

HUMAN RIGHTS COUNCIL – 55th SESSION

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

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Mr Volker Türk, United Nations High Commissioner for Human Rights, delivered an introductory remark considering the main scope of the panel discussion: to explore the drivers, root causes and human rights impacts of the desecration of sacred books, places of worship and religious symbols. Expressions of religious hatred against people wearing religious symbols often disproportionately target women and girls. He stated that attacks on places of worship, and manifestations of contempt for books that are revered by believers are often fed by a deeper pool of misperceptions and discrimination. Combatting discrimination and hatred is fundamental to the human rights movement. Hate-driven attacks, ranging from hateful speech to symbolic acts of contempt and acts of physical violence, appear to be rising in all regions.

He encouraged all Member States to adopt **comprehensive anti-discrimination legislation**, based on the OHCHR guidelines; **encouraged appropriate action within institutions of justice; recommended effective societal initiatives** to address this category of speech and to strengthen social cohesion and heighten respect. Mr. Türk affirmed that **human rights education** can be overt, in **schools and public media campaigns**, but it can also be more subtle diffused through inclusive **sports teams**, local **skills training, women's civil society programmes**, practical projects jointly led by religious and community leaders and, perhaps especially, an emphasis on the inclusive participation of **young people**, who will carry the lessons of these shared social connections into the future. Social media platforms have a clear responsibility to combat online hate speech that may lead to real-world discrimination and violence.

Mr. 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, asserted that hate is the first line of attack on human dignity. At the heart of hate is the fear of the other. Geopolitical conflicts, historical grievances, misperceptions, and misuse of social media can provide the triggers for hate based crimes such as attacks on religious texts. Burning religious text has a dangerous past and often is a precursor to violent crimes. Considering the burning of the holy Quran of last year, he affirmed that two of the deadliest mass crimes against humanity in the last century began by burning books, the *Holocaust* and the *war against the Bosnians*.

A conversation to combat religious hatred can be misperceived as a threat to freedom of speech. International human rights law envisages duties, responsibilities and limitations on free speech. Similarly, combating religious hate is not about protecting a religion. It is about protecting the people who pursue that faith from the human rights impacts of unchecked hate. Factors such as new technologies have emerged, rapid disinformation has been weaponized through social media.

Ms. Irene Khan, Special Rapporteur on the promotion and protection of freedom of opinion and expression, affirmed that freedom of religion or belief and freedom of opinion and expression are mutually reinforcing, allowing all persons, no matter of what religion or belief or of no religion at all, to demand tolerance, participate in public life and contribute openly and equally in society. Freedom of expression is essential for combatting negative stereotypes and for creating an atmosphere of respect and understanding between and among different communities and individuals. Any restriction of freedom of expression under international law must be lawful, non-discriminatory, and must be strictly necessary and proportionate to ensure respect for the rights and reputation of others, or to

protect national security, public order, health, and morals. The protection of religion, religious objects, holy books, or religious sentiments is not recognized as a legitimate ground for restricting the right to freedom of expression. The purpose of human rights law is to protect individuals, not to shield religious doctrine, objects, symbols, or texts from criticism.

States must adopt a range of social policies and programmes to promote diversity, tolerance and respect for human rights and the rule of law in increasingly multicultural, interconnected societies. Political and religious leaders have a crucial role to play in speaking out firmly and promptly against religious intolerance and hatred. Respect for freedom of expression can be a powerful weapon against religious hatred. All social media platforms taking their responsibilities seriously, by listening to those concerned, and acting promptly with content moderation policies which respect human rights. Media too have a responsibility, both legacy and social media. At the very minimum, media outlets and journalists should adopt voluntary ethical codes and standards that do not allow hate speech and promote high standards of professional journalism.

Ms. Kobauyah Tchamdja Kpatcha, Vice-Chair of the Human Rights Committee, affirmed that despite definitional efforts, the determination of incitement to hatred remains essentially contextual. The Human Rights Committee contributed to the development of the *Rabat Action Plan* which defines the term "hate" as intense and irrational manifestations of hostility or of hatred towards a targeted group. The term "incitement" refers to statements against national, racial, or religious groups that create an imminent risk of discrimination, hostility or violence against people belonging to those groups. Laws are a pillar of protection that is certainly important but never sufficient. Any legislation against incitement to hatred must be complemented by initiatives from various sectors of society in order to create and strengthen a culture of inclusiveness, tolerance, and mutual respect. States, the media and society have a collective responsibility to ensure that acts of incitement to hatred are denounced and subject to appropriate action, in accordance with international law. Political and religious leaders should refrain from using expressions that could incite violence, hostility, or discrimination. They also bear a crucial responsibility to speak out strongly and quickly against hate speech. They must also make it clear that violence can never be tolerated in response to incitement to hatred.

