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Comments by Pakistan, on behalf of the OIC, during the interactive dialogue with the Special Rapporteurs on Freedom of Religions and Human Rights Defenders, under agenda item 3, 13th Session of HRC, Geneva, 11 March 2010

Mr. President,

I am making these comments on behalf of the Member States of the OIC.

We welcome yet another comprehensive *report presented by Ms. Jahangir* on an important dimension of her mandate. Over the period of her two terms, we have benefited from her knowledge, forthright approach and a frank dialogue. We wish her well in her future assignments.

In her present report she has raised the important issue of dealing with the early signs of discrimination and violence on the grounds or in the name of religion or belief relating to action or inaction by State, non State and international or external factors. We fully support her view that prevention is the key for creating an atmosphere of religious tolerance and all actors must respond quickly within their competence at the first warning sign to effectively address this challenge.

Noting various manifestations mentioned in her report as early signs of discrimination, we would like her to comment on how she would describe recent bans on construction of minarets in mosques and prohibition on wearing of distinctive clothing on religious grounds in public places? Are such acts consistent with and to be condoned in the name of democracy and pluralistic ethos of a society?

We also support her view that equal attention and focus be given to the protection of all religions. While we agree that the freedom of religion or belief does not include the right to have a religion free from criticism, we do not agree that deliberate ridiculing, derogatory, defamatory or negative stereotyping of religions is part of the freedom of expression or freedom of religion. It may indeed be tantamount to incitement to religious hatred and concomitant discrimination, and violence against the related communities.

In conclusion, we support her views on the role that religious leaders, artists, journalists, civil society and media can play to complement state actions to combat religious discrimination as a high priority human rights objective.

As regards the report of Ms. Sekagaya, we take note of the importance of the subject highlighted i.e. protection mechanisms for the individuals involved in the promotion and protection of human rights. Indeed all governments need to take strong and effective measures to ensure protection of all its law abiding citizens.

Many of the OIC countries have human rights ministries and departments, which also act as focal point for coordination of all human rights activities in the country including protection or complaints against any reprisal, threats and acts of discrimination. Accordingly, we support her recommendation concerning close and regular consultation with the genuine human rights activists, which shall take into account their specific

needs for security and safety against different types of threats. The importance of appropriate human rights education and training to all public officials in this regards cannot be overemphasized.

The OIC believes in a healthy and constructive relationship between the states and civil society actors whose activity is rooted in the relevant communities and is aimed at enhancing the enjoyment of their rights. It is important that this relationship is not seen in adversarial terms. States should recognize their value and the guidance these segments can provide to ensure proper enjoyment of human rights by the society while human rights activists/defenders should develop an understanding of the responsible role they should play in this regard.

While taking note of best practices highlighted in the report, we have the following questions for the Special Rapporteur:

- A) Given the resource constraints faced by most countries, is it advisable to work for a comprehensive protection plan, which takes into accounts the needs of all segments of society or to have separate ones to cater for the needs of different vulnerable segments, like for the ones who raise their voices in support of the victims?
- B) How should a country respond to the activities of persons/elements that use the pretext of human rights to violate the laws of the land including resorting to violence? Similarly, how to distinguish between and deal with competing claims of human rights activists and allegations? And lastly
- C) Some of the recommendations such as calling upon a regional group to use its Missions abroad to have regular contact with, extend extra protection measures and financial resources to the protection of human rights activists on the ground in other countries, seem too intrusive. Wouldn't such recommendations amount to interference or incitement to interference in the internal affairs of sovereign states? Would like to know Special Rapporteur's views on it.

I thank you Mr. President.