their adherents and sacred persons in the media and by political parties and groups in some societies, and at the associated provocation and political exploitation;
5. *Recognizes* that, in the context of the fight against terrorism, defamation of religions becomes an aggravating factor that contributes to the denial of fundamental rights and freedoms of target groups and their economic and social exclusion;
6. *Expresses concern* at laws or administrative measures that have been specifically designed to control and monitor Muslim minorities, thereby stigmatizing them and legitimizing the discrimination that they experience;
7. *Strongly deplores* physical attacks and assaults on businesses, cultural centres and places of worship of all religions and targeting of religious symbols;

8. *Urges* States to take actions to prohibit the dissemination, including through political institutions and organizations, of racist and xenophobic ideas and material aimed at any religion or its followers that constitute incitement to racial and religious hatred, hostility or violence;

9. *Also urges* States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from the defamation of any religion, to take all possible measures to promote tolerance and respect for all religions and their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

10. *Emphasizes* that respect of religions and their protection from contempt is an essential element conducive for the exercise by all of the right to freedom of thought, conscience and religion;

11. *Urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect all religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that all necessary and appropriate education or training is provided;

12. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to freedom of expression, and that the exercise of this right carries with it special duties and responsibilities, and may therefore be subject to certain restrictions, but only those provided by law and necessary for the respect of the rights or reputations of others, or for the protection of national security or of public order, or of public health or morals;

13. *Reaffirms* that general comment No. 15 of the Committee on the Elimination of Racial Discrimination, in which the Committee stipulates that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with the freedom of opinion and expression, is equally applicable to the question of incitement to religious hatred;

14. *Deplores* the use of printed, audio-visual and electronic media, including the Internet, and of any other means to incite acts of violence, xenophobia or related intolerance and discrimination towards Islam or any religion;

15. *Invites* the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to continue to report on all manifestations of defamation of religions, and in particular on the serious implications of Islamophobia, on the enjoyment of all rights to the Council at its ninth session;

16. *Requests* the High Commissioner for Human Rights to report on the implementation of the present resolution and to submit a study compiling relevant existing legislations and jurisprudence concerning defamation of and contempt for religions to the Council at its ninth session.
