



THE 2018 HUMAN DIMENSION IMPLEMENTATION MEETING

Working session 6: Tolerance and non-discrimination I, including combating anti-Semitism, combating intolerance and discrimination based on religion or belief, including against Christians, Muslims and members of other religions (13/09/2018)

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In their vital quest to combat intolerance and discrimination based on religion or belief, we urge all OSCE participating states who have them, to repeal their blasphemy laws.

All evidence shows that prohibitions on “blasphemy” or “religious insult” encourage intolerance, discrimination, hostility and can lead to a wide range of human rights abuses. Across the world there are numerous examples of persecution and discrimination against religious and non-religious minorities and dissenters that come as a result of legislation on “religious offence.”

As pointed out by the UN Rabat Plan of Action, “blasphemy laws may result in de facto censure of all inter-religious or belief and intra-religious or belief dialogue, debate and criticism, most of which could be constructive, healthy and needed.”¹

The UN Special Rapporteur on Free Expression, the UN Special Rapporteur on Cultural Rights, the UN Special Rapporteur on Freedom of Religion or Belief, and the UN Secretary-General's Special Adviser for the Prevention of Genocide have all called for blasphemy laws to be repealed globally. As have international instruments specifically written on the subject of combating intolerance and discrimination, such as the Fez and Rabat Plans of Action, and the Beirut Declaration.

Yet, there are 16 countries in the OSCE region which outlaw blasphemy: Austria, Canada, Czech Republic, Finland, Germany, Greece, Ireland, Italy, Kazakhstan, Malta, Montenegro, Poland, Russia, San Marino, Spain, and Turkey.

Over the past decade in a number of these, including in Russia, Turkey, Kazakhstan, and Greece, these laws have been used to sentence people with imprisonment.²

You cannot end intolerance based on religion or belief by selectively silencing speech of religious and non-religious people. In some cases, just the advocacy of one’s belief might be construed or received as a criticism of another’s beliefs; that is the small price we pay for protecting freedom of religion or belief, free expression, and the promotion of mutual understanding for fostering tolerance.

We must protect the rights of all individuals to be free from intolerance, discrimination and hate crimes; and we must counter offensive expression through dialogue, counter speech, education, and public debate - not through its criminalization.

Next month, Ireland will hold a referendum on removing the anti-blasphemy provision from its Constitution. We wholeheartedly hope the people set a good example by voting to approve its removal.

¹ https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf

² <https://end-blasphemy-laws.org/countries/>