



PRESS RELEASE

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UN Human Rights Council Undermines Freedom of Expression

ARTICLE 19 and the Cairo Institute for Human Rights Studies (CIHRS) condemn the resolution passed on March 28 by a majority of the member states of the UNHRC which amends the mandate of the Special Rapporteur on Freedom of Expression, as per proposals from the Organisation of Islamic Congress (OIC) and the Cuban delegations. The previous day, the UNHRC approved a resolution on Combating Defamation of Religions which also erodes freedom of expression.

CIHRS and ARTICLE 19 condemn the repeated misuse of the Human Rights Council (HRC) process to push for an agenda that has nothing to do with strengthening human rights and everything to do with protecting autocracies and political point scoring. The lengthy HRC process, spreading over several weeks, makes it very difficult for most civil society organisations to sustain effective advocacy and lobbying strategy at the HRC.

In preparation for the next HRC session and ahead of next year's debates, ARTICLE 19 and CIHRS call on HRC member states to combat the negative and undermining trend against freedom of expression. In particular, CIHRS and ARTICLE 19 urge member states to sponsor or support resolutions and identify other means that:

- Recognise and affirm the positive role that freedom of expression and freedom of the press has played and continue to play, including in promoting the rights to equality and justice.
- Reinforce the international protection of human rights for every people and every person – in particular, the individual's rights to life, equality and justice, as well as the rights of minorities, including religious minorities, to be protected from acts of hatred, oppression and violence.
- Invite all relevant UN mandates to strengthen cooperation between them towards promoting a better understanding of freedom of expression and of the indivisibility of human rights

ARTICLE 19 and CIHRS also call on all donor agencies to support press freedom and free speech civil society organisations, particularly those based in OIC countries, so that these can be present during the HRC sessions and are able to advocate and lobby effectively for better protection of freedom of expression.

Background:

ARTICLE 19 and CIHRS issued a joint statement last week on the amendment to the mandate of the Special Rapporteur on Freedom of Expression: <http://www.article19.org/pdfs/press/hrc-special-mandate.pdf>

CIHRS made an oral intervention together with the Egyptian Initiative for Personal Rights (EIPR) on rationalisation and improvement of the mandate of the Special Rapporteur on the Promotion and

Protection of Freedom of Opinion and Expression:
http://www.cihrs.org/right_details_en.aspx?right_id=2

ARTICLE 19 has published statements on defamation of religion:
<http://www.article19.org/pdfs/press/hrc-religious-defamation.pdf>
<http://www.article19.org/pdfs/publications/blasphemy-hate-speech-article.pdf>

Along with 38 NGOs, ARTICLE 19 and CIHRS signed off a petition calling on the HRC not to amend the mandate of the Special Rapporteur: <http://www.article19.org/pdfs/press/petition-hrc.pdf>

In a resolution (A/HRC/7/L.15) on combating defamation of religions, adopted by a vote of 21 in favour, 10 against, and 14 abstentions, the Council requests the High Commissioner for Human Rights to report on the implementation of the present resolution and to submit a study compiling relevant existing legislations and jurisprudence concerning defamation of and contempt for religions to the Council at its ninth session. Those in favour included: Azerbaijan, Bangladesh, Cameroon, China, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Mali, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa and Sri Lanka. Those against included: Canada, France, Germany, Italy, Netherlands, Romania, Slovenia, Switzerland, Ukraine and United Kingdom. A similar resolution has been passed since 2002. Abstentions (14): Bolivia, Brazil, Gabon, Ghana, Guatemala, India, Japan, Madagascar, Mauritius, Mexico, Peru, Republic of Korea, Uruguay and Zambia.

In a resolution (A/HRC/7/L.24) on the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, adopted by a vote of 32 in favour, none against, and 15 abstentions, the Council decides to extend for a further three years the mandate of the Special Rapporteur. The Council also adopted an amendment to resolution A/HRC/7/L.24, as tabled in resolution A/HRC/7/L.39 that the Special Rapporteur shall "report on instances in which the abuse of the right of freedom of expression constitutes an act of racial or religious discrimination". The results of the vote were as follows: In favour (27): Angola, Azerbaijan, Bangladesh, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka and Zambia. Against (17): Bosnia and Herzegovina, Brazil, Canada, France, Germany, Guatemala, India, Italy, Mexico, Netherlands, Peru, Romania, Slovenia, Switzerland, Ukraine, United Kingdom and Uruguay. Abstentions (3): Bolivia, Japan and Republic of Korea. The Council also voted on an oral amendment read out by the delegation of Cuba to be inserted at the end of preamble paragraph 10, as follows... "and also the importance for all forms of media to repeat and to deliver information in a fair and partial manner". The amendment was adopted by a vote of 29 in favour, 15 against and 3 abstentions.

NOTES TO EDITORS

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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of expression.
- Cairo Institute for Human Rights Studies is an independent regional non-governmental organisation. It aims at promoting respect for principles of human rights and democracy, analysing the difficulties facing the application of International Human Rights Law and disseminating Human Rights Culture in the Arab Region.