



# General Assembly

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## Human Rights Council

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Agenda item 9

**Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action**

### **Written statement\* submitted by the Organisation for Defending Victims of Violence (ODVV), 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.

[10 February 2010]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Racism and Islamophobia**

On 20 April 2009, addressing the delegates in the Durban Review Conference, UN Secretary General Ban Ki Moon, speaking about anti-Semitism or the newer "Islamophobia", said: "We see such intolerance in national histories that deny the identity of others, or that reject rightful grievances of minorities who might share the a so-called "official history"".

Islamophobia is not new in the West, but evidence suggests that this phenomenon escalated following the 9/11, Madrid and London terror attacks; and following these events European Muslims have been facing more difficult and stricter conditions.

Western countries claim that individuals are free to observe their religious beliefs and teachings, and it is the duty of governments to provide civil liberties and establish multicultural societies. But if when these freedoms are to be granted to others, western governments set many obstacles in the way and call for other cultures to mix with western culture.

Defamation of religion today is a subject that has caused a lot cause for concern, and obstacles are created particularly against Muslims on the excuse of freedom of expression and belief. One example of this is Right-wing Dutch MP, Geert Wilders' claim that freedom of speech in his country was threatened, as he went on trial in Amsterdam charged with inciting hatred and discrimination against Muslims (Reuters, 20 January 2010).

As a human rights NGO, the Organization for Defending Victims of Violence (ODVV) believes that a clear distinction must be made between freedom of expression and defamation of religion. The problem that we are faced with today is the abuse of the right to freedom, which includes the writing of defamatory texts about the prophet of Islam and the Koran: the drawing of cartoons and making of insulting documentaries on Islam, all of which relate to Islamophobia which must be confronted with.

While slanderous defamation of individuals in the West is deemed a criminal offence which is legally dealt with, then how come the defamation of a religion or its holies are neglected to be seen as illegal acts, and in the name of freedom of expression these inflammatory acts become escape routes. This is while it can be claimed that today, there is a very large and noticeable Muslim population living outside of Muslim regions and countries.

In his June 2009 report, the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance states: "the International Covenant on Civil and Political Rights, in its article 20, paragraph 2, prescribes binding limitations on freedom of expression by stating that "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law." (A/HRC/12/38)

In line with cultural diversity and the education of peaceful coexistence of individuals in a society, the ODVV believes that regional seminars and education workshops must be held on defamation of religion and religious tolerance, and the reports of their outcome be studied and reviewed at the international level in conferences with sister NGOs and relevant UN bodies. The conciliation and reconciliation culture among nations instead of culture of violence and religious hatred and xenophobia, must be taught in schools so that this culture becomes institutionalised and xenophobia and religious intolerance is eradicated.