



## **Stichting Magenta - Magenta Foundation**

Camperstraat 3 hs - 1091 AD Amsterdam - The Netherlands  
+31-20-6927266 - Fax +31-20-6927267  
www.magenta.nl - e-mail: info@magenta.nl  
Postbank account nr. 189687  
Chamber of Commerce Amsterdam nr. 41212748

HDIM. NGO/251/08  
6 October 2008

**Intervention by Ronald Eissens on behalf of Magenta Foundation,  
On Monday, October 6, 2008 - working session 10: Tolerance and non-  
discrimination II (continued): Review of the implementation of commitments,  
promotion of mutual respect and understanding and addressing hate crimes:  
Combating racism, xenophobia and discrimination, also focusing on  
intolerance and discrimination against Christians and members of other  
religions; Combating anti-Semitism; Combating intolerance and discrimination  
against Muslims.**

**OSCE HUMAN DIMENSION IMPLEMENTATION MEETING  
29 September to 10 October 2008  
Warsaw, Poland**

Recently, we have noted that for those working on Human Rights and anti-racism the issue of defamation of religion and blasphemy increasingly becomes an obstacle for addressing human rights violations and discrimination against individuals because of their race, gender, religion, sexual nature or other characteristics.

A campaign to outlaw defamation of religion has surfaced in international bodies like the United Nations and the OSCE. Some claim that criticism of a religion, its tenets or religious laws, equal defamation or blasphemy. Others even argue that defamation of religion should be outlawed because criticizing a religion discriminates the group of people that adhere to the religion in question. This conflation of religion and Human Rights is counterproductive and troublesome.

Hatred for and / or criticizing a religion in general cannot be part of the anti-racism or anti-discrimination discourse. The victims of racism or discrimination are the people, not religion itself. People, because of their unchangeable characteristics, are the subject of racism, discrimination and Human Rights abuses, while religion is just a body of ideas that someone can adopt, change or reject.

The frequently used labels for hate against Muslims and Christians, 'Islamophobia' and 'Christianophobia' are not very helpful in keeping religion and human rights apart. The labels suggest that vilifying religion is an equivalent of discrimination of, or hatred towards adherents of this particular religion.

Moreover, the terms Defamation of religion, Islamophobia and Christianophobia bear the danger of being abused to silence undesired voices. For example, some governments use defamation laws for their own purposes, shutting down religious minorities and at the international level, the religious block argues that GLBT-rights are an attack on their religion. Overall, there seems to be a tendency by religious groups in general to perceive the rights of others as blasphemous.

We have noted that Ambassador Ömur Orhun, Personal Representative to the OSCE Chair in Office on Combating Intolerance and Discrimination against Muslims is using the term 'discrimination against Muslims' rather than 'Islamophobia', which is commendable.

We are concerned about Human Rights violations and all forms of discrimination, like hate against Muslims, which is a growing problem that needs to be addressed and about discrimination against others because of their religion. We worry equally about the growing influence of religions on society.

Individuals must be able to freely and peacefully express their opinions; this is a fundamental aspect of the freedom of thought and the freedom of expression. Religious as well as non-religious groups must tolerate public statements about their activities, teachings and beliefs, even if it is something that they do not want to hear. It is exactly these kinds of unwanted and controversial opinions that need to be protected, since generally accepted opinions can be done without trouble. Freedom of expression is a fundamental right that underpins many other freedoms

We recommend the OSCE participating states to:

- **Assure their citizens that they will be protected against all forms of discrimination and hatred.**
- **Strive to abolish laws on blasphemy or defamation of religions from their legal system.**
- **Make -and keep- a clear distinction at all times between race and religion.**
- **Oppose proposals for codifying “defamation of religion” at national and international levels.**
- **Filter-out religion as a subject of protection from the international Human Rights discourse.**
- **Rephrase the terms Islamophobia and Christianophobia as ‘hate against Muslims’ and ‘hate against Christians’.**

Lastly, you can find our just released publication Blasphemous matter - Blasphemy, defamation of religion and Human Rights, on the tables outside the room.