

Session II

**CHURCH OF SCIENTOLOGY INTERNATIONAL
EUROPEAN HUMAN RIGHTS OFFICE**

**SUBMISSION TO
SUPPLEMENTARY HUMAN DIMENSION MEETING
FREEDOM OF THE MEDIA**

What the most optimum balance should be between freedom of expression, freedom of religion and the ethical responsibility of media has been a subject of discussion throughout this year.

The legal limitations have been established fairly well, but the debate goes deeper than this when it comes to what are the ethical responsibilities of media when reporting about religion or belief. As there is no simple answer to where the balance lies, then a series of guidelines can be used which focuses the responsibilities of different parties.

1. Freedom of expression is a vital and fundamental human right. If this right is not guaranteed it then opens the door for other rights to be diminished. However, along with this factor comes the duty to use this right responsibly.

Except in the extreme, we cannot and should not legislate against opinion or even careless or irresponsible statements or views that are opposing to one belief or another. However, there is the responsibility to report factually and without bias. It is within this realm that organisations responsible for media should take a more stringent and critical approach to media monitoring or towards their own members (such as associations of journalists).

Perhaps the best definition to guide the application of this principle would be that responsible use of freedom of expression would be to express oneself truthfully, without bias and bearing in mind the sensitivities of those whom the subject matter concerns. Statements that generate hate or bias towards groups or individuals should be scrupulously avoided and groups should not be stereotyped. In instances where reporting is materially false, the media should promptly grant corrections and a right of reply.

2. Freedom of religion or belief is also a fundamental right that must not be diminished or negated. If we are to live together and promote a tolerant society free of discrimination, then respect and understanding of another's belief must be an important part of the picture.

Conversely, it is unacceptable that the response from members of any religion or group whose sensibilities have been offended is violent or physically threatening in any way.

With rights go responsibilities. In order to determine what is 'responsible' we should also look at the intent behind and the effect created by an article or media piece.

United Nations

Three United Nations Special Rapporteurs issued a statement on February 8th 2006 stating that *"Peaceful expression of opinions and ideas, either orally, through the press or other media, should always be tolerated. The press must enjoy large editorial freedom to promote a free flow of news and information, within and across national borders, thus providing an arena for debate and dialogue. Nevertheless, the use of stereotypes and labelling that insult deep-rooted religious feelings do not contribute to the creation of an environment conducive to constructive and peaceful dialogue among different communities."*

"The Special Rapporteurs recall that ... both rights [freedom of religion or belief and freedom of expression] should be equally respected, the exercise of the right to freedom of expression carries with it special duties and responsibilities. It requires good judgment, tolerance and a sense of responsibility."

Council of Europe

Even more recently (June 2006), the Council of Europe Parliamentary Assembly adopted Resolution 1510 (2006) *Freedom of expression and respect for religious beliefs*. Amongst other points the Resolution states that:

"democratic society must...permit open debate on matters relating to religion and beliefs"

"States should support information and education about religion so as to develop better awareness of religions as well as a critical mind in its citizens."

"hate speech against any religious group is not compatible with the fundamental rights and freedoms guaranteed by the Convention and the case law of the Court."

The Assembly also called upon *"parliaments in member states to hold debates on freedom of expression and the respect for religious beliefs, and on members to report back to the Assembly about the results of these debates."*

It also *"invite[d] media professionals and their professional organisations to discuss media ethics with regard to religious beliefs and sensitivities. The Assembly encourages the creation of press complaints bodies, media ombudspersons or other self-regulatory bodies, where such bodies do not yet exist, which should discuss possible remedies for offences to religious persuasions."*

"The Assembly encourages intercultural and interreligious dialogue based on universal human rights, involving – on the basis of equality and mutual respect – civil society, as well as the media, with a view to promoting tolerance, trust and mutual understanding which are vital for building coherent societies and strengthening international peace and security."

Media may have the 'right' to print negative depictions of groups but in doing so they do not act responsibly in exercising this right when the intent is to harm or destroy and the depiction is based on false, biased or misleading information.

Governments also have an important role to play and a responsibility to encourage and promote tolerance and dialogue in society.

Minority religions

It should also be noted that minority religions have often been the subject of extremely negative depictions in media which are at least as offensive to their members as recent examples concerning Moslems and Christians. However, because they are a minority, in a media climate where minority religions are sometimes pejoratively characterized as 'sects', then there is no voice against these portrayals. In fact, such portrayals are often taken at face value without any critical evaluation whatsoever.

Such circumstances require media to be even more vigilant about the way in which they depict groups they are writing about.

Recommendations

- a) Media organisations should establish more receptive complaints procedures and be more responsive to complaints made by representatives of religions. Critical appraisal of articles that are not factual, biased or little more than 'hits' on a religion should be made by ethical review boards within journalistic or media associations.
- b) A voluntary code of conduct for the media would be a positive way forward. It would set standards to be followed that would apply to all religions, old and new, large and small, whilst maintaining freedom of expression.
- c) Religious groups should make efforts to fully explain themselves and their actions to media representatives. Journalists and media representatives should take steps to encourage trust in themselves so that open lines of communication with religious organisations, especially minority religions that have been targeted, can be established.
- d) Governments and politicians should take a more active role in promoting dialogue and education about all religious movements, large and small, and in establishing a social climate of tolerance and respect for one another.

For further information contact

Martin Weightman

91 rue de la Loi, 1040 Brussels, Belgium

Phone: + 32 2 213 1596 Email: martinweightman@compuserve.com