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34th Session of the Human Rights Council

Item 3 – Interactive Dialogue with the UN Special Rapporteur on the right to freedom of religion or belief

Oral Statement

7 March 2016

Delivered by Andrew Smith, ARTICLE 19

Mr. President,

ARTICLE 19 welcomes the first report of Ahmed Shaheed as Special Rapporteur on the right to freedom of religion or belief, in particular his objective to address persistent “implementation gaps” in States’ compliance with their international human rights obligations and commitments.

The triple threat to freedom of religion or belief – of violence in the name of religion, of rising discriminatory populism, and of States’ securitisation of rights in response – also gravely endanger the right to freedom of expression. Recognition of the interdependence of these rights, together with the urgent need for action from States to secure their protection, is essential.

As you have identified, the Camden Principles on freedom of expression and equality, HRC Resolution 16/18, and the Rabat Plan of Action, give normative and practical guidance to States in this regard. More must be done for their implementation, with a greater range of stakeholders mobilised in this effort; the important principle that limitations on expression are an exceptional and last resort measure cannot be understated.

As a priority, this Council must address murders, threats, and harassment against religion or belief minorities, including atheists, often connected to their legitimate expression online. In Bangladesh, impunity for the murders of bloggers in recent years must be condemned: those responsible must be held accountable, and further violence prevented.

The repeal of blasphemy laws, recommended by the UN Human Rights Committee and cited in the Rabat Plan of Action, is essential. That individuals are rights holders, whilst religions are not, must continually be restated until it sticks; blasphemy laws protect no one, but fuel violence, censor open debate, and target minority and dissenting voices.

On this theme, we ask the Special Rapporteur what obstacles the retention and use of blasphemy prohibitions in EU member states such as Denmark and Poland pose to the aim of addressing “implementation gaps” globally?

Finally, ARTICLE 19 welcomes the holding of the 6th Istanbul Process meeting on the implementation of HRC Resolution 16/18 in Singapore in July 2016, in particular for its practitioner focus. We ask the Special Rapporteur how greater visibility, transparency, introspection, and inclusion in the Istanbul Process could maximise its potential as a vehicle to address “implementation gaps”, and what role his mandate could play to this end?