

Statement by European Centre for Law and Justice (ECLJ)  
Presented by: Grégor Puppinck  
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Oral Declaration presented of the ECLJ on the Report of the Special Rapporteur, on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, on combating defamation of religions, on the manifestations of “Defamation of religions”, in particular Islamophobia.

Mr. Président,

As it has been underlined during the debates on “Defamation of religions”, nowadays, discrimination and intolerance focuses more on religious rather than racial criteria. Religious intolerance can exist within the same group of people, as recent discussions within the framework of the Universal Periodic Review showed, with respect to the crimes of “apostasy”.

The ECLJ, as an NGO specialized in religious freedom, supports any initiative of the Human Right Council for greater respect of religious freedom. However, we can not support the concept of “Defamation of religions”, nor the one of “phobia” when applied to religion or beliefs, such as “Islamophobia”.

In the current context of religious tensions, the first requirement should be for this Assembly to use a vocabulary which is objective and legally precise.

The concept of “phobia” should not be employed because it does not designate any reality, but a psychic instability. It is not realistic to think that any person opposed to a specific religion has a mental disorder. In fact, the concept of “phobia” tends to “victimize” a portion of the population in order to make the other part of the population “guilty”, without any rational justification. Using the concept of “phobia” is to hobble oneself to rationally grasping the causes of religious intolerance.

Secondly, the ECLJ wants to recall that the concept of “defamation of religions” is incompatible with Human Rights. More than that, that concept is a threat to Human Rights, in particular to the rights of religious minorities.

To accept the use of the concept of “defamation of religions” would give an international legality to repressive laws working against religious minorities, such as the laws against proselytism and blasphemy. We should not forget that in many countries, the simple public expression of the content of a minority religion, most of the times Christianity, can be considered as an offense, a “defamation” of the State’s official religion. Thus, to accept the concept of “defamation of religions” would in fact, reinforce, straighten, the arsenal of repressive laws directed against religious minorities.

As a conclusion, it should be greater respect for religious freedom, as provided by the existing international law. Only respect of religious freedom can effectively help to combat the growing “bipolarization” of the world.

Thank you Mr. President.