In conclusion, she emphasized the importance of the most determining poles of influence in any society: **politics, religion, the media, and education**. The UN must accelerate observation and analysis of experiences between parliamentarians, judges, educators, the media, and actors of the faith. UN mechanisms should work together and not in parallel.

Mr. 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, provided an historical and legal analysis of the impact that laws protecting the sacred have on human rights. From the historical perspective, laws protecting the sacred have existed for millennia and are present in the oldest legal codes. These laws have similar characteristics: they were created to protect sacred matters, enforce orthodoxy, and safeguard the maintenance of power. He further informed the Council about the several historical examples of direct or indirect criticisms of laws protecting the sacred exist. These underscore a fundamental fact: **every religious or atheist movement starts by challenging what is established as sacred**.

Consequently, laws protecting the sacred tend to have a **negative impact** on members of minority religious and non-religious groups. Religious hatred constituting incitement to discrimination, hostility, or violence can take place anywhere in the world, the best place to discuss this matter is the

UN. However, it is worrisome that the UN is considering prioritising the protection of the sacred instead of the protection of persons.

Interactive dialogue

28 country delegations took the floor during the interactive dialogue. **The majority of the countries** condemned any advocacy of national racial or religious hatred that constitutes incitement to discrimination, hostility or violence and reject acts of individuals that only aim to provoke and divide our societies. They reiterated that it is important to respect the religious and cultural diversity to promote interface religious and religious religion and dialogue and to reject all forms of intolerance and hatred. **Finland** expressed the necessity to work preventively to adopt and implement action plans and initiatives to counter national racial or religious hatred and to provide full protection of the rights of persons belonging to religious minorities in all countries. Education that includes faith literacy remains a key instrument in combating religious hatred, the **Sovereign Order of Malta** added.

Among several Countries, **Egypt, Gambia, Kuwait, the United States, and Iran** reiterated their condemnation of the burning of the holy Quran which constitutes a hate crime and in no way represents freedom of expression. **Cuba** regretted that certain European countries have frequent discrimination and segregation on religious grounds and insults to religious symbols.

The Russian Federation and Qatar stressed that the phenomenon of **Islamophobia** has reached alarming levels. Muslim women also face complex levels of discrimination. It is therefore important to combat against all forms of hatred against Islam. **Israel** focused on few examples of hatred, threats and attacks targeting Jewish communities and individuals worldwide for the past five months, including the attacks of Hamas terrorists.

NGOs remained concerned by the ongoing impact of discriminatory legislation and targeted attacks based on religion or belief, and the increase in religious intolerance and hatred, spread by both state and non-state actors with impunity. While they recognise that the desecration of holy books may be considered as deeply disrespectful and offensive by many, they were concerned about how such incidents are instrumentalised globally to restrict the right to freedom of opinion and expression and freedom of religion or belief. More must be done to tackle the root causes of religious hatred, in line with international human rights law. Members of different religions must work together for human rights in aim of maintaining a peaceful world. **Legal Analysis and Research Public Union** drew attention to the concerning trend of rising islamophobia in Western Europe, particularly in countries like *France, Denmark and Sweden*.

Delegations that took the floor during the Interactive dialogue (28 country delegations):

Pakistan (on behalf of OIC), Finland (on behalf of the Nordic Baltic countries), Gambia (on behalf of African Group), Qatar, EU, Egypt, Albania, Saudia Arabia, Egypt (on behalf of Group of Arab States), Sovereign Order of Malta, USA, Israel, Libya, United Emirates Arab, Kuwait, Australia, Türkiye, Iraq, Cameroon, Maldives, Morocco, Russian Federation, Cuba, Malaysia, Oman, Iran, Switzerland, Bahrain.

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

Qatar: National Human Rights Committee, Medical Support Association for Unprivileged Persons, Legal Analysis and Research Public Union, World Evangelical Alliance, Jubil Campaign, Christian Solidarity Worldwide, Article 19 - International Centre Against Censorship, The, Human Rights Protection, Interfaith International, OCAPROCE.

To watch the full meeting refer to [UN Web TV](#).