

Statement by Human Rights First**Working Session 10: Freedom of thought, conscience, religion, or belief
October 1, 2012**

Hate crime motivated by religious intolerance remains a key obstacle faced by participating States as they ensure and promote freedom of thought, conscience, religion, or belief. Violence motivated by antireligious prejudices affects individuals' ability to freely practice a religion and safely meet with coreligionists. Virtually every religious community in the OSCE has been subjected to acts of vandalism and other serious property damage, while individuals associated with religious groups have been targeted for violence. The desecration of graves and cemeteries is a common problem.

Human Rights First call on participating States to ensure the right to freedom of religion, by implementing commitments to respond to hate crimes, including violence targeting religious communities and individuals, including by:

- taking steps to ensure the implementation of constitutional and international norms guaranteeing freedom of conscience and religion and nondiscrimination against any individual or group of individuals based on their religion;
- affirming publicly the equality before the law of members of all religious communities and refraining from using rhetoric that divides groups into “traditional” and “nontraditional;”
- investigating and prosecuting cases of bias-motivated violence against individuals or property associated with religious communities.

While violent hate crime is mostly perpetrated by nonstate actors, official obstruction of religious activities is also a noticeable problem, mostly affecting religious minorities. In several participating States, “new movements” and nontraditional faiths—including the Jehovah’s Witnesses, Scientologists, Hare Krishna, Baptists, followers of the Muslim theologian Said Nursi, and Pentecostals, and others—continue to face arbitrary and overly burdensome registration requirements, restrictions on building permits for places of worship, formal or informal bans on the rental of places of assembly for religious services, and sporadic public statements by political leaders denouncing minority faiths. We also see a rise of misuse of hate crime—or extremism—statutes to prosecute members of nontraditional or minority religious groups. Hate crime laws should be used to protect believers, not undermine freedom of thought, conscience, religion, or belief.

Governments must also stress that violence is never an appropriate response to hate speech, reiterating commitment to tolerance and free expression. Speaking out in support of free speech is essential to combat the global challenge of religious intolerance. Legislative efforts designed to punish speech deemed offensive of religion or blasphemous often end up restricting religious freedom, being used to persecute religious minorities, or setting the limits of acceptable public discourse. Far from promoting tolerance, such legislative restrictions on speech undermine respect for religious pluralism and weaken the rule of law.

Human Rights First urges participating States to develop practical steps to combat hatred and religious intolerance without restricting speech. However harsh and difficult the marketplace of ideas may be at times, it is most effective to uphold one's ideas through one's right to free speech. The capacity of each individual to express opinions must not be threatened. The best way to counter hatred is to defy it through convincing arguments, good actions, and free debate. Much can be done to fight religious hatred without restricting speech, and governments should condemn hatred and set the example.