



## **Statement by Bürgerbewegung Pax Europa**

### **OSCE Human Dimension Implementation Meeting**

#### **Working Session 2**

#### **Freedom of Expression**

Warsaw, September 23, 2014

BPE continues to be gravely concerned about the introduction of even stricter hate speech laws, both in the OSCE region as well as specifically in Austria as a result of dangers emanating from the Islamic State (IS). IS has induced a number of Austrian men and women to travel to Syria and Iraq in order to fight alongside IS. Following calls to violence on Facebook and other media outlets by these Austrian IS fighters, the Austrian government is planning the introduction of even stricter laws with regard to freedom of speech. An expert meeting with the ministers of interior, integration and justice has been set for mid-October in order to “combat hate speech and hatred.”

We believe that the truth needs no defense, and hate speech laws infringe on our freedom of speech. We remind the Austrian delegation that it is freedom of speech that makes freedom of religion possible, and not the other way around.

Fairly elaborate "Hate speech" regulations existed under the Weimar Republic, showing clearly that such laws are not effective for their intended purpose.

In this context, we refer to a statement on Austrian television in January 2011 by Mr. Josef Cap, the parliamentary leader of the Social Democrats, who said:

“We do not want Islam’s political manifestation [here in Austria].”

He echoed then-interior minister Maria Fekter, who had said that interpretative sovereignty of Austrian laws have precedence over religions and their laws. She also stated that “freedom of religion is the right of an individual to change or leave a religion” (Vienna 1989, freedom of the individual to profess his religion) and not the authority of religious institutions to dominate other ways of life or religions.

Sadly, Islam's political manifestations have reached Austria. Unfortunately, official reaction to these

manifestations have been wrong-headed and less than successful. Further restrictions are unnecessary; current laws are more than sufficient. For example, the call to violence against the Kafir as exhibited in Sura 9:5 (“But when the sacred months expire slay those who associate others with Allah in His Divinity wherever you find them...”) or Sura 2:191 (“Kill them wherever you confront them and drive them out from where they drove you out.”<sup>1</sup>), among others, are already punishable under the present regime of criminal law.

### **Recommendation to OSCE participating States**

- BPE recommends that participating States of the OSCE repeal all hate speech legislation, as they are in principle incompatible with the foundation of a free society.
- BPE calls on participating States to actively enforce laws and regulations criminalizing incitement to violence and other crimes, including when such statements are made in religious contexts.
- BPE calls on participating States to actively enforce existing laws and regulations to control and verify that human rights violations are not encouraged under the cover of “religious freedom”.

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1 Suras from “Towards Understanding the Qur'an” by Sayyid Abul A'la Mawdudi  
UK Islamic Mission, Dawah Centre, Birmingham, 2011.