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HUMAN RIGHTS COUNCIL  
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ORAL STATEMENT

On the Report of the SR on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on all manifestations of defamation of religions, and in particular on the serious implications of Islamophobia, on the enjoyment of all rights by their followers.

A/HRC/12/38 1 July 2009

(Item 9)

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Mr. President,

The ECLJ, as an NGO specialized in religious freedom defense, notes with satisfaction the gradual abandonment of the concept of "defamation of religion" toward a legal approach focused on Articles 19 and 20 of International Covenant on Civil and Political Rights. The report of Mr. Muigai confirms this "shift of paradigm" in the wake of Ms. Jahangir reports and of the conclusions of the October 2008 Expert Seminar on freedom of expression and religious hatred

Too often anti- blasphemy laws are implemented in totally arbitrary way and serve as a pretext for persecution of religious minorities. Such is the case, for example, of articles 295 and 298 of the Pakistani Penal Code.

Concerning the section of the report dedicated to the "impact of Islamophobia," the ECLJ regrets its lack of realism and partiality; a partial character that the rapporteur has the honesty to recognize and deplore. Indeed, this report accuses of intolerance a Europe which hosts widely and generously Muslim populations, and remain silent about the true religious intolerance.

It would have been fair and realistic to take into account the fact that never in its history Europe has faced such a demographic and cultural upheaval, so that we can speak of a phenomenon of Islamization Europe.

It would have been fair and realistic to recognize that European countries authorize and fund the construction of mosques, the creation of religious associations and schools.

It would also have been fair to recognize that the Western countries and Europe in particular have a culture and a set of legal rules that make it a sanctuary for religious freedom.

Applications for asylum on religious grounds are flowing into Europe. Each week, the ECLJ receives requests for assistance from refugees from Iran, Egypt, Pakistan, Algeria, or Syria ; all of these refugees have common to risk death because they were born or have become Christians.

Allow me, Mr. President, to pay tribute to recent victims of the real religious intolerance. I mean those 13 Pakistanis who were killed in August, because of their faith.

On July 30, a mob of fanatics attacked the Christian community of Gojra, and destroyed the houses after looting. Two days later, on the 1<sup>st</sup> of August, 8 Christians were killed, burned alive, including three children and three women. The crowd looted and burned down 70

houses of Christians, and has also desecrated two churches in Gojra. The mob ransacked the houses, destroying Bibles, crosses. The security forces did nothing to prevent the carnage even though a call to violence against Christians was launched publicly in mosques. Ironically, police has intervene only 72 hours later, but in response to the protest organized by the victims.

On August 28<sup>th</sup>, five other Christians have been killed by gunfire in downtown Quetta, Baluchistan.

At the root of this violence: false accusations based on Articles 295 and 298 of Pakistan Penal Code condemning the “defamation of Islam”